



**City of Fairhope
Planning Commission Agenda
5:00 PM
Council Chambers
January 6, 2020**

1. Call to Order

Karin Wilson
Mayor

2. Approval of Minutes

- December 2, 2019

Council Members

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACMO

Jimmy Conyers

Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Deborah A. Smith, CPA
City Treasurer

3. Consideration of Agenda Items:

- A. Storm Water Management Program Plan (SWMPP)
Review and Approval
- B. SD 19.45 Public hearing to consider the request of the City of Fairhope Planning and Zoning Department to accept Resolution 2019-02 for a proposed amendment to Article IV, Section H. Multiple Occupancy Projects in the City of Fairhope Subdivision Regulations.
- C. SD 20.01 Public hearing to consider the request of Catherine Alba for plat approval of Point Clear Pond, a 2-lot minor subdivision. The property is approximately 2.72 acres and is located on the east side of County Road 3 just south of Rose Bishop Lane.
PPIN #: 213432
- D. SD 20.02 Public hearing to consider the request of the Retirement Systems of Alabama for Preliminary plat approval of Battles Trace, Phase 7, a 38-lot subdivision. The property is approximately 18.9 acres and is located on the east side of Colony Drive just north of County Road 34 (a.k.a. Battles Road).
PPIN #: 372296
- E. SD 20.03 Public hearing to consider the request of L&M Waterfront, LLC for Final plat approval of the Resubdivision of Lot 4, Bay Echo Subdivision, a 3-lot division. The property is approximately 2.96 acres and is located at the south terminus of N. Mobile Street.
PPIN #: 46899

161 North Section Street

P.O. Drawer 429

Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax

www.fairhopeal.gov

Printed on recycled paper

4. Old/New Business

- ZC 19.08 Greeno Road Corridor Overlay Districts discussion
- Family Subdivision discussion

5. Adjourn

The Planning Commission met Monday, December 2, 2019 at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present: Lee Turner, Chairperson; Art Dyas; Rebecca Bryant; Harry Kohler; Hollie MacKellar; Clarice Hall-Black; Richard Peterson; Robert Brown, Council Liaison; Buford King, Development Services Manager; Hunter Simmons, Planning and Zoning Manager; Mike Jeffries, Planner; Carla Davis, Planner; Samara Walley, Planner; Emily Boyett, Secretary; and Ken Watson, City Attorney

Absent: none

Chairman Turner called the meeting to order at 5:03 PM and announced the meeting is being recorded.

ZC 19.16 Public hearing to consider the request of The Retirement Systems of Alabama to establish an initial zoning of TR Tourist Resort District conditional upon annexation into the City of Fairhope, Scott Hutchinson. The property is approximately 7.23 acres and is located on the south side of County Road 34 between Point Clear Court and Poviner Place, to be known as Watershed West. Mr. Jeffries gave the staff report saying the applicant is proposing a 10-lot subdivision on the subject property is the request is approved. He noted the public hearing is still open from the November meeting. Staff recommendation is to **APPROVE** with the following conditions:

1. Subject property development zoned shall be labeled as low-rise residential zone.
2. Subject property use shall be limited to single-family residential use only.
3. Future development shall be in substantial conformance to the simultaneously submitted subdivision request SD 19.41 Watershed West, a 10-lot major subdivision.
4. This approval does not determine the applicability or property interpretation of any existing easements, covenants, restrictions or other private contact rights, and accordingly does not abrogate, limit, or impair any such existing easements, covenants, restrictions, or private contact rights which may impose greater restrictions than this approval, the Zoning Ordinance, the Subdivision Regulations, or other law.

Mr. Turner stated the public hearing is still open.

Virginia March of 18001 Woodland Drive – She stated when she purchased her lot, she was told the property would always be golf course.

Tracy Frost of 18204 Woodland Drive – She said she is not anti-development but this is the wrong place for this development and it will ruin Point Clear. She stated concerns with noise, traffic, safety, and quality of life.

Pat Achee of 365 Poviner Place – He stated the property is not contiguous to TR zoned property and Mr. Dyas explained it is not required to be contiguous for an amendment.

Carol Sullivan of 513 Owls Nest Place – She stated the covenants do not allow this development on this property. She added the marina is no longer open to tourist and so the request does not meet the requirements. She also voiced safety concerns with traffic and the cart path and stated there has been no County approval for right-of-way access.

Adam Miliam of 251 Galaxy Street – He said this is not good golf course design and the history and intent of the property will be a factor in court. He explained the spirit of the

ordinance and the letters of the words have to be considered when reviewing a case like this and the TR District was to be a resort oriented development and this is not. Having no one else present to speak, Mr. Turner closed the public hearing. Scott Hutchinson of Goodwin, Mills, and Caywood, addressed the Commission saying they cannot uphold previous promises of past property owners regarding the property's use. He said the parcel was carved out 13 years ago for this development and is now being finalized. He stated there is still a marina as defined by the ordinance. Mr. Hutchinson explained the vehicle and cart safety concerns are no different in this situation than any other golf course. He noted RSA works with golf course professionals and all County and City requirements will be met. Mr. Dyas asked how restrictive covenants react with the TR District and Mr. Watson answered they do not prevent the City from enacting the Zoning Ordinance. He explained the law doesn't put the Planning Commission or City Council in a place to interpret the law. Mrs. Bryant stated the Commission is not required to or qualified to determine the restrictive covenants or interpret the law. Mr. Dyas said the County enacted zoning districts in 1991 and all unzoned districts could have been zoned but nobody wants anything done until something is being done in your backyard. He said if a request meets the requirements, then approve it and if you don't like the requirements, then change them. Mr. Turner said he agreed with Mr. Dyas but he added the applicant can still develop the site without being zoned. He said he does not favor this design with the golf course on both sides because there is no refuge from the course. Mr. Dyas said health, safety, and welfare is a concern and this development does not meet these. Mrs. Hall-Black said safety is a concern and this project feels forced and this is not the right location for it. Mr. Peterson stated property owners have the right to develop their property and if it meets the requirements then approve it and if you don't like what they want, then buy it. Mrs. Bryant asked if the property can be developed if it is in the County and Mr. Turner responded yes, but it can be denied if there is fear it is detrimental to the health, safety, and welfare of the community. Mr. Brown said this request is an abuse of the TR District and it is no benefit to the City. Mrs. Bryant noted this is a small development and the Commission sees much larger requests and she encouraged the community to get involved with projects even when they are not in your backyard.

Hollie MacKellar made a motion to **DENY** the request due to concerns with health, safety, and welfare. Art Dyas 2nd the motion and the motion carried with the following vote: AYE – Art Dyas, Rebecca Bryant, Harry Kohler, Lee Turner, Hollie MacKellar, Clarice Hall-Black, and Robert Brown. NAY – Richard Peterson.

SD 19.41 Public hearing to consider the request of the Retirement Systems of Alabama for Preliminary Plat approval of Watershed West, a 10-lot subdivision, Scott Hutchinson. Mr. Hutchinson requested to table the request.

SD 19.42 Public hearing to consider the request of Glenn and Sally Boom for plat approval of Wildwood at Montrose, a 2-lot minor subdivision, Seth Moore. The property is located at the southwest corner of the intersection of Adams Street and Second Street. Mrs. Walley gave the staff report saying the property is approximately 1.18 acres and is zoned RSF-2 in Baldwin County Planning District 16. The applicant is also requesting a waiver to Article VI, Section D. Sidewalks and Article VI, Section G.

Fire Hydrants. Staff recommendation is to **TABLE (with the applicant's consent)** to allow the applicant to submit the following:

1. Submission of plans and profiles of a fire hydrant within 450' of the subject property and resubmission of the application to reflect a major subdivision containing a preliminary plat approval request in lieu of concurrent preliminary and final plat approval;
2. Revision of the preliminary plat to reflect a 15' drainage and utilities easement along the western perimeter of Lot 1; and
3. Acceptance of the waiver request to allow sidewalk installation at the time of new construction, with this requirement to be reflected on the preliminary plat.

Mr. Dyas asked which street sidewalks would be built on if required and Mrs. Walley responded both frontages would be required to have sidewalks. Mr. Dyas questioned why sidewalks are being required when there may never be sidewalks in the area and Mr. King explained sidewalks are a requirement and the Commission has utilized the pedestrian easement multiple times to accomplish satisfy requirement.

Mr. Turner opened the public hearing. Having no one present to speak, Mr. Turner closed the public hearing.

Mr. Moore addressed the Commission saying the lot sizes are 20,000 square foot. He said the utility easement is only 10' along the west side of Lot 1 to avoid the easement being in the footprint of the existing house. He agreed to adding the pedestrian easement. Mr. Moore explained the closest fire hydrant is at Main Street and Adams Street and to add another hydrant would cause detriment to the existing oak trees. He said Daphne Utilities has not put in any fire hydrants on the east side of Main Street and all the lines are small service lines. Mr. Turner said he is uncomfortable to divide the lot without a fire hydrant. He noted the ISO rating for the City is also affected by creating new lots without providing fire protection. Mr. Brown asked if this request was a family subdivision would these requirements be met and Mr. King responded yes. Mr. Moore requested the application be tabled.

Art Dyas made a motion to **TABLE** the request at the request of the applicant. Rebecca Bryant 2nd the motion and the motion carried unanimously with the following vote: AYE - Art Dyas, Rebecca Bryant, Harry Kohler, Lee Turner, Hollie MacKellar, Clarice Hall-Black, Richard Peterson, and Robert Brown. NAY – none.

SD 19.43 Public hearing to consider the request of 68V Tracery 2019, LLC for Final Plat approval of Tracery, a 43-lot subdivision, Steve Pumphrey. The property is located on the west side of Lawrence Road just north of Sky Lane. Mr. Jeffries gave the staff report saying the property is approximately 31.93 acres and is zoned R-2 Medium Density Single Family Residential District. Staff recommendation is to **APPROVE** with the following conditions:

1. Remaining items referenced in the comment section of the staff report are corrected to the satisfaction of Kim Burmeister or the Development Services Manager.
2. The warranty period of the sanitary sewer lift station shall not commence until start-initial start-up of the lift station and upon approval of the Water and Sewer Superintendent.

Mr. Turner opened the public hearing. Having no one present to speak, he closed the public hearing.

Mr. Turner stated the entrance does not have any landscaping and Mr. Jeffries explained the landscaping and street trees are covered by the bond. Mrs. Bryant asked if there is an enforcement mechanism to make sure the work is done and Mr. Jeffries responded staff will not sign the plat until everything is done. Richard Johnson, Public Works Director, stated bonding the trees is common because the trees would not survive during home construction, so they are usually put in when the homes are sold. Mr. Turner asked if the sidewalks will have to be constructed within 2 years and Mr. King said the regulations have never been changed. Mr. Johnson said the bond is only good for 24 months and then the sidewalks become the City's problem. Mrs. MacKellar said she hardly ever sees damaged sidewalks in neighborhoods but the ones along Scenic Hwy. 98 need repair. Mr. Johnson said Public Works is constantly repairing sidewalks so just report any to get on the list.

Art Dyas made a motion to accept the staff recommendation to **APPROVE** with the following conditions:

1. Remaining items referenced in the comment section of the staff report are corrected to the satisfaction of Kim Burmeister or the Development Services Manager.
2. The warranty period of the sanitary sewer lift station shall not commence until start-initial start-up of the lift station and upon approval of the Water and Sewer Superintendent.

Robert Brown 2nd the motion and the motion carried unanimously with the following vote: AYE - Art Dyas, Rebecca Bryant, Harry Kohler, Lee Turner, Hollie MacKellar, Clarice Hall-Black, Richard Peterson, and Robert Brown. NAY – none.

SD 19.44 Public hearing to consider the request of Firethorne Development, LLC for Final plat approval of Phase 5 of Greenbriar at Firethorne, a 30-lot subdivision, Steve Pumphrey.

The property is located on the west side of Quail Creek, The Villas. Mr. King gave the staff report saying the property is approximately 13.9 acres and is zoned PUD (Planned Unit Development). He stated this is the last phase of the development. Staff recommendation is to **APPROVE** with the following condition:

1. Completion of punch list items shall be to the satisfaction of City of Fairhope staff prior to placing approval signatures on the final plat.

Mr. Turner opened the public hearing. Having no one present to speak, he closed the public hearing.

Art Dyas made a motion to accept the staff recommendation to **APPROVE** with the following condition:

1. Completion of punch list items shall be to the satisfaction of City of Fairhope staff prior to placing approval signatures on the final plat.

Harry Kohler 2nd the motion and the motion carried unanimously with the following vote: AYE - Art Dyas, Rebecca Bryant, Harry Kohler, Lee Turner, Hollie MacKellar, Clarice Hall-Black, Richard Peterson, and Robert Brown. NAY – none.

SD 19.45 Public hearing to consider the request of the City of Fairhope Planning and Zoning Department to accept Resolution 2019-02 for a proposed amendment to Article IV, Section H. Multiple Occupancy Projects in the Subdivision Regulations, Buford King. Mr. King gave the staff report saying the amendment will create a

preliminary and final plat process to provide a closeout process for multiple occupancy projects. Staff recommendation is to **APPROVE** as presented.

Mr. Turner opened the public hearing.

Larry Smith of S.E. Civil Engineering, LLC – He stated concerns with the time this amendment will add to small projects. Mr. King said a waiver could be requested for small projects and Mr. Smith responded he would like to see the waiver written into the regulation. Mr. Watson said it is very hard to write a regulation to cover every situation. Mr. Turner said a sentence can be added to clarify the requirement. Mr. King recommended tabling the request until the language is refined.

Having no one else present to speak, Mr. Turner closed the public hearing.

Robert Brown made a motion to **TABLE** the request. Richard Peterson 2nd the motion and the motion carried unanimously with the following vote: AYE - Art Dyas, Rebecca Bryant, Harry Kohler, Lee Turner, Hollie MacKellar, Clarice Hall-Black, Richard Peterson, and Robert Brown. NAY – none.

ZC 19.17 Public hearing to consider the request of the City of Fairhope Planning and Zoning Department for amendments to the Zoning Ordinance regarding Non-Conforming Structures and Master Development Plans for PUD (Planned Unit Developments), Hunter Simmons.

Mr. Simmons gave the staff report saying the proposed amendment for Article V, Section A. PUD – Planned Unit Development includes additional design criteria for review, required preapplication conferences, and an expiration of the site plan if construction has not begun. The proposed amendment to Article VII, Section B. Non-Conforming Structures is to restrict non-conforming structures from being expanded. Staff recommendation is to **APPROVE** as presented.

Mr. Turner opened the public hearing. Having no one present to speak, he closed the public hearing.

Mr. Dyas asked why PUDs would revert to R-A Residential/Agriculture zoning upon the expiration of the approval and Mr. King explained R-A is a place holder zoning as written in the Zoning Ordinance. Mr. Peterson asked if the amendment can be used for existing PUDs and Mr. Watson responded no. Mr. Dyas asked how many undeveloped PUDs are currently approved and Mr. Simmons said he counted approximately 60 parcels. Mr. Simmons explained he would like to see PUDs come before the Commission conceptually the first time and then a second time once fully designed. Mr. Brown stated concerns with the 3 acre requirements for PUDs.

Art Dyas made a motion to accept the staff recommendation to **APPROVE** as presented. Clarice Hall-Black 2nd the motion and the motion carried unanimously with the following vote: AYE - Art Dyas, Rebecca Bryant, Harry Kohler, Lee Turner, Hollie MacKellar, Clarice Hall-Black, Richard Peterson, and Robert Brown. NAY – none.

Old/New Business

SD 16.27 Request of Dewberry Engineers, Inc. for a 1-year extension of the Preliminary Plat approval of Fairhope Falls, Phase Three, Steve Pumphrey. Art Dyas made a motion to approve a 1-year extension of the preliminary plat approval for SD 16.27 Fairhope Falls, Phase Three. Robert Brown 2nd the motion and the motion carried unanimously with the following vote: AYE – Art Dyas, Rebecca Bryant, Harry

Kohler, Lee Turner, Hollie MacKellar, Clarice Hall-Black, Richard Peterson and Robert Brown. NAY – none.

SD 16.34 Request of Dewberry Engineers, Inc. for a 1-year extension of the Preliminary Plat approval of Old Battles Village, Phase Four, Steve Pumphrey. Art Dyas made a motion to approve a 1-year extension of the preliminary plat approval for SD 16.34 Old Battles Village, Phase Four. Robert Brown 2nd the motion and the motion carried unanimously with the following vote: AYE – Art Dyas, Rebecca Bryant, Harry Kohler, Lee Turner, Hollie MacKellar, Clarice Hall-Black, Richard Peterson and Robert Brown. NAY – none.

SD 16.37 Request of Dewberry Engineers, Inc. for a 1-year extension of the Preliminary Plat approval of The Verandas, Phase One, Steve Pumphrey. Art Dyas made a motion to approve a 1-year extension of the preliminary plat approval for SD 16.37 The Verandas, Phase One. Robert Brown 2nd the motion and the motion carried unanimously with the following vote: AYE – Art Dyas, Rebecca Bryant, Harry Kohler, Lee Turner, Hollie MacKellar, Clarice Hall-Black, Richard Peterson and Robert Brown. NAY – none.

SD 17.03 Request of Dewberry Engineers, Inc. for a 1-year extension of the Preliminary Plat approval of The Verandas, Phase Three, Steve Pumphrey. Art Dyas made a motion to approve a 1-year extension of the preliminary plat approval for SD 17.03 The Verandas, Phase Three. Robert Brown 2nd the motion and the motion carried unanimously with the following vote: AYE – Art Dyas, Rebecca Bryant, Harry Kohler, Lee Turner, Hollie MacKellar, Clarice Hall-Black, Richard Peterson and Robert Brown. NAY – none.

SD 18.25 Request of S.E. Civil Engineering, LLC for a 180-day extension of the plat approval of Garner Subdivision, Larry Smith. Art Dyas made a motion to approve a 180-day extension of the plat approval for SD 18.25 Garner Subdivision. Robert Brown 2nd the motion and the motion carried unanimously with the following vote: AYE – Art Dyas, Rebecca Bryant, Harry Kohler, Lee Turner, Hollie MacKellar, Clarice Hall-Black, Richard Peterson and Robert Brown. NAY – none.

ZC 19.08 Greeno Road Corridor (GRC) Overlay Districts, Hunter Simmons – Mr. Simmons said staff is requesting the City Council extend the moratorium at the December 23rd meeting as requested by the citizens. Mrs. MacKellar asked if there has been much feedback from the citizens and Mr. Simmons responded there has been very little. Mr. Turner said there was a meeting in Barnwell and most of the concerns seem to be with existing regulations and drive-thru regulations. Mr. Dyas said the citizens are meeting and are not happy. He added they are only focusing on the negative aspects of the proposal. Mr. Simmons stated staff is making some changes to help simplify the ordinance. Mr. Turner suggested simplifying to a build-to line, drive-thrus, and parking. Mrs. Bryant said she would like to see bullet points showing the existing regulations versus the proposed. Mr. Simmons said there may need to be a special Commission meeting to get an amendment approved before the moratorium expires.

Family Subdivisions, Buford King – Mr. King said staff is working on an amendment to create a process for Family Subdivisions that would be similar to the County’s requirements. Mr. Dyas said it should be a staff level approval. Mr. King said it would also restrict re-subdividing for one year.

Having no further business, Robert Brown made a motion to adjourn. The meeting was adjourned at 8:31 PM.

Lee Turner, Chairman

Emily Boyett, Secretary

MEMORANDUM

DATE: January 6, 2020

TO: Planning Commission Members

FROM: Hunter Simmons, Planning and Zoning Manager

RE: Review of Storm Water Management Program Plan (SWMPP)/Ordinances

The City of Fairhope operates under Municipal Separate Storm Sewer System (MS4) Phase II General Permit Number ALR040040.

A Storm Water Management Program Plan (SWMPP), submitted yearly to the ADEM, is a MS4 permit requirement. Assessment and public review of this plan is also a requirement and is specified in the current plan as being evaluated by the Planning Commission.

The current SWMPP (2019) is available for public review on the City of Fairhope website:

<https://www.fairhopeal.gov/home/showdocument?id=17999>

Proposed changes (other than language clean up and picture updates) reflected from the 2018 SWMPP are:

1. 1.3 General Introduction:
 - a. Updated census information (2018)
2. 2.1 Listed Requirements: Minimum Control Measures: Revised QCI Certification to reflect 2 new building inspectors hired in 2019 to obtain QCI certification by end of 2020
3. 2.2 SWMPP Management:
 - a. Added statement from City of Fairhope website: *"How is Fairhope addressing water quality and Mobile Bay?"*
4. 2.3 SWMPP – Watersheds of Fairhope
 - a. Revised watershed acreage to reflect growth addition of 322 acres, for a total of 9,342 acres of city limits / MS4 limits.
5. 3.0 Public Education and Public Involvement on Storm Water Impacts
 - a. Rationale Statement:
 - i. Updated FEAB membership to nine active members instead of ten
 - ii. Provided information on City Employees receiving Alabama Water Watch (AWW) certification on water quality testing for bacterial indicators
 - b. BMP Mechanisms: Added Sanitary Sewer Overflow signage as a new BMP
 - c. BMP #2: Public Educational Meetings: Revised Master Environmental Educator (MEE) program information to reflect employee tentative certification in 2020.
 - d. BMP #6: Employee Certifications:
 - i. Revised Commercial Pesticide Applicator certification for the Parks and Recreation Department to reflect employee tentative certification in 2020.
 - ii. Added information on the AWW water quality monitoring certification of two city employees

6. 4.0 Illicit Discharge Detection and Elimination
 - a. BMP#12: Sewer Capacity Study: added more information on the study from 2017 and included the drainage basin map from the study
 - b. Measurable Goals: Update outfall assessment schedule to include Tatumville, Turkey Branch and Pensacola Worm Branch for 2020
7. 5.0 Construction Site Storm Water Runoff Control
 - a. Rationale Statement:
 - i. Revised QCI certifications city-wide to nine
 - b. Measurable Goals: Revised to reflect 2 new Building Inspectors who will need QCI initial certification in 2020

The proposed 2020 Storm Water Management Program Plan (which includes the Illicit Discharge ordinance) is attached for your review.





City of Fairhope, Alabama
Storm Water Management Program Plan
Phase II General Permit # ALR040040

2020
(April 1, 2020 – March 31, 2021)



Report Prepared By:
City of Fairhope
Planning and Zoning Department
555 South Section Street
Fairhope, AL 36532

Table of Contents

- 1.0 CONTACT LIST AND INTRODUCTION
 - 1.1 CERTIFICATION
 - 1.2 LIST OF CONTACTS
 - 1.3 GENERAL INTRODUCTION

- 2.0 STORM WATER MANAGEMENT PROGRAM PLAN REQUIREMENTS
 - 2.1 LISTED REQUIREMENTS
 - 2.2 MANAGEMENT
 - 2.3 WATERSHEDS OF FAIRHOPE
 - 2.4 MS4 AREA MAP

- 3.0 MINIMUM CONTROL MEASURE # 1: PUBLIC EDUCATION AND INVOLVMENT ON STORM WATER IMPACTS

- 4.0 MINIMUM CONTROL MEASURE # 2: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

- 5.0 MINIMUM CONTROL MEASURE # 3: CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

- 6.0 MINIMUM CONTROL MEASURE # 4: POST CONSTRUCTION STORM WATER MANAGEMENT

- 7.0 MINIMUM CONTROL MEASURE # 5: POLLUTION PREVENTION / GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

1.0 CONTACT LIST AND INTRODUCTION

1.1 Certification

I certify under penalty of law that this document and all attachments are prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Name and Title (type or print)

Karin Wilson, Mayor (Signature)

Date

1.2 List of Contacts

Address: City of Fairhope
Post Office Drawer 429
Fairhope, AL 36533
Phone: (251) 928-2136

Contact Person: Mrs. Kim Burmeister
Code Enforcement Officer
City of Fairhope
Planning and Zoning Department
Post Office Box 429
Fairhope, AL 36533
Phone: (251) 990-2877



Figure 1 Fairhope Municipal Pier

1.3 General Introduction

The City of Fairhope is situated on the eastern shore of Mobile Bay in Baldwin County, in southwest Alabama. The 2018 US Census determined the City's population estimate to be 22,085. The annexed limits, which are also the MS4 area limits, comprises about 14 square miles. It is part of the Eastern Shore area with Daphne, Montrose and Spanish Fort to the North.

There are three main receiving streams within these area limits (Fly Creek, Rock Creek and Cowpen Creek). As of November 2018, there are (2) 303(d) impaired streams listed by ADEM.

a. Cowpen Creek is identified as a 303 (d) stream due to the presence of atmospheric mercury deposition. It is not anticipated that the land uses in the City of Fairhope MS4 watersheds are contributors to the atmospheric deposition of mercury.

b. Fly Creek is identified as a 303 (d) stream due to presence of pathogens from "pasture grazing". It is not anticipated that the land uses in the City of Fairhope are contributors to this impairment since the Fly Creek watershed does not have listed "agriculture" uses in the City limits.

2018 Alabama §303(d) List												
Assessment Unit ID	Waterbody Name	Type	River Basin	County	Uses	Causes	Sources	Size	Unit Type	Downstream / Upstream Location	Year Listed	Priority
AL03160204-0202-200	Middle River	R	Mobile	Baldwin	Fish & Wildlife	Metals (Mercury)	Atmospheric deposition	9.72	miles	Tensaw River (RM 20.6) / Tensaw River (RM 37.7)	2014	L
AL03160204-0202-300	Moffin Lake	E	Mobile	Baldwin	Fish & Wildlife	Metals (Mercury)	Atmospheric deposition	0.73	square miles	Tensaw River / its source	2014	L
AL03160205-0203-110	Magnolia River	R	Mobile	Baldwin	Outstanding Alabama Water Swimming Fish & Wildlife	Metals (Mercury)	Atmospheric deposition	12.41	miles	Weeks Bay / its source	2014	L
AL03160205-0204-402	Turkey Branch	R	Mobile	Baldwin	Swimming Fish & Wildlife	Pathogens (E. coli)	Pasture grazing	5.16	miles	Baldwin CR 181 / its source	2018	L
AL03160205-0300-302	Mobile Bay	E	Mobile	Mobile	Shellfish Harvesting Fish & Wildlife	Pathogens (Enterococcus)	Urban runoff/storm sewers	168.28	square miles	Mobile Bay south of a line extending east from East Fowl River to lighted beacon FL2 and then to lighted beacon FL3 4 and then northeast to Daphne, except out 1000 feet offshore from Mullet Point to Ragged Point	1998	L
AL03160205-0300-302	Bon Secour Bay	E	Mobile	Baldwin	Shellfish Harvesting Swimming Fish & Wildlife	Pathogens (Enterococcus)	On-site wastewater systems Urban runoff/storm sewers	102.96	square miles	Bon Secour Bay east and south of a line from Mullet Point to Engineers Point, except out 1000 feet offshore from Fish River Point to Mullet Point	1998	L
AL03160205-0102-110	Halls Mill Creek	R	Mobile	Mobile	Fish & Wildlife	Siltation	Land development	11.30	miles	Deer River / its source	2012	L
AL03160205-0105-100	Deer River	R	Mobile	Mobile	Fish & Wildlife	Organic enrichment (BOD)	Collection system failure Urban runoff/storm sewers	1.02	miles	Mobile Bay / its source	2006	L
AL03160205-0105-300	Middle Fork Deer River	R	Mobile	Mobile	Fish & Wildlife	Organic enrichment (BOD)	Collection system failure Urban runoff/storm sewers	2.47	miles	Deer River / its source	2006	L
AL03160205-0104-110	Fowl River	R	Mobile	Mobile	Swimming Fish & Wildlife	Metals (Mercury)	Atmospheric deposition	20.56	miles	Mobile Bay / its source	2000	L
AL03160205-0202-210	Folcat Creek	R	Mobile	Baldwin	Swimming Fish & Wildlife	Metals (Mercury)	Atmospheric deposition	7.89	miles	Fish River / its source	2006	L
AL03160205-0202-510	Baker Branch	R	Mobile	Baldwin	Fish & Wildlife	Organic enrichment (BOD)	Pasture grazing	6.15	miles	Folcat Creek / its source	2006	L
AL03160205-0204-112	Fish River	R	Mobile	Baldwin	Swimming Fish & Wildlife	Metals (Mercury)	Atmospheric deposition	30.01	miles	Weeks Bay / its source	1998	L
AL03160205-0204-700	Cowpen Creek	R	Mobile	Baldwin	Swimming Fish & Wildlife	Metals (Mercury)	Atmospheric deposition	7.12	miles	Fish River / its source	2006	L
AL03160205-0205-702	Fly Creek	R	Mobile	Baldwin	Swimming Fish & Wildlife	Pathogens (E. coli)	Pasture grazing	3.32	miles	10 feet above MSL / its source	2018	L
AL03160205-0206-101	Bon Secour River	R	Mobile	Baldwin	Swimming Fish & Wildlife	Metals (Mercury)	Atmospheric deposition	9.12	miles	Bon Secour Bay / One mile upstream from first bridge above its mouth	2006	L
AL03160205-0206-102	Bon Secour River	R	Mobile	Baldwin	Swimming Fish & Wildlife	Metals (Mercury)	Atmospheric deposition	4.38	miles	One mile upstream from first bridge above its mouth / its source	2006	L
AL03160205-0206-102	Bon Secour River	R	Mobile	Baldwin	Swimming Fish & Wildlife	Pathogens (E. coli)	Pasture grazing	4.38	miles	One mile upstream from first bridge above its mouth / its source	2018	L
AL03160205-0208-100	Oyster Bay	E	Mobile	Baldwin	Shellfish Harvesting Fish & Wildlife	Pathogens (Enterococcus)	Unknown source	0.95	square miles	Oyster Bay	2006	L
AL-Gulf-of-Mexico-1	Gulf of Mexico	E	Mobile	Baldwin	Shellfish Harvesting Swimming Fish & Wildlife	Metals (Mercury)	Atmospheric deposition	205.77	square miles	Mississippi / Florida	1998	L
AL-Gulf-of-Mexico-2	Pelican Bay	E	Mobile	Mobile	Shellfish Harvesting Swimming Fish & Wildlife	Metals (Mercury)	Atmospheric deposition	0.50	square miles	out to 1000 feet offshore from Dauphin Beach / out to 1000 feet offshore of Pelican Point	1998	L
AL-Gulf-of-Mexico-2	Pelican Bay	E	Mobile	Mobile	Shellfish Harvesting Swimming Fish & Wildlife	Pathogens (Enterococcus)	Unknown source	0.50	square miles	out to 1000 feet offshore from Dauphin Beach / out to 1000 feet offshore of Pelican Point	2018	L

Figure 2 Source: ADEM 303d list 2018 showing Fly Creek and Cowpen Creek impairments in Fairhope

**Residential/Agriculture Districts
MS4/City Limits**

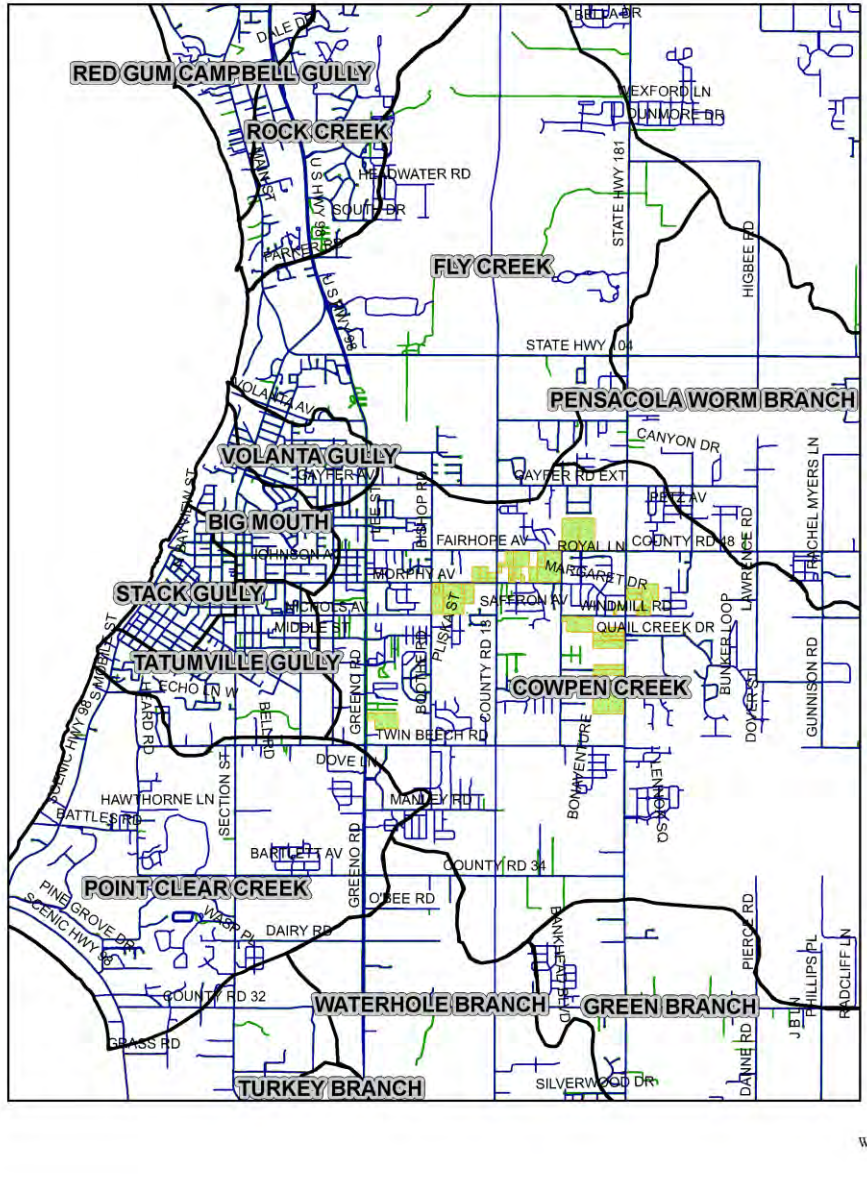


Figure 3 Agricultural activity in Fairhope city limits is only found in the Cowpen Creek watershed. Residential-Agricultural zoning does not necessarily indicate agricultural activity.

The aquatic resources of the Fairhope Region, including Mobile Bay, Cowpen Creek, Fly Creek and Rock Creek are essential to the area’s economy and the attractiveness of the community to both residents and visitors. Preserving these resources and keeping them healthy is of primary interest to the community and to area leaders.

2.0 STORMWATER MANAGEMENT PROGRAM PLAN (SWMPP) REQUIREMENTS

2.1 Listed Requirements

As part of the MS4 Phase II requirements, the City of Fairhope must develop, implement and enforce a SWMPP which shall include controls necessary to reduce the discharge of pollutants from its MS4 consistent with Section 402(p)(3)(B) of the Clean Water Act and 40 CFR Parts 122.30-122.37. These requirements shall be met by the development and implementation of a SWMPP which addresses the best management practices (BMPs), control techniques and systems, design and engineering methods, public participation and education, monitoring and other appropriate provisions designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable.

The SWMPP shall include:

1. Map of the City of Fairhope MS4 program area and outfalls
2. BMPs that will be implemented for each minimum control measure, as listed below, and shall consider LID/ Green Infrastructure where feasible
3. Measurable Goals for each minimum control measure
4. Proposed schedule to implement minimum control measures
5. List of person / persons responsible for coordination of each BMP / measurable goals

The SWMPP shall address these Minimum Control Measures:

1. Public Education and Public Involvement on Storm Water Impacts
2. Illicit Discharge Detection and Elimination (IDDE)
3. Construction Site Storm Water Runoff Control
4. Post Construction Storm Water Management in New Development and Redevelopment
5. Pollution Prevention / Good Housekeeping for Municipal Operations



Figure 4 Rock Creek streambank stabilization project, Rock Creek Parkway, November 2019

The Minimum Control Measures with Measurable Goals for 2020:

1. Public Education and Public Involvement on Storm Water Impacts (5)
 - a. Stormwater Education / Seminar for Planning and Zoning Dept.
 - b. Stormwater Article on Social Media
 - c. BMP Workshop for City Employees
 - d. Public Educational / Input Meeting for Stormwater Issues
 - e. SWMPP Public Review
2. Illicit Discharge Detection and Elimination (IDDE) (4)
 - a. Stormwater Outfall Inventory Update
 - b. Video of Sewer Lines
 - c. Public Works Illicit Discharge Detection Meeting
 - d. Dry Weather Screening of Outfalls / Outfall Assessment
3. Construction Site Storm Water Runoff Control (3)
 - a. QCI Recertification of Code Enforcement Officers (Planning & Zoning)
 - b. QCI Recertification for Building Inspectors (3)
 - c. QCI Certification – initial certification for (2) new building inspectors
4. Post Construction Storm Water Management in New Development and Redevelopment (2)
 - a. Community Hands-on Event for Stormwater Education (Earth Day Watershed Booth)
 - b. Creek/Shoreline Assessment of MS4 area via Kayak
5. Pollution Prevention / Good Housekeeping for Municipal Operations (5)
 - a. Good Housekeeping / Pollution Prevention Memo to all departments
 - b. Dry Weather Screening of Public Works Facility
 - c. Recertification of Commercial Pesticide Applicators (2) *Plus one to be certified in 2020, new Parks and Recreation Director



Figure 5 Fly Creek at Mobile Bay: Fairhope Yacht Club on left; Fly Creek Marina on right.

2.2 SWMPP Management

The City of Fairhope Planning and Zoning Department will serve as the lead coordinator of the MS4 Storm Water Management Plan. Several departments within the City will have a role in Fairhope's MS4 SWMPP: Planning and Zoning; Building; Public Works; Utilities (Gas/Water & Sewer/Electric); Recreation and Parks; and Community Development. A general contact number for everyone is: 251-928-8003.

The screenshot shows the City of Fairhope website. At the top, there is a navigation bar with links for Home, Facebook, YouTube, Twitter, and Contact Us. The main header features the "FAIRHOPE Alabama" logo and a search bar. Below the header is a dark blue navigation menu with categories: Services, Government, Departments, Community (highlighted in yellow), Visiting, and News & Calendar. The main content area is divided into a left sidebar and a main article. The sidebar contains a list of FAQ topics, with "How is Fairhope addressing water quality and Mobile Bay?" highlighted in light blue. The main article is titled "HOW IS FAIRHOPE ADDRESSING WATER QUALITY AND MOBILE BAY?" and includes sub-sections: "What is the City's commitment to the health of Mobile Bay?", "What are sources of poor water quality?", and "What has the City been doing?". The article text discusses the city's commitment to water quality, sources of contamination, and current actions being taken.

Figure 6 "How is Fairhope addressing water quality and Mobile Bay?"

<https://www.fairhopeal.gov/community/faq/water-quality>

2.3 SWMPP – Watersheds of Fairhope

The City of Fairhope uses a watershed-based approach to storm water management. The MS4 area limits (also the annexed City limits) encompasses 12 watersheds, and approximately 14 square miles.

City of Fairhope MS4 area limit watersheds (on attached map) are:

a. Red Gulley	54 acres (+/-)
b. Rock Creek	678 acres (+/-)
c. Fly Creek	1,407 acres (+/-)
d. Volanta	389 acres (+/-)
e. Big Mouth Gulley	500 acres (+/-)
f. Stacks Gulley	397 acres (+/-)
g. Tatumville Gulley	617 acres (+/-)
h. Point Clear Creek	1,298 acres (+/-)
i. Turkey Branch*	88 acres (+/-)
j. Waterhole Branch*	640 acres (+/-)
k. Cowpen Creek *	3,102 acres (+/-)
l. Pensacola Branch/Worm Branch*	172 acres (+/-)

TOTAL APPROXIMATE ACREAGE: 9,342 acres (14.6 SQUARE MILES)

*These watersheds drain to Fish River and ultimately, Weeks Bay, an Outstanding National Resource Water (ONRW).

While all of these watersheds ultimately drain to Mobile Bay, the watersheds located on the East side of U. S. Highway 98 generally drain to Fish River before final discharge into Mobile Bay. The watersheds that drain into Fish River are: Turkey Branch, Waterhole Branch, Cowpen Creek and Pensacola/Worm Branch. The watersheds draining east to Fish River are considered Priority Construction Site areas, because of the ultimate outfall into Weeks Bay, an Outstanding National Resource Water.



Figure 7 Firethorne is one of the largest newly developed subdivisions in the Cowpen Creek watershed, the fastest growing watershed in Fairhope.

2.4 MS4 Area Map ("City Limits" represent MS4 area)

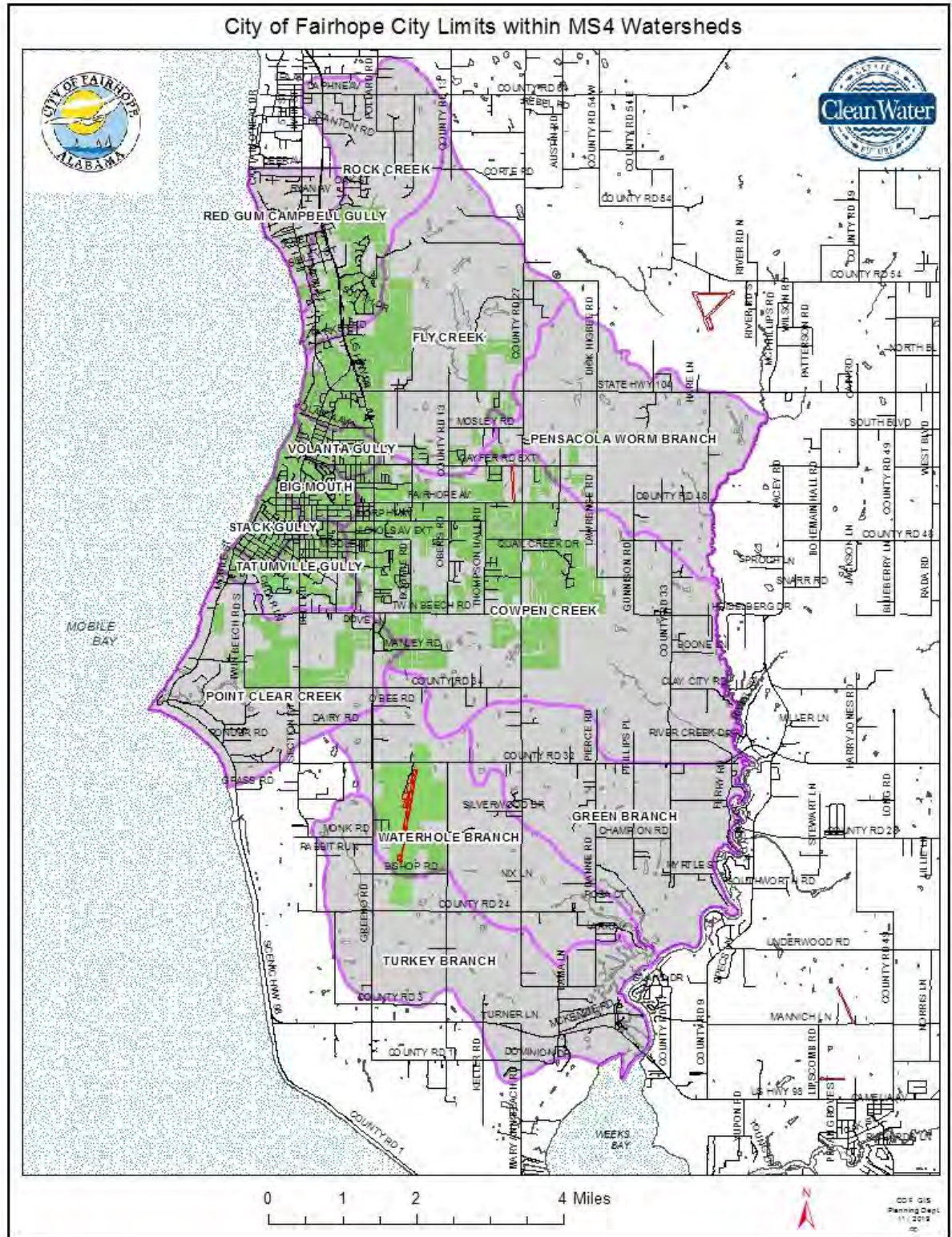


Figure 8 City of Fairhope Watershed Map, updated November 2019

3.0 MINIMUM CONTROL MEASURE#1: PUBLIC EDUCATION AND PUBLIC INVOLVEMENT ON STORM WATER IMPACTS

- **Requirements:** The City of Fairhope must develop and implement a public education and outreach program to inform the community about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff to the maximum extent practicable. The City of Fairhope shall also comply, at a minimum, with applicable State and local public notice requirements when implementing a public involvement/participation program. SWMPP must include public input method for SWMPP review and must list target pollutants and target audiences; SWMPP must address the reduction of litter, floatables and debris from the MS4 area; SWMPP must show methodology for informing and involving individuals, land use planners, engineers, businesses and property managers in storm water pollution prevention. More information on this requirement can be found in the general permit.
- **Responsible Persons:** Planning and Zoning Department; Building Department; Public Works Department; Special Events Coordinator; Community Development Director
- **Rationale Statement:** The City of Fairhope supports the Fairhope Environmental Advisory Board (FEAB), which currently has eight (8) active members. This Advisory Board provides a public forum for local environmental discussions and educational outreach, with storm water being a major topic of interest. The City of Fairhope also works collectively with neighboring municipalities (City of Daphne and City of Spanish Fort), Baldwin County, AL-DOT and non-profit agencies to create and provide educational materials to the public on storm water issues. Additionally, hands-on events as Earth Day (in Fairhope) show our communities how to recognize stormwater as a resource and not (always) a liability.

The City of Fairhope sponsors several community events each year, such as Coastal Clean Up, Mobile Area Earth Day, Arbor Day and America Recycles Day. The Planning and Zoning Department organizes and staffs a watershed education booth at Earth Day each year. These events collectively reach over 1,000 residents. Public Works coordinates these events. The Planning and Zoning Department supports county-wide water quality education by offering staff to assist with water festivals at area schools each year.

The City of Fairhope supports public access to volunteer water testing results by posting a link to Alabama Water Watch on the City website and by having city staff trained for testing. Alabama Water Watch is a volunteer water testing program, overseen by Weeks Bay National Estuary Research Reserve. The Alabama Water Watch program currently provides volunteer water testing at three locations within Fairhope monthly. In 2019, two City of Fairhope employees were certified for bacterial testing, which will be additional Fairhope sites to be tested starting in 2020. Chemical testing parameters include turbidity, dissolved oxygen, ph and temperature. Bacterial (pathogen) testing is for E. coli which is an indicator for the presence of pathogens (human sewer or animal waste). ADEM's water quality testing (prompting swim advisories) is also posted at areas of swimming activity.

PUBLIC EDUCATION AND INVOLVMENT ON STORM WATER IMPACTS, cont.

The City of Fairhope offers opportunities for public review, involvement and participation in the City of Fairhope Storm Water Management Program (SWMPP). The current SWMPP and the MS4 Annual Report are posted on the City website:

www.fairhopeal.gov/departments/planning-and-zoning/publications-and-forms. The Planning Commission, a group of appointed volunteers who offer insight and approval on Planning and Zoning Department procedures and policies, meets monthly at City Hall. The meeting is open to the public. The Planning Commission provides annual review board for the SWMPP. The Planning and Zoning Department is responsible for coordination of these efforts

The City of Fairhope adheres to State and local public notice requirements for public meetings.

Citizen Complaints / Comments: The City of Fairhope receives complaints and comments from citizens by having a General Contact number listed on the City of Fairhope website. This includes storm water, illicit discharge and construction site violation complaints. The number (251) 928-8003 is available 24 hours per day and is directed to the Police Department after hours.

Target audience for the City educational mechanisms are:

1. Citizens
2. Contractors
3. Landscapers
4. Business owners / managers
5. Property owners
6. Developers
7. Subdivision Property Owner Associations
8. Environmental Groups
9. Educational Groups
10. City employees

Pollutants of concern:

1. Sediment
2. Oil residue from parking lots
3. Pesticides, herbicides, fertilizers
4. Pathogens

- **BMPs / Mechanisms** used for educational outreach and Public Involvement:
1. Brochures / publications / media
 2. Public Educational Meetings / Town Hall Meetings
 3. City Website (www.fairhopeal.gov)
 4. Existing Demonstration projects (Rain Garden, Wetland Pond)
 5. Community Events
 6. Employee Certifications and Training
 7. City Erosion and Sediment Control Workshop
 8. Pet waste bags available in City Parks
 9. Create a Clean Water Future Campaign
 10. Notifications for Public Meetings
 11. Subdivision Property Owners Associations Contact List
 12. City of Fairhope Planning Commission hearings
 13. City of Fairhope Environmental Advisory Board meetings
 14. Sanitary Sewer Overflow Signage



Figure 9 Planning and Zoning Department staff volunteers at the Baldwin County Water Festival in Robertsdale, AL (October 2019)

PUBLIC EDUCATION AND INVOLVMENT ON STORM WATER IMPACTS, cont.

BMP # 1: Brochures / Publications / Media promoting green space and storm water management, available at City offices and/or on-line:

1. *Greener by the Yard*, pamphlet, Weeks Bay Watershed Project
2. *Fairhope Gullies*, brochure, joint effort of Mobile Bay National Estuary Program, Fairhope Single Tax Corporation, and the City of Fairhope
3. *Parks of Fairhope*, brochure, joint effort of the Fairhope Environmental Advisory Board and the City of Fairhope
4. *Storm Water Management*, brochure created for the City of Fairhope
5. *Field Guide for Erosion and Sediment Control on Construction Sites in Alabama*, booklet, by Alabama Soil and Water Conservation Committee
6. *Facebook*: City of Fairhope frequently uses Facebook to advertise events as well as new policies and procedures
7. *What is a Phase II Small MS4?* brochure compiled by the Eastern Shore MS4 Stormwater Education Outreach Team, available at the City of Fairhope Planning and Zoning Department and Public Works
8. *Understanding Your Stormwater Management Program*; this 5minute video, produced by and shared with the permission of the Mobile Bay National Estuary Program, is an informational source for elected officials, and the general public. It briefly explains the importance and requirements of our local MS4 program. Available on the City of Fairhope website:
9. *Storm Drain Medallion Project* brochure developed in 2018. Available in hard copy and on-line.

Responsible Person(s) for brochures / publication / media placement: Planning and Zoning Department (Code Enforcement Officer); Public Works Department (Director); Community Development (Director)



Figure 10 Public Works employee installing storm drain medallion

ONLY RAIN GOES IN THE DRAIN!

It's easy to be un-greasy! Recycle cooking oil



Soapy wash and rinse water should not flow into street or storm drain



Keep organic material out of storm drains too!



1. Do not pile, blow or discard organic waste such as leaves or grass clippings on or around storm drains (or into streets). Start a compost pile instead!
2. Keep pet waste out of storm drains: Dispose of pet waste in the garbage if mixed with cat litter. Flushing (into toilet not storm drain) is acceptable if there is no litter waste.
3. Stabilize bare areas/ground in the yard immediately (sow seed, add sod or mulch with pine straw for example). Sediment and sediment-stained (turbid/discolored) water are pollutants.
4. Wash cars at the car wash or in your grass. Don't allow dirty/sudsy rinse water to enter streets and storm drains.
5. Apply pesticides and fertilizers according to label instructions. More is not necessarily better!
6. Recycle paints, used motor oil, cooking oil and other materials. For more information on Fairhope's Waste Management programs, including recycling and household hazardous waste, call Public Works Waste Management (251) 990-0192 or visit: www.fairhopeal.gov/departments/public-works/waste-management

For more information:
Storm Drain Medallion Project Contact:
Richard Johnson, Public Works Director
(251) 928-8003
Richard.johnson@fairhopeal.gov

Check out local Storm Water Projects and Programs @:
www.fairhopeal.gov/departments/planning-and-zoning/publications-and-forms

- *City of Fairhope MS4 Program (Annual Report and SWMPP)
- *Storm Sewer Inventory & Mapping
- *Fairhope Gullies
- *Fairhope Natural Resource Inventory
- *Homeowner Guide to Detention Pond Maintenance
- *Create a Clean Water Future Program

Funding for this project is provided in part by the Alabama Department of Conservation and Natural Resources' State Lands Division, Coastal Section and NOAA's National Coastal Zone Management Program



CITY OF FAIRHOPE ALABAMA
www.fairhopeal.gov



STORM DRAIN MEDALLION PROJECT
www.cleanwaterfuture.com


Figure 11 Storm Drain Medallion Project brochure page one

About the Fairhope Storm Drain Medallion Project

In 2017, the City of Fairhope acquired a grant which included implementation of a program to promote increased awareness of local stormwater standards. Fairhope storm drains are the gateway to our watersheds. Keeping "only rain" in our storm drains leads to watershed protection. Since all of our watersheds empty into Mobile Bay, storm drain protection is of value to us all! As part of this outreach program, storm drain medallions are being installed throughout Fairhope, as a reminder to keep it clean! If you wouldn't drink it, a fish shouldn't either!

What is a Watershed? A watershed is the land area that drains to a stream, lake, river or bay.
In Fairhope, all watersheds flow into Mobile Bay.

Rainy day storm drain → **Rain (stormwater) in Mobile Bay**




The Watersheds of Fairhope
There are 12 watersheds in the City limits of Fairhope. All ultimately release into Mobile Bay.

1. Big Mouth Gully (500 acres)
2. Cowpen Creek (3,056 acres)
3. Fly Creek (1,310 acres)
4. Pensacola Worm Branch (91 acres)
5. Point Clear Creek (1,173 acres)
6. Red Gum / Campbell Gully (54 acres)
7. Rock Creek (678 acres)
8. Stack Gully (397 acres)
9. Tatumville Gully (617 acres)
10. Turkey Branch (88 acres)
11. Volanta Gully (389 acres)
12. Waterhole Branch (600 acres)


Fairhope Storm Drains

- A storm drain is an opening in a curb or a grated drain intended to capture and release rain water from city streets and parking lots.
- Stormwater flows through storm drains and other conveyance systems. A stormwater conveyance system can be any means for stormwater transportation such as a road side ditch, a natural gully, stream, creek, pipe or detention / retention pond.
- Stormwater is not filtered or treated through the City of Fairhope waste water treatment plant like municipal sewage and grey water is.
- Stormwater has the potential to carry with it pollutants such as sediment, chemical and fertilizer residue and organic waste (grass and leaf clippings can clog drains and pet waste can contaminate downstream areas).
- The City of Fairhope has about 1200 storm drains in the City limits. These flow into over 600 delineated outfall areas (including 13 major Mobile Bay outfalls) around the City.
- Stormwater in Fairhope is regulated by the Alabama Department of Environmental Management (MS4 Program).

Water quality inspector @ Mobile Bay



Which watershed is the most critical? The one you work and live in!



Legend
Orange = Impervious Surfaces
Blue = Water Features

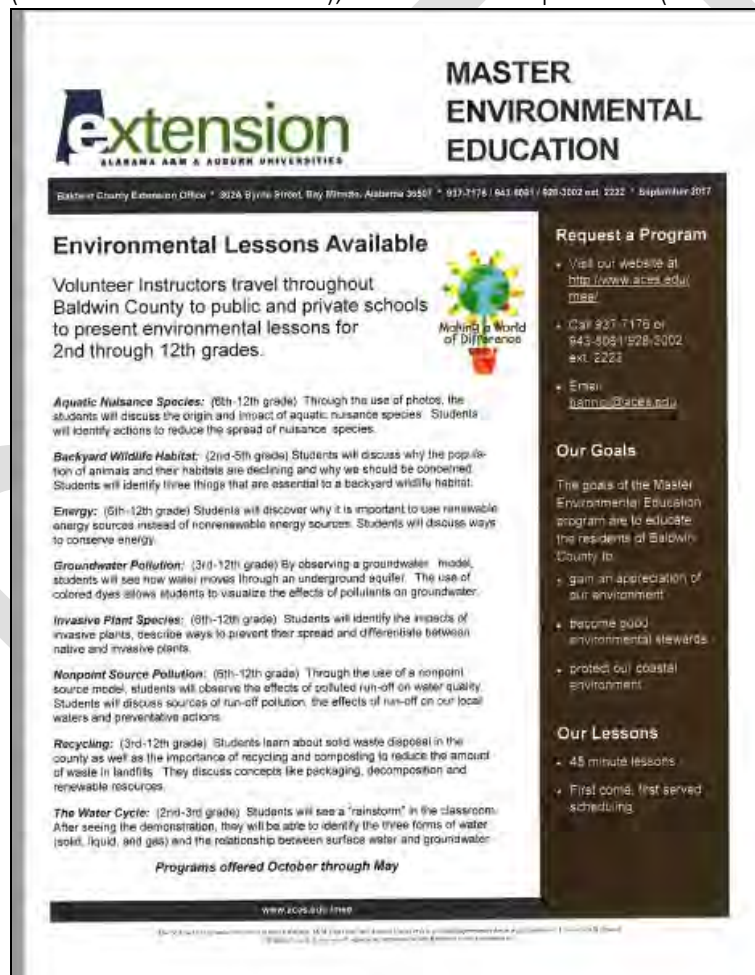
Figure 12 Storm Drain Medallion brochure page 2

PUBLIC EDUCATION AND INVOLVMENT ON STORM WATER IMPACTS, cont.

BMP # 2: Public Educational Meetings:

1. Master Environmental Educator (MEE) – Planning and Zoning Department has (1) staff person (Code Enforcement Officer) who will tentatively be trained in 2020 to participate in this program.
2. Mobile Area Earth Day – City of Fairhope is a sponsor of this event yearly and it is held at South Beach Park in Fairhope. The Planning and Zoning Department hosts an informational booth here to showcase local watershed / stormwater information. The City of Fairhope Recycling Committee also has a booth. Additionally, Public Works hosts a recycling event here (usually e-waste or Household Hazardous Waste). (Public Works Dept. / Planning and Zoning Dept.)

Responsible Person(s) for Public Educational Meetings: Planning and Zoning Department (Code Enforcement Officer); Public Works Department (Sanitation Officer)



The image shows a brochure for the Master Environmental Education program. At the top left is the 'extension' logo for Alabama A&M & Auburn Universities. To the right, it says 'MASTER ENVIRONMENTAL EDUCATION'. Below the logo is the address: 'Baldwin County Extension Office • 3024 Bynole Street, Bay Minors, Alabama 36507 • 937-7176 / 943-6061 / 806-3302 ext. 2222 • bapm@aur.edu'. The main heading is 'Environmental Lessons Available'. A sub-heading says 'Volunteer Instructors travel throughout Baldwin County to public and private schools to present environmental lessons for 2nd through 12th grades.' There is a small graphic of a globe with the text 'Making a World of Differences'. Below this are several lesson descriptions: 'Aquatic Nuisance Species: (6th-12th grade) Through the use of photos, the students will discuss the origin and impact of aquatic nuisance species. Students will identify actions to reduce the spread of nuisance species.', 'Backyard Wildlife Habitat: (2nd-5th grade) Students will discuss why the population of animals and their habitats are declining and why we should be concerned. Students will identify three things that are essential to a backyard wildlife habitat.', 'Energy: (5th-12th grade) Students will discover why it is important to use renewable energy sources instead of nonrenewable energy sources. Students will discuss ways to conserve energy.', 'Groundwater Pollution: (3rd-12th grade) By observing a groundwater model, students will see how water moves through an underground aquifer. The use of colored dyes allows students to visualize the effects of pollutants on groundwater.', 'Invasive Plant Species: (9th-12th grade) Students will identify the impacts of invasive plants, describe ways to prevent their spread and differentiate between native and invasive plants.', 'Nonpoint Source Pollution: (6th-12th grade) Through the use of a nonpoint source model, students will observe the effects of polluted run-off on water quality. Students will discuss sources of run-off pollution, the effects of run-off on our local waters and preventative actions.', 'Recycling: (3rd-12th grade) Students learn about solid waste disposal in the county as well as the importance of recycling and composting to reduce the amount of waste in landfills. They discuss concepts like packaging, decomposition and renewable resources.', 'The Water Cycle: (2nd-3rd grade) Students will see a "rainstorm" in the classroom. After seeing the demonstration, they will be able to identify the three forms of water (solid, liquid, and gas) and the relationship between surface water and groundwater.' At the bottom, it says 'Programs offered October through May' and 'www.aes.edu/eee'. On the right side of the brochure, there is a 'Request a Program' section with contact information: 'Visit our website at: http://www.aes.edu/mee', 'Call 937-7176 or 943-6061/806-3302 ext. 2222', and 'Email: bapm@aes.edu'. Below that is 'Our Goals' which lists: 'The goals of the Master Environmental Education program are to educate the residents of Baldwin County to: gain an appreciation of our environment, become good environmental stewards, and protect our coastal environment.' At the bottom right is 'Our Lessons' which lists: '45 minute lessons' and 'First come, first served scheduling.'

Figure 13 MEE informational brochure

PUBLIC EDUCATION AND INVOLVMENT ON STORM WATER IMPACTS, cont.

BMP # 3: City Website (www.fairhopeal.gov) has informative links for:

1. Alabama Water Watch
2. ADEM Water Quality Testing
3. Create a Clean Water Future link
4. Rain Garden @ City Hall
5. Waste Management
6. MS4 Annual Report and SWMPP
7. Zoning Ordinance / Subdivision Regulations
8. "Understanding Your Storm Water Management Program" 5 minute video shared with permission of the Mobile Bay NEP.
9. Municipal Code of Ordinances (www.fairhopeal.gov/departments/building/building-codes)
 1. Erosion and Sediment Control Ordinance (#1398; #1603)
 2. Red Soils Ordinance (# 1423)
 3. Wetlands Ordinance (#1370)
 4. Construction Site Waste Ordinance (#958)
 5. Illicit Discharge Ordinance (#1516)
10. Watershed Management Reports:
 1. Fly Creek Watershed Restoration Project (2013)
 2. Volanta Gully Watershed Management Plan (2012)

Responsible Person(s) for City website informative links: Planning and Zoning Department (Code Enforcement Officer); Community Development (Director)

BMP # 4: Existing Demonstration projects provide educational signage:

1. Wetland Pond @ North Beach Park – this simulated Wetland Pond was created in 2002, to reduce pathogens entering Mobile Bay, from duck pond water runoff. The pond features native plants and is a joint project from the MBNEP and City of Fairhope.
2. Rain Garden @ City Hall – this 480 square foot rain garden was installed by City employees in 2003 to treat run off from 2,600 square feet of asphalt from the City Hall parking lot. It is maintained monthly. Details of this project are available on the City of Fairhope website (www.fairhopeal.gov)

Responsible Person(s) for Existing Demonstration Projects: Public Works (Director)

PUBLIC EDUCATION AND INVOLVMENT ON STORM WATER IMPACTS, cont.

BMP # 5: Community Events:

1. Mobile Area Earth Day (South Beach Park in Fairhope). Public Works offers E-waste recycling at this event in April.
2. Coastal Clean Up (beachfront parks). This event, held in September, is advertised and recapped on Facebook and other media sources. City provides garbage pickup for this event.
3. Arbor Day (Coastal Community College) - City gives away approximately 1,000 trees yearly each February at this event, hosted by the City of Fairhope.
4. America Recycles Day – Free Amnesty Day recycling drop off of electronics and paper shredding at Public Works, on or about on November 15th, annually. Also prescription drug drop off is accepted on the same day (drop off at the Police Department).
5. Water Festivals – City of Fairhope supports area schools by offering staff volunteers at water festivals, such as the Baldwin County Water Festival

Responsible Person(s) for Community Events: Public Works (Director); Special Events Coordinator



Figure 14 Planning and Zoning staff mans the Planning and Zoning Watershed and Fairhope Recycles booth at Earth Day 2019

PUBLIC EDUCATION AND INVOLVMENT ON STORM WATER IMPACTS, cont.

BMP # 6: Employee Certifications:

1. The City of Fairhope currently has (2) licensed Commercial Pesticide Applicators, who are licensed by the State of Alabama Department of Agriculture and Industries Pesticides Applicators Certification program. The Parks and Recreation Director also held a certification but retired in October 2019. The recently appointed Parks and Recreation Director will obtain certification in 2020. This 3-year certification aids in pollution prevention by guiding applicators on correct application techniques, which discourages overuse or misuse of pesticides/herbicides (Responsible Person: Public Works Director)
 - a. Landscape Supervisor, Certification # 57285
 - b. Golf Course Grounds Supervisor, Certification # 13550
 - c. Parks and Recreation Director will be certified in 2020
2. Qualified Credentialed Inspector (QCI) program educates inspectors on correct erosion and sediment control applications and installation techniques. New inspectors hired in 2019 will acquire QCI training within 12 months: -QCI Yearly recertification required: Responsible Person: Building Official; Planning and Zoning Code Enforcement Officer
 - a. P&Z Code Enforcement Officer (Burmeister), Certification # 25712
 - b. P&Z Code Enforcement Officer (LeJeune), Certification # 81295
 - c. New Building Inspector #1 (Nixon): # to be obtained by Dec. 2020
 - d. New Building Inspector # 2 (Morris): # to be obtained by Dec. 2020
 - e. Building Inspector #3 (Nelson): #68815
 - f. Building Inspector #4 (Taylor): #76249
 - g. Building Inspector #5 (Thomas): #T5330
3. Alabama Water Watch Volunteer Water Quality Monitoring certification for bacterial testing. City staff became certified in November 2019: Responsible Person: Fairhope Docks Manager; Planning and Zoning Code Enforcement Officer:
 - a. Planning and Zoning Department (Code Enforcement Officer LeJeune). Target area: Undetermined
 - b. Fairhope Docks (Manager). Target area: Fairhope Docks, Fly Creek



Figure 15 Recently certified for bacterial testing of Fly Creek, Fairhope Docks Manager displays AWW water quality monitoring manual

PUBLIC EDUCATION AND INVOLVMENT ON STORM WATER IMPACTS, cont.

BMP #7: Employee Erosion and Sedimentation Workshop

The City of Fairhope Planning and Zoning Department hosts an employee Erosion and Sedimentation Workshop annually at City facilities. The purpose of this 1.5 hour workshop is to train existing employees (and inform new employees) of the Construction Site Storm Water Runoff Control standards required by the City of Fairhope. State and Federal regulations are also reviewed. Emphasis is placed on right of way and utility work, as well as other planned and emergency projects, as they may be applicable to the different City of Fairhope departments. City staff reviews City of Fairhope regulations and ordinances regarding storm water standards, which apply to contractors, developers, landowners and City projects. Each department within the City sends employees such as crew leaders, assistant supervisors and/or supervisors.

Responsible Person(s) for the Employee Erosion and Sediment Control Workshop: Planning and Zoning Department (Code Enforcement Officer); Public Works Department (Director); Building Department (Building Official)



Figure 16 Erik Cortinas, Building Official, talks to city crews about good practices for erosion and sediment control on city right of ways (October 2019, BMP Workshop)

PUBLIC EDUCATION AND INVOLVMENT ON STORM WATER IMPACTS, cont.

BMP # 8: Pet Waste Bags in City Parks

Pet waste bag dispensers are available in City parks (along the Bay and at the Dog Park). Pet waste bags are available free to the public and encourage removal of pet waste from public areas. The Animal Control Officer is responsible for keeping pet waste bag dispensers full, and for enforcement of City Ordinance #988, which requires owners to clean up after their pets on public property. This helps keep pet waste out of storm drains and area waters.

Responsible Person(s): Police Department (Animal Control Officer)

BMP# 9: Create a Clean Water Future Campaign

The City of Fairhope adopted a resolution to accept this campaign in August 2014. This logo is being used on the City of Fairhope website and publications, as well as on over 100 City of Fairhope vehicles. The website (www.cleanwaterfuture.com) contains valuable resources for City employees, residents and educators to use in our community.

Responsible Person: Planning and Zoning Department (Code Enforcement)

BMP #10: Notices for public meetings are:

1. Posted at City Hall-and other City Offices
2. Posted on the City of Fairhope website and on social media
3. Emailed to subdivision groups (POAs/HOAs) and the media

Responsible Person(s): Planning and Zoning Department (Administrative Assistant); City Clerk

BMP #11: Subdivision Property Owners Associations Contact List

A current list of subdivision and property owner associations is kept updated to include email / phone number contact information. This list is used as one form of notification for public meetings, including Planning Commission meetings

Responsible Person(s): Planning and Zoning Department (Administrative Assistant)

PUBLIC EDUCATION AND INVOLVMENT ON STORM WATER IMPACTS, cont.

BMP #12: City of Fairhope Planning Commission

The Fairhope Planning Commission meeting is a monthly meeting (first Monday of each month at 5 p.m.). It is held at the Fairhope City Hall and is open to the public. The objective and purpose of the Fairhope Planning Commission is to promote the health, safety, morals and general welfare of present and future residents of Fairhope and to bring about the coordinated and efficient development of the City. The Planning Commission evaluates planning and growth issues and makes recommendations to the City Council regarding comprehensive plan updates, zoning ordinance amendments, re-zonings and site plan reviews. Storm water standards are a component of the development review process. The Planning Commission also serves as the annual review board for the Fairhope Storm Water Management Plan (SWMPP).

Responsible Person(s): Planning and Zoning Department (Director)

BMP #13: Fairhope Environmental Advisory Board (FEAB)

The City of Fairhope (via Planning and Zoning Department support) facilitates and takes minutes at this monthly volunteer meetings, which focuses on environmental issues. This advisory committee currently has eight (8) active members. The FEAB makes recommendations to City leaders and offers a third-party evaluation of City procedures and regulations. A frequent topic of the meeting is stormwater management.

Responsible Person: Planning and Zoning Department (Code Enforcement Officer)

BMP# 14: Sanitary Sewer Overflow On-Site Signage

Signs are added as soon as a spill is discovered.

Responsible Person: Director of Utilities



Figure 17 Example of signage used to notify the public of areas of sewer overflows

PUBLIC EDUCATION AND INVOLVMENT ON STORM WATER IMPACTS, cont.

➤ Measurable Goals

One Year Goals:

1. Storm Water Education / Seminar

Responsible Department: Planning and Zoning Department (Director)

Goal: At least one staff shall member attend one storm water related workshop, conference or seminar annually

Due: December 2020

2. Storm Water Article on Social Media (Facebook)

Responsible Department:

Community Development (Director)

Goal: Ensure there is at least one storm water related article on Facebook per year

Due: December 2020

3. Erosion and Sediment Control (BMP) Workshop for City Employees

Responsible Department: Planning and Zoning Department (Code Enforcement)

Goal: Planning and Zoning along with the Building Department and Public Works Dept. hosts a 1.5 hour workshop for City employees. BMP techniques and recent storm water projects are discussed as well as City, State and Federal regulatory information

Due: December 2020

4. Public Educational / Input Meeting for Storm water Issues

Responsible Department: Planning and Zoning Department (Planning and Zoning Department / Director)

Goal: Facilitate at least one educational meeting per year (such as through FEAB and/or Planning Commission). This meeting will allow the public to offer input on the City of Fairhope's storm water plans and policies.

Due: December 2020

5. SWMPP Review

Responsible Department: Planning and Zoning Department (Director)

Goal: Facilitate review of stormwater management plan yearly, through public forum such as Planning Commission and/or City Council. Send out notices accordingly.

Due: December 2020

4.0 MINIMUM CONTROL MEASURE # 2: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

- **Requirements:** Develop, implement and enforce a program to detect and eliminate illicit discharges into the regulated MS4; Develop a storm sewer map and update annually (to include locations of outfalls and structural BMPs); Effectively prohibit to the maximum extent practicable under State or local law through ordinance, or other regulatory mechanism, non-storm water discharges into the MS4 and implement appropriate enforcement procedures and actions; Develop and implement a plan to detect and address nonstorm water discharges, including illegal dumping, to the system; develop and list in SWMPP ordinances to effectively prohibit non-storm water discharges to the MS4; implement a dry weather screening program designed to detect and address non-storm water discharges to the MS4 –100% of all outfalls every 5 years or about 20% per year; priority areas as outlined in the SWMPP (currently set at about 25% per year since this must be “more frequent” than non-priority outfalls), listing outfalls screened; procedures for tracing source of suspect illicit discharges; procedures for eliminating an illicit discharge; procedures for notifying ADEM of illicit discharges; mechanism for the public to report illicit discharges; training program for staff; update MS4 map annually; document illicit discharge complaints and action taken. More information on these requirements can be found in the general permit.
- **Responsible Persons:** Planning and Zoning Department; Public Works; Building Department; Water and Sewer Department, Volunteer Fire Department, Public Works Department; Utilities Director of Operations; Community Development Director
- **Rationale Statement:** Illicit discharges are generally any discharge into a storm drain system that is not composed entirely of storm water. The City of Fairhope has an IDDE program, which is based on enforcement of our Illicit Discharge Ordinance (Ordinance # 1516). The Illicit Discharge ordinance was amended in 2014 to emphasize regulation and enforcement on all property owners, not just “facilities”. A written Standard Operating Procedure (SOP) has been developed for illicit discharge detection and elimination.



Figure 18 Example of illicit discharge: greasy water entering drain after cafeteria garbage can was rinsed in area discharging to storm drains, untreated

ILLCIT DISCHARGE DETECTION AND ELIMINATION (IDDE), CONT.

The City of Fairhope Illicit Discharge ordinance states:

(a)

It shall be unlawful for any person, firm, or corporation to discharge a pollutant into the City of Fairhope's Municipal Separate Storm Sewer System (stormwater system) in the City of Fairhope Police Jurisdiction that will have a deleterious impact on the environment. Any pollutant, associated with an industrial or commercial activity that is covered by the National Pollutant Discharge Elimination System as dictated by 40 CFR 122.26, can be discharged to the city stormwater system only if the discharge is covered by, an NPDES permit for stormwater.

(b)

Where an illicit discharge is reasonably believed by the city to be originating from private or public property, structure, or other facility, it shall be the right of the city to designate employees, bearing proper credentials and identification, to enter property or facility grounds for the purpose of inspection, observation, measurement, sampling and testing in accordance with this article.

(c)

Authority is hereby granted to the city by and through its duly designated enforcement officers to halt any discharge from private or public property, structure, or other facility that is reasonably believed by the city to be potentially harmful to human health or the environment.

(d)

All costs incurred by the city in association with the ceasing of a potentially harmful discharge will be reimbursed by the property owner of the discharging property, structure, or facility. The city may charge the cost against the subject land as a municipal lien, charges to be recovered in a suit at law against the owner.

(e)

The penalty for violation of any provision of this ordinance shall be as specified for general penalty in [section 1-8](#) of the Code of Ordinances of the City of Fairhope.

ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE), CONT.

Procedures for tracing and removing the source of the illicit discharge are written into the ordinance, as well as the City of Fairhope Standard Operation Procedure for Illicit Discharge. This SOP was updated in November 2018 to reflect the Water and Sewer Department capability to video up to 500' of sewer line.



Planning Department
Illicit Discharge Standard Operating Procedure (SOP)
(Dry Weather Screening / Field Assessments)

Background and Introduction

Dry weather screening and field assessments of storm water infrastructure is a key element to proper Illicit Discharge Detection and Elimination. Annual dry weather screening is a requirement of the City's NPDES storm water permit # ALR040040. The City's Planning Department, in conjunction with the Public Works Department, conducts annual dry weather screening of 20 to 25% of all outfalls annually as listed in the Storm Water Outfall Inventory. Additionally, the Public Works Department (Street Division) oversees maintenance and year around general field assessments of City right of way and storm water infrastructure, during routine job duties. Additionally, the Planning Department investigates and issues enforcement on general Illicit Discharge complaints, such as commercial / residential rinsing and run off, and construction site rinsing and run off. The Fairhope Voluntary Fire Department responds to and is responsible for follow up on 911 based Illicit Discharges (such as chemical / fuel spills). The Fairhope Voluntary Fire Department is responsible for contacting the Emergency Management Agency on 911-based complaints.

General Concepts

City of Fairhope Public Works Department is continuously maintaining and observing City right of way and storm water infrastructure through routine field assessments (during and after significant rain events). The Planning Department, in coordination with the Public Works Department, conducts a documented annual "Dry Weather Screening" of outfalls within the City of Fairhope MS4 jurisdiction. This screening is documented in the MS4 Annual Report.

Field Assessments / Dry Weather Screening

If a potential illicit discharge is detected during a field assessment, the Public Works supervisor in charge will notify the Planning Department to validate the illicit discharge. The Planning Department Code Enforcement Officer will then follow protocol listed in the flow chart attached for Dry Weather Screening. If a potential illicit discharge is detected during a dry weather screening, protocol will be followed according to the flow chart, attached for Dry Weather Screening.

Dry Weather Screening is conducted by City Staff (Public Works Department and Planning and Zoning Department) at 20% of non-priority outfalls and 25% of priority outfalls annually. Schedule is listed in the current Storm Water Management Program Plan. Priority outfalls are those which ultimately drain to Weeks Bay, an Outstanding National Resource Water. The City of Fairhope has over 630 outfalls as per the Storm Water Outfall Inventory (2012) which is updated annually.

Figure 19 SOP for Illicit Discharges, pg. 1

Reporting

The Planning Department Code Enforcement Officer will ensure proper notification of other City Departments and environmental agencies (by email, telephone or mail). Non-compliant sites will be handled according to the SOP for Non-compliant Site Reporting Procedures. All enforcement action such as Municipal Offense Tickets and Court Summons are authorized by the Planning Director before issuance.

Site Inspection

Upon a complaint or suspected illicit discharge, the Planning Department Code Enforcement Officers perform site inspections to validate or dismiss the potential illicit discharge. If it is necessary to look up into a storm drain pipe the City of Fairhope Water and Sewer Department will be called upon to assist. The Water and Sewer Department owns a sewer camera which is used to look up into pipes, up to 500'. Beyond 500', the City of Fairhope can use an outside contractor for videoing beyond 500' of storm pipe or sewer line. If necessary, Fire Department would be dispatched to provide haz-mat preparation and facilitate clean-up, which would initiate a 911-based response. Otherwise, the Planning Department reports any water body or critical area impact to the appropriate State/Federal agency (ADEM/ USCOE).

Sampling

If a general illicit discharge is observed, and the nature of the discharge is not known, the City of Fairhope Planning Department will engage a testing laboratory to perform testing.

Enforcement & Follow-up

If the report is validated, the Planning Department Code Enforcement Officer will contact the responsible party and take all necessary steps (approved by Planning Director) needed to stop the illicit discharge which may include any and all actions documented in the City's Illicit Discharge Ordinance. Corrective action may also include dispatch of the City of Fairhope Street Sweeper for clean up on City property and right of way, at a \$300 minimum charge to the responsible party. Enforcement action such as Municipal Offense Tickets and/or Court Summons must be authorized by the Planning Director. Discharges originating from other areas (outside the City of Fairhope MS4) will be reported to that jurisdictional authority.

Documentation

All observations and actions will be documented in a report which will be tracked in the Planning Department Code Enforcement Officer's database and reported to ADEM in the City's Annual MS4 Phase II Report.

ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE), CONT.

Figure 20 SOP for Illicit Discharges, pg. 2

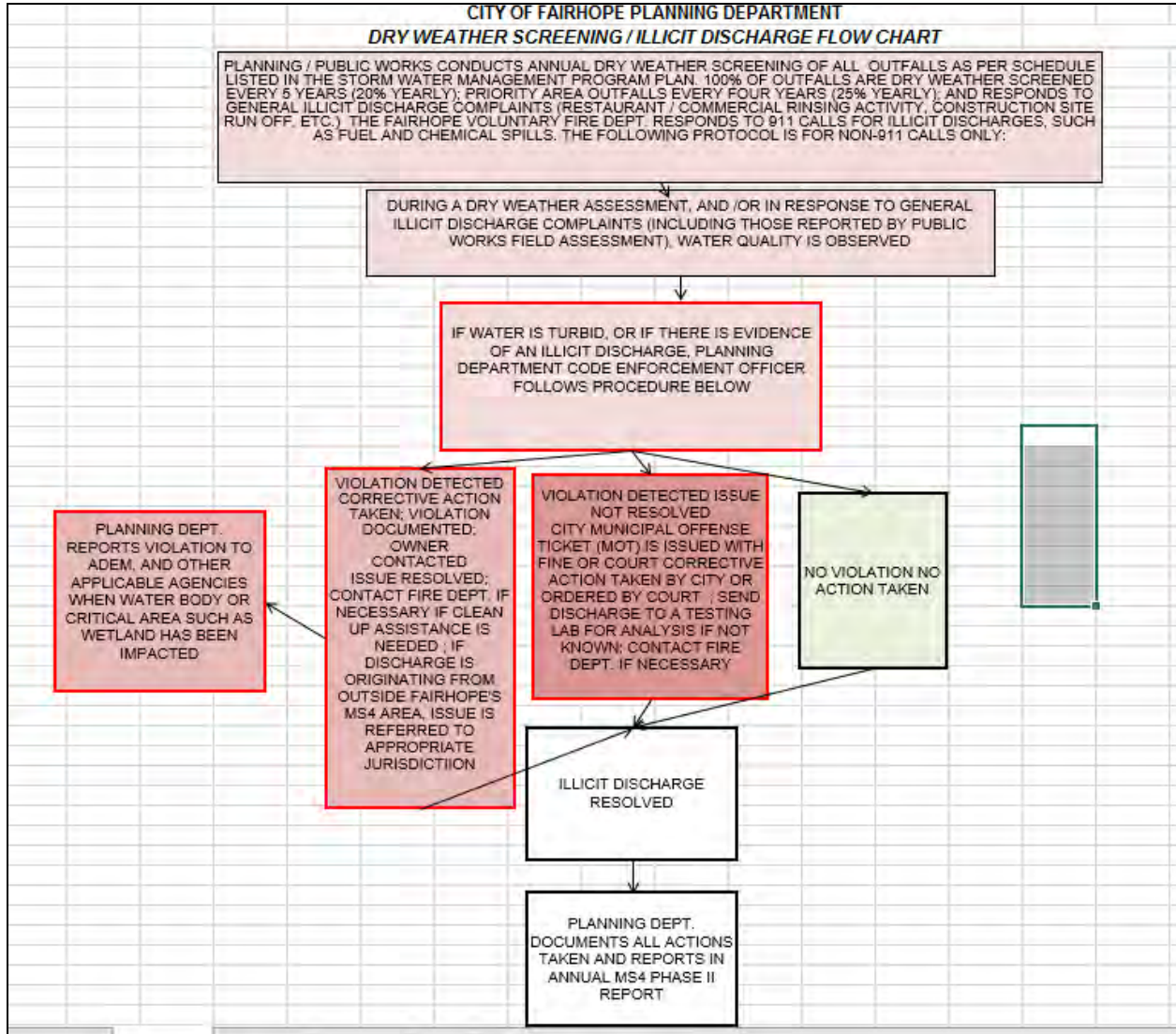


Figure 21 SOP Flow Chart for Illicit Discharges

ILLCIT DISCHARGE DETECTION AND ELIMINATION (IDDE), CONT.

The Planning and Zoning Department Code Enforcement Officer uses a monthly complaint log to track complaints and corrective action procedures taken. Tracking is done through Munis software. Smoke tests/video inspections are periodically performed throughout the year by the Water and Sewer Department to help detect infiltration from faulty sewer lines.

Building Inspectors ensure new development and redevelopment activities are compliant upon each construction inspection.

Areas zoned "M-1" (Light Industrial District) are considered an important area for IDDE monitoring. The general location of M-1 zoned areas are:

- a. Airport (CR 32)
- b. Nichols Avenue/Middle Street @ S. Greeno Road
- c. South Section Street @ Pecan (City of Fairhope Public Works facility)

All City outfalls identified in the Storm Water Outfall Inventory are assessed at least once every 5 years. Priority construction area (drains to Weeks Bay) outfalls are monitored more frequently (every 4 years). This means about 20% of non-priority outfalls and about 25% of priority outfalls are assessed yearly. The 5-year (2019-2023) monitoring schedule is in the Measurable Goals section below.

- **BMPs / Mechanisms** used for IDDE program compliance:
1. Illicit Discharge Ordinance #1516
 2. Code Enforcement Officers (2) (Planning and Zoning Department)
 3. Sanitation Officer (Public Works Department)
 4. Residential Curbside Cooking Oil Recycling Program
 5. Household Hazardous Waste drop off site for residents
 6. *Greener by the Yard* pamphlet
 7. Staff Meetings (Public Works)
 8. City of Fairhope Watershed Map
 9. Storm Water Outfall Inventory & Mapping
 10. Volunteer Fire Department (Spills)
 11. Create a Clean Water Future Campaign
 12. Sewer Capacity Study
 13. Video of Sewer Lines to detect leaks

ILLCIT DISCHARGE DETECTION AND ELIMINATION (IDDE), CONT.

BMP # 1: Illicit Discharge Ordinance – states *“It shall be unlawful for any person, firm, or corporation to discharge a pollutant into the City of Fairhope’s Municipal Separate Storm Sewer System (stormwater system) in the City of Fairhope Police Jurisdiction that will have a deleterious impact on the environment.”*

Penalty for non-compliance: Up to \$500

Responsible Person(s) for Illicit Discharge Ordinance: Planning and Zoning Department (Code Enforcement Officer); Public Works Department (Sanitation Officer); Building Department (Building Official)

BMP # 2: Code Enforcement Officer (Planning and Zoning Department)

The City of Fairhope employs two full time (2) Code Enforcement Officers, in part, to investigate and issue corrective action on illicit discharge issues. Standard Operating Procedures (SOPs) were developed in 2014 and is updated yearly if necessary.

BMP # 3: Sanitation Officer (Public Works Department)

Fairhope employs a full time Sanitation Officer full time to manage the City waste management operations, and to enforce waste management laws of the City.

BMP # 4: Cooking Oil Recycling: The City of Fairhope has a used cooking oil recycling program for residents. Containers for cooking oil collection are available free upon request to residents. Residents may bring in used cooking oil for recycling or may place the containers on the right of way for curbside pickup. Restaurants are not allowed to dispose of oil within the City of Fairhope waste stream and must set up a cooking oil recycling program. Sanitation and recycling crews (Public Works Department) are trained to report illegal dumping / rinsing activities, including inappropriate disposal of cooking oil. Responsible Person(s): Public Works Department (Sanitation Officer)

BMP # 5: Household Hazardous Waste: The City of Fairhope Public Works Department manages a household hazardous waste (HHW) drop off site for residents, free of charge. The HHW drop off site is located at 555 South Section Street. This site encourages the correct disposal of paints, motor oil and other chemicals, as well as electronic waste, automobile batteries and tires. There is a minimum recycling fee for tires (based on industry standards). There is no charge for other household hazardous waste materials dropped off, including electronic waste. On average, the City of Fairhope recycles about 1,700 gallons of household hazardous waste yearly (based on the 2018 recap from Public Works). Responsible Person(s): Public Works Department (Director)

BMP # 6: Greener by the Yard

This pamphlet includes information on pollution prevention, good housekeeping and illicit discharges. It was created and published by the Weeks Bay Watershed Project, and is available in hard copy (Planning and Zoning Department) and on the City website.

ILLCIT DISCHARGE DETECTION AND ELIMINATION (IDDE), CONT.

BMP # 7: Staff Meetings – Public Works employees are trained throughout the year in weekly staff meetings to report illegal dumping / rinsing activities, including inappropriate disposal of cooking oil, rinsing of paints and chemicals into storm drains, etc. The Public Works Department is the largest City Department, encompassing waste management, landscaping, streets and construction (about 50 full time employees). Responsible Person(s): Public Works Department (Director)

BMP # 8: Watershed Map

City of Fairhope has a watershed map which is used as a planning and construction tool. It is available on-line (“Natural Resource Inventory”) and in the Planning and Zoning Department and in Public Works. Planning and Zoning Department (GIS) is responsible for updating, printing and providing this map.

BMP # 9: Storm Water Outfall Inventory & Mapping

The City of Fairhope Planning and Zoning Department completed a survey of the City outfalls and infrastructure in 2012. This information was provided through GIS, and a map has been produced, including designation of 13 major (Bay) outfalls. New storm water outfall information is updated annually in hard copy form to include new development. As of November 2019, the City of Fairhope Stormwater Outfall Inventory reflects 642 outfalls.

BMP # 10: Volunteer Fire Department / Fuel Spills: The Fairhope Volunteer Fire Department is responsible for responding to and facilitating removal of fuel / chemical spills. Responsible Person(s): Volunteer Fire Department (Chief)

BMP #11: Create a Clean Water Future Campaign

The City of Fairhope adopted a resolution to accept this campaign in August 2014. This is mentioned in MCM#1 under “Public Education”. This campaign addresses storm water pollution, including IDDE. Create a Clean Water Future logo is being used on applicable City of Fairhope publications and business cards.



ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE), CONT.

BMP #12: Sewer Capacity Study

In 2017, the Utility Department conducted a capacity study on utility infrastructure. Phase I of this study (link below) included sewer lines and addressed, in part, sanitary sewer overflows. This study is being used to determine current upgrade needs as well as growth demands. As a result of this study, the Utility Department has started one transmission project along Fairhope Avenue, Fairwood Boulevard, Bayou Drive and Section Street, with a second transmission project. The second project will be along Church Street from the Wastewater Treatment Plant to Fels Avenue.

Once these two projects are completed, Fairhope Utilities will extend additional transmission mains and upgrade certain key lift stations as part of Phase II upgrades to the transmission system. These projects will be focused on the Thompson Hall, Doghouse and South Section wastewater drainage basins.

Other improvements include the renewal of the pipeline and manhole annual rehabilitation contract to grout deteriorating manholes and line sewer mains that are cracked, both of which are subject to allowing stormwater intrusion into the sanitary sewer system. Fairhope has recently contracted for “Point Repair Work” to fix sewer mains with offset joints, and the replacement of a 35 year old lift station at the foot of Fels Avenue at South Mobile Street.

www.fairhopeal.gov/home/showdocument?id=15025

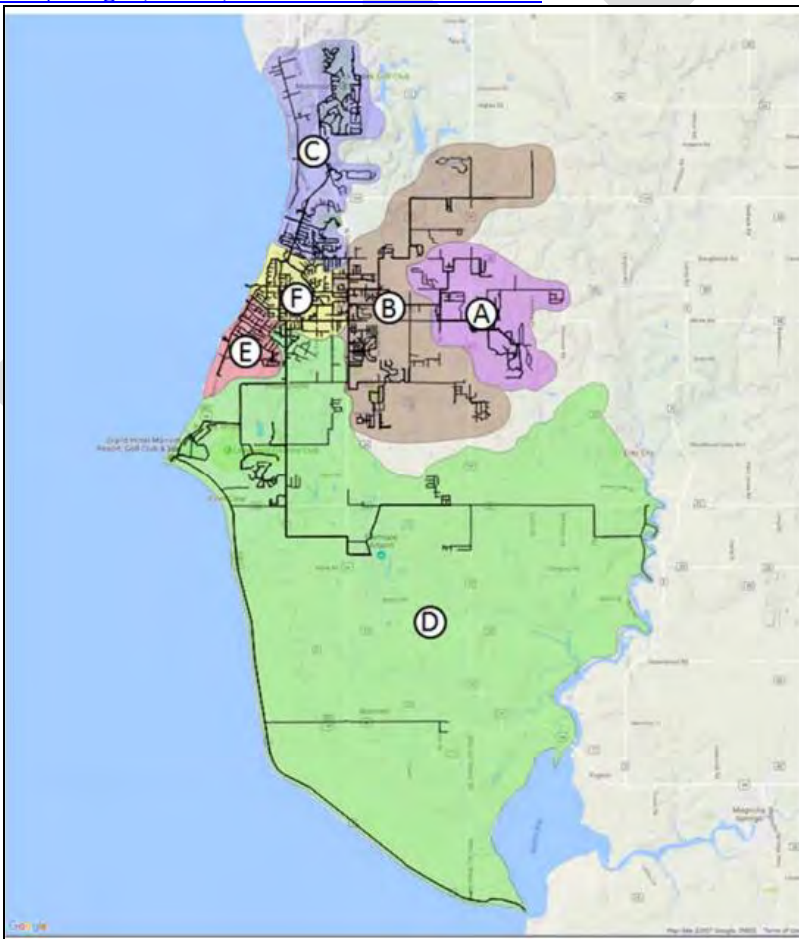


Figure 22 Map of the major drainage basins studied during the Sewer Capacity Study, 2017

BMP #13: Video of Sewer Lines

Water and Sewer Department staff have the capability to perform video inspections of sewer lines to locate potential sources of sewer leaks. The Water and Sewer Department own a camera which can inspect sewer pipes and storm drains up to 500' long.

CCTV pictures of MH12-2-W2_MH12-2-W1
For Fairhope

Work Order		Surveyed On 2019/05/29	
Street Name	854 Edwards Ave	Video	
City Name	Fairhope	Weather	
Location		Survey Direction Downstream	
From Manhole	MH12-2-W2	To Manhole	MH12-2-W1

Setup 1 Counter 186.7 Ft

C:\FLEX6\Snap\MAY 2019 NEW\18.jpg 2019/05/29

Pipe Details:

Year Laid	Shape	Circular	Size	10	By	ins
Material	Polyvinyl Chloride	Lining	Use	Sanitary		

Observation: Miscellaneous Survey Abandoned

Comments: Survey is abandoned due to lateral intruding into the main line.

 PipeLogix Inc.
Phone: 866-299-3150
Fax: 760-406-6023

Figure 23 Video inspection of sewer line revealed a lateral line incorrectly installed. This could cause infiltration of sewer into stormwater (April 2019)

ILLCIT DISCHARGE DETECTION AND ELIMINATION (IDDE), CONT.

➤ Measurable Goals

One Year Goals:

1. Storm Water Outfall Inventory Update

Responsible Department: Planning and Zoning Department

Goal: Update hard copy inventory annually to include new development, redevelopment and routine corrections. (*Planning and Zoning Manager*)

Due: December 2020

2. Video of Sewer Lines

Responsible Department: Water Department

Goal: Conduct video test on priority sewer lines annually to detect sewer leaks or illegal connections. Document findings and corrective action taken (*Utilities Director*)

Due: December 2020

3. Public Works Illicit Discharge Detection Meeting

Responsible Department: Public Works

Goal: Alert and advise waste management crews to look for illicit discharge indicators such as sheen in or near storm drains, leaking dumpsters, etc. (*Public Works Director*)

Due: December 2020

4. Dry Weather Screening of Outfalls

Responsible Department: Planning and Zoning Department / Public Works / Utility Director

Goal: a. NON-PRIORITY OUTFALLS (do not drain to Weeks Bay): Assess at least once every 5 years per 5-year schedule. Use MS4 Stormwater Outfall Inventory (data sheets, map) to reference outfalls. Document outfalls assessed; date; conditions and maintenance requirements (and when complete). This will satisfy the 5-year requirement for 100% of all outfalls every five years. Planning and Zoning Department and Public Works Department will conduct these assessments annually.

Due: December 2020: Tatumville (53 outfalls)

Goal: b. PRIORITY OUTFALLS (DRAINS TO WEEKS BAY): Assess at least once every 4 years per 5-year schedule. Planning and Zoning Department and Public Works Department will conduct these assessments annually.

Due: December 2020 Turkey Branch (4); Pensacola Worm Branch (13)

Two to Five year Goals: See schedule below

City of Fairhope MS4 Outfall Assessment Schedule 2019-2023

As per 2012 Storm Sewer (outfall) Inventory (including yearly updates)

Watershed	Number of outfalls inventoried	MS4 Monitoring Requirement / 5 yr. Monitoring Schedule (2018 – 2021)
Big Mouth Monitoring Responsibility: P&Z	69 <i>(includes one Major Outfall @ Mobile Bay)</i>	1/5 yr. 2022 (last assessed 2018)
Cowpen Creek* Monitoring Responsibility: PW	186	*Priority* 1 / 4 years 2022: Pg. 91-181 (last assessed 2018) 2021: Pg. 1-90 (last assessed 2017)
Fly Creek* Monitoring Responsibility: P&Z	104 <i>(includes one Major Outfall @ Mobile Bay)</i>	1/4 year 2019
Pensacola Worm Branch* Monitoring Responsibility: PW	13	*Priority 1 / 4 years 2020
Point Clear Creek Monitoring Responsibility: P&Z	33	1/5 yr. 2021 (last assessed 2017)
Red Gum Monitoring Responsibility: N/A	0	n/a
Rock Creek Monitoring Responsibility: P&Z	103 <i>(includes one Major Outfall @ Mobile Bay)</i>	1/5 year 2019
Stack Gully Monitoring Responsibility: P&Z	23 <i>(includes six Major Outfalls @ Mobile Bay)</i>	1/5 yr. 2023 (last assessed 2018)
Tatumville Gully Monitoring Responsibility: P&Z	53 <i>(includes three Major Outfalls @ Mobile Bay)</i>	1/5 yr. 2020
Turkey Branch* Monitoring Responsibility: PW	4	*Priority 2020
Volanta Monitoring Responsibility: P&Z	33 <i>(Includes one Major Outfall @ Mobile Bay)</i>	1/5 yr. 2021 (last assessed 2017)
Waterhole Branch* Monitoring Responsibility: PW	18	*Priority 2021 (last assessed 2017)
TOTAL	639 OUTFALLS (INCLUDES 13 MAJOR OUTFALLS ALONG BAY)	

*Priority Construction Area (Drains to Weeks Bay, an ONRW: Outstanding National Resource Water)

NOTE: HARD COPY DATA SHEET AVAILABLE IN PLANNING AND ZONING DEPARTMENT LISTING OF COMPLETE STORM SEWER INVENTORY FOR EACH OUTFALL LISTED.

City of Fairhope - Outfall Inventory
Rock Creek Watershed

RC-254917-B	RC-254917-B
Watershed	Rock Creek
Material	HDPE
Shape_1	Circular
Depth	0
Top Width	0
Bottom Width	0
Type	Closed Pipe
Category	
Outfall_No.	--Null--
Comment	3' drop at discharge
Flow Description	None
Outfall Damage	
Deposits/Stains	
Abnormal Vegetation	
Poor Pool Quality	
Pipe Benthic Growth	
Barrels	1
Diameter	18
Submerged in Water	No
Submerged With Sediment	No
Date Collected	6/21/2012
2012 Photo 1	000999
2012 Photo 2	0010100

Hatch Mott
MacDonald

Page | 18

Figure 24 Outfall Data Sheet for Rock Creek outfall page 18 of outfall inventory



Figure 25 Planning and Zoning staff conduct an assessment of Rock Creek outfall from page 18 of outfall inventory

**5.0 MINIMUM CONTROL REQUIREMENT #3:
CONSTRUCTION SITE STORM WATER RUNOFF CONTROL**

- **Requirements:** Develop, implement, and enforce a program to reduce pollutants in storm water runoff from qualifying construction activities. The program shall include specific procedures for construction site plan (including Erosion and Sediment Control) review and approval; Erosion and Sediment Control ordinances with sanctions to ensure compliance; training program (including schedule) for MS4 site inspection staff in the identification of appropriate construction best management practices; procedures for periodic inspection of qualifying construction sites, including priority construction sites (those draining to Weeks Bay) at a minimum frequency of once per month for the priority construction sites; procedures outlined in the SWMPP to notify ADEM of non-compliant construction sites, including those without NPDES permits; procedures for site plan reviews outlined in the SWMPP; copies or links to regulatory ordinances; documentation of all inspections, complaints and enforcement actions taken; and a list of all active construction sites in the MS4 area. More details on these requirements can be found in the general permit.
- **Responsible Persons:** Planning and Zoning Department; Building Department; Public Works Department; Utilities Director of Operations
- **Rationale Statement:** The City of Fairhope has a Construction Site Storm Water Runoff Control program to control erosion and sedimentation. This program is applicable to all construction and land disturbance sites and is not limited to development activities over an acre. This program includes project review, BMP inspections and enforcement of construction related ordinances for environmental protection. City employees (i.e. utility workers) are held to the same standards as property owners, contractors and developers. The Planning and Zoning Department and the Building Department have QCI (Qualified Credentialed Inspector) trained staff to review development applications and conduct BMP and construction inspections. The City of Fairhope has a total of (6) QCI certified employees in the Planning and Zoning Department and (3) Building Inspectors in the Building Department as of December 1, 2019. Crew leaders and city staff in each department are offered an overview of the Construction Site Storm Water Runoff Control program (including storm water standards at local and state levels) through a workshop held annually (Erosion and Sediment Control / BMP Workshop) by the City of Fairhope Planning and Zoning Department, Building Dept. and the Public Works Department. The City of Fairhope has a written Standard Operating Procedure (SOP) for non-compliant construction sites.

In October 2017, the City of Fairhope amended the existing Erosion and Sediment Control Ordinance (#1398) to include (#1603):

1. Requirements for stabilization of silviculture (forestry) activities
2. Third party review clarification (paid for by applicant)
3. Restrictions on clearing of vegetation: may not exceed more than 30' past the footprint of the proposed structure for single family; 50' for all others; 40' past curb and gutter for right of way projects and no more than the designed width of any drainage or utility easement that contains drainage conveyances and building utilities.
4. Slopes greater than 3:1 or adjacent to critical areas will be subject to additional requirements as determined by the City of Fairhope and/or the third-party consultant
5. Multiple buildings require individual erosion and sediment control (BMP) plans
6. Development sites (such as multi-occupancy / apartment projects) require a paved or fully stabilized road prior to building construction.
7. Open channels may receive rip rap or gabion stone stabilization materials if specified by a professional engineer.
8. Applicants must provide copies of QCI or other inspection reports to the city, upon request by the City.

➤ **BMPs / Mechanisms** used for Construction Site Storm Water Runoff Control

1. Design Review
2. BMP Inspections
3. Code Enforcement / Procedures for non-compliant sites
4. City ordinances
5. Educational material available in the Building Dept.



Figure 26 Example of multi-occupancy project underway. The contractor installed the asphalt binder in advance of vertical construction to meet the new requirement in the City of Fairhope Erosion and Sediment Control Ordinance.

CONSTRUCTION SITE STORM WATER RUNOFF CONTROL, CONT.

BMP # 1: Design Review: The City of Fairhope Planning and Zoning Department design review (and pre-construction meeting) process includes:

1. Informal review with applicant (encouraged but not required)
2. Development Review with Staff (internal)
3. Preliminary Plats for Subdivision
4. Pre-construction meeting – with engineer of record
5. Final Plats for Subdivision
6. Zoning Applications (if applicable)
7. Site Plan Review (considered by Planning Commission), if the development meets the following qualifications:
 - Has a gross floor area of 10,000sf or greater; or,
 - More that 30% of the lot (excluding the building) is impervious; or
 - All applications for zoning map amendments to any of the Village Districts
 - All mixed-use projects electing to build to 35 feet high with 33% residential.

All preliminary and final subdivision submittals require a public hearing through the Planning Commission. Notification requirements are as required by State law, the City of Fairhope Subdivision Regulations, and also via Subdivision POA contact list (email). The City of Fairhope Building Department coordinates plan reviews of residential and commercial submittals for permit issuance.

General procedure of submittal review:

Staff conducts a review of all submittals and applicants are encouraged to meet with staff (City Planner or Planning Technician) before submission for development (informal review with applicant). For subdivision applications, storm water drainage is reviewed for submittal requirements in the City of Fairhope Subdivision Regulations in the Preliminary Plat review. A design review meeting is held and attended by the various City of Fairhope Superintendents or Department representatives. The Public Works Department, Planning and Zoning Department and Building Department are the most instrumental representatives for Storm Water reviews. Although the City of Fairhope now has (2) two Professional Engineers on staff, the applicant's engineer is the person ultimately responsible for drainage compliance with the City's regulations. The Code Enforcement Officer reviews the Erosion Control Plan of submitted plans to ensure minimum BMP standards are met. The comments generated during the design review meeting are compiled in a review letter which is sent to the applicant. The applicant provides a response letter. The City of Fairhope staff prepares a staff report for the Planning Commission members prior to the Planning Commission meeting.

Pre-Construction meetings are held with the applicant after Preliminary Plat approval and before submittal of a Final Plat application. During the pre-construction meetings, City staff meets with the applicant's engineer of record to address specific issues such as wetland buffer protection, on-site erosion controls, and drainage concerns.

CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

The Final Plat approval phase is when the final inspection of installed subdivision infrastructure takes place and a final punch list is generated. A second design review and a site inspection take place and any deficient items are addressed during this inspection process. The site inspection is conducted by the same Department Supervisors/Representatives who perform the preliminary design review.

The City of Fairhope requires a 2-year maintenance bond for the infrastructure to be accepted by the City.

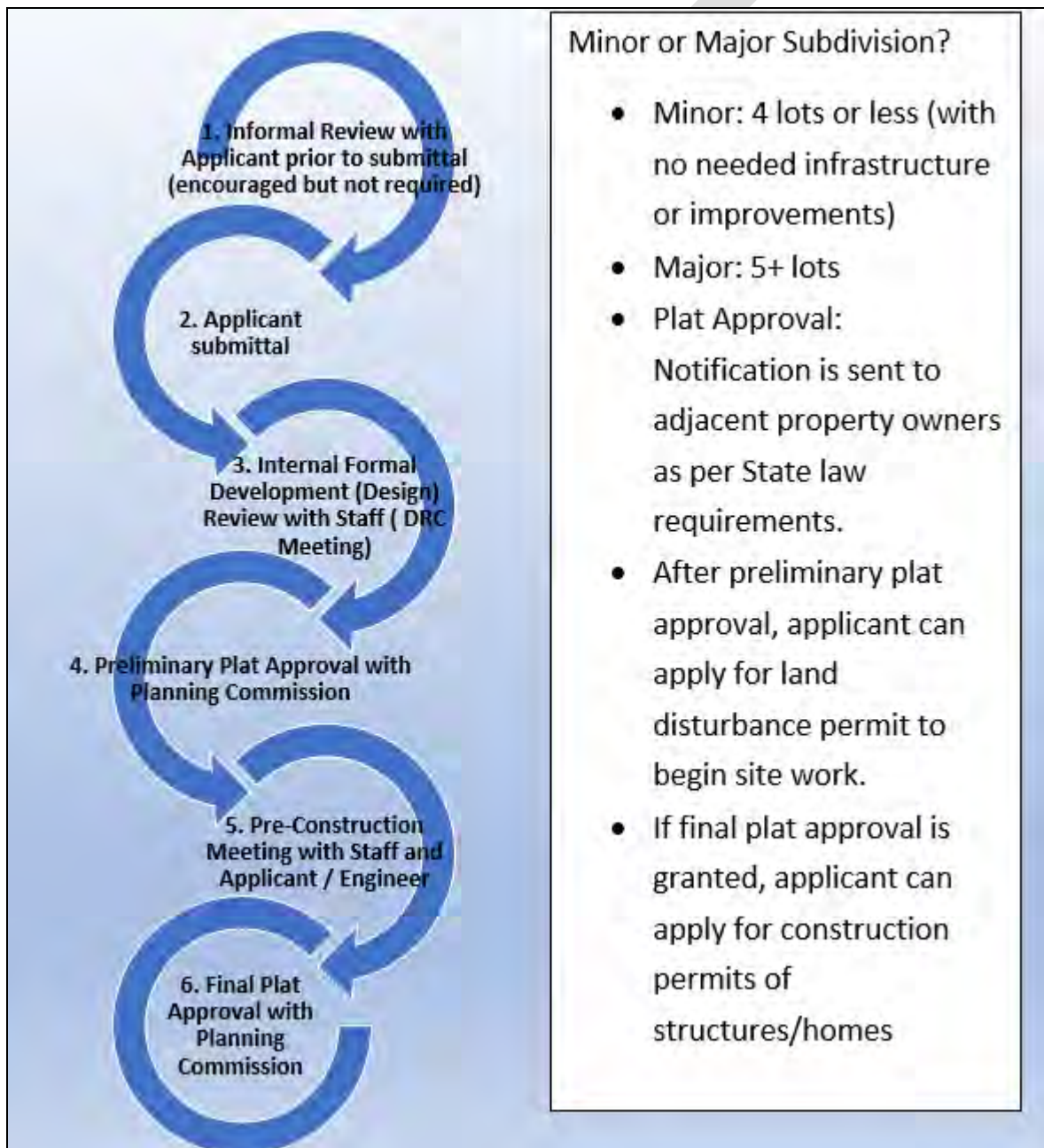


Figure 27 City of Fairhope Review Process for Subdivisions

CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

BMP # 2: BMP Inspections-City of Fairhope Planning and Zoning Department has two full time Code Enforcement Officers to perform code enforcement inspections, including BMP inspections. The Code Enforcement Officers track BMP inspections and non-compliant sites (including corrective actions taken) via a monthly log. The initial BMP inspection is performed prior to other construction inspections. Construction sites with high impact potential and subdivisions under construction are inspected frequently. Construction sites with high impact potential include multi-family, non-residential, those near critical areas or those disturbing more than one acre. Other single-family home construction sites are inspected initially and with follow up inspections to ensure continued compliance. Construction sites within the Priority Construction Area (those draining to Weeks Bay) are inspected at least monthly, as per ADEM's requirement for the Priority Construction Area. Map of "priority construction area" is available in the Planning and Zoning Department Code Enforcement Office. The Building Inspectors assist with BMP inspections by ensuring compliance with each construction inspection. Essentially, a BMP inspection is performed with each construction inspection. The Building Inspectors usually perform the closure BMP inspection, as part of the final inspection on the site. A Certificate of occupancy is not issued unless site is stable and compliant.



BEFORE

Figure 28 BMP Inspection: Notice of violation issued for BMP deficiencies (10/19)



AFTER

Figure 29 BMP Follow up inspection: deficiencies resolved (10/19)

CONSTRUCTION SITE STORM WATER RUNOFF CONTROL, CONT.

BMP inspections include:

- a. Initial
- b. Phasing (if applicable)
- c. Closure (certificate of occupancy is not issued unless site is stable)
- d. Additionally, monthly inspections are conducted and documented by the Planning and Zoning Department Code Enforcement Officer for “priority construction sites”, or those draining to ONRW Weeks Bay.

Responsible Person(s): Planning and Zoning Department (Code Enforcement Officer)

BMP #3: Code Enforcement / Non-compliant Sites: The City of Fairhope enforces the Erosion and Sediment Control ordinance (#1398 and #1603) through Notice of Violations, Stop Work Orders, suspended construction inspections, City street sweeper charges and/or municipal offense tickets. These efforts minimize sedimentation and erosion to the maximum extent practicable. Water quality impacts are referred to state and/or federal authorities as well. A written Standard Operating Procedure (SOP) for non-compliant construction sites was developed in 2014 and is updated as needed:

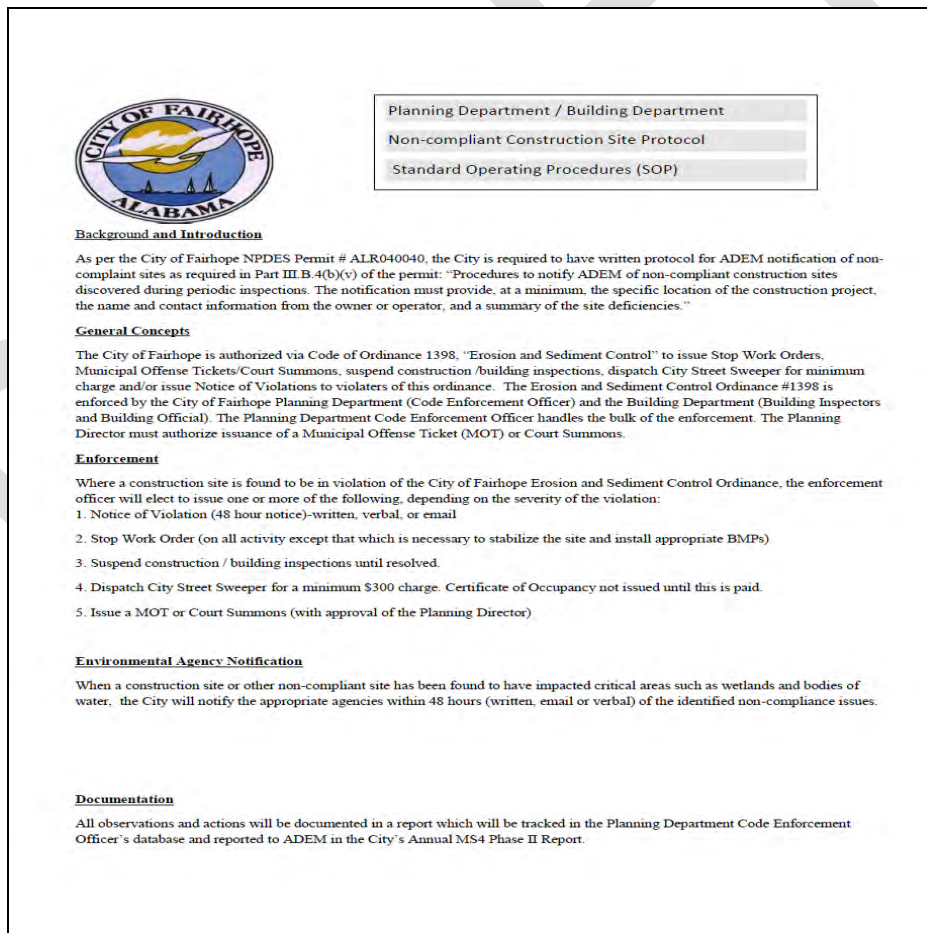


Figure 30 SOP for non-compliant construction sites

CONSTRUCTION SITE STORM WATER RUNOFF CONTROL, CONT.

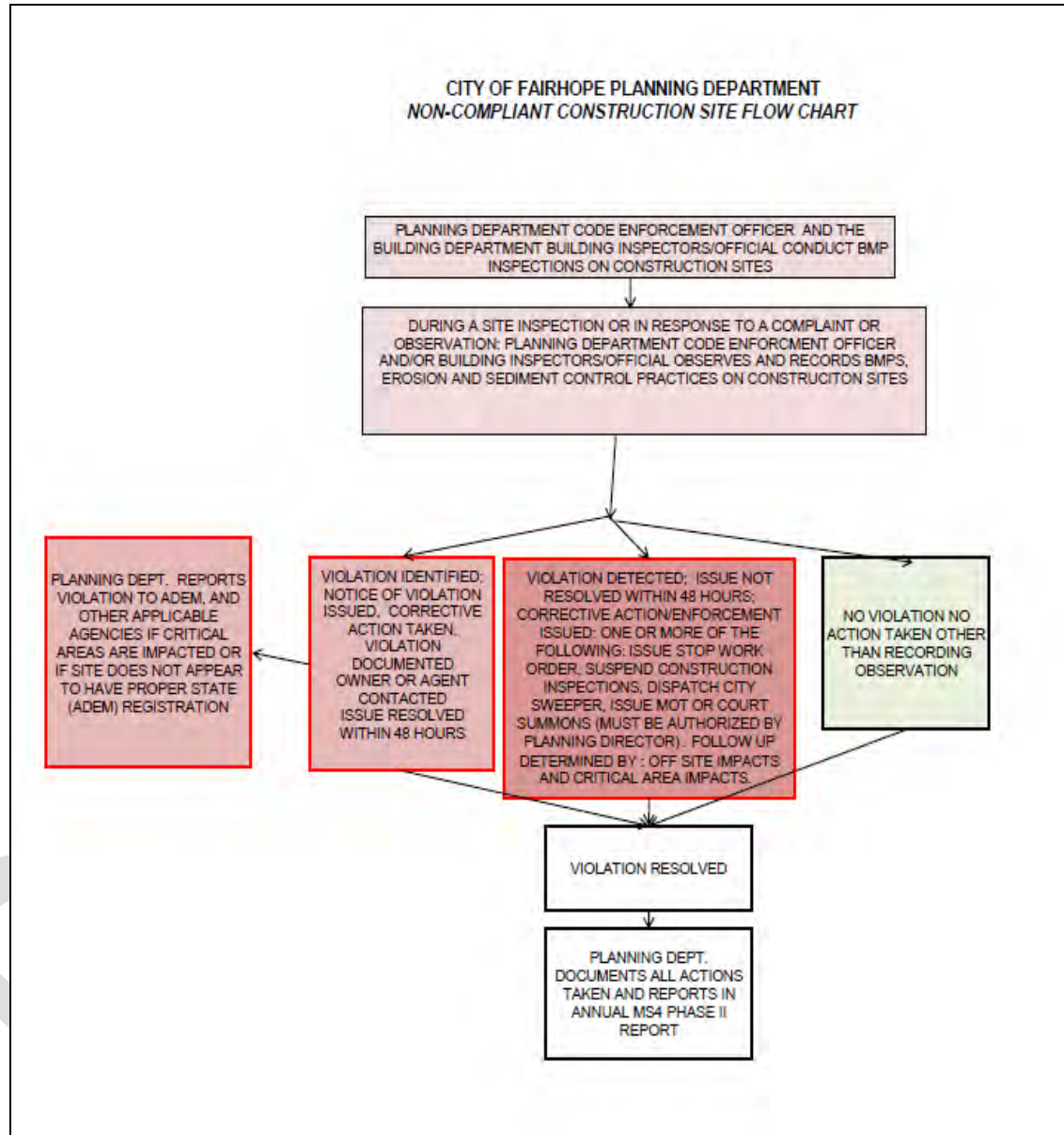


Figure 31 SOP Flow Chart for non-compliant construction sites

CONSTRUCTION SITE STORM WATER RUNOFF CONTROL, CONT

Procedures for non-compliant sites:

1. Notice of Violation (written or verbal)
2. Suspended Construction Inspections
3. Stop Work Orders
4. Authorize Street Sweeper at \$300 minimum charge to violator
5. Municipal Offense Ticket
6. ADEM notification if water quality impact has occurred

Responsible Person(s) for BMP inspections / Code Enforcement: Planning and Zoning Department (Code Enforcement); Building Department (Building Official)

BMP # 4: Municipal ordinances utilized for erosion, sediment and waste control on construction sites:

1. Erosion and Sediment Control (#1398 and #1603), outline procedures for BMP requirements (including inspections), and corrective action.
2. Red Soil Ordinance (#1423) prohibits red soil and clay in or near critical areas
3. Construction Site Waste (#958) requires construction sites to contain waste

Responsible Person(s) for municipal ordinances: Planning and Zoning Department; Building Department

BMP # 5: Educational Material, brochures/booklets available to contractors/developers:

1. *Field Guide for Erosion and Sediment Control on Construction Sites in Alabama* by Alabama Soil and Water Conservation Committee Partners
2. *BMP Minimum Requirements*, City of Fairhope handout
3. *Storm Water Management*, by EcoSolutions



Figure 32 BMP minimum requirements include a silt fence and a construction entrance for residential construction.

CONSTRUCTION SITE STORM WATER RUNOFF CONTROL, CONT

➤ Measurable Goals:

One Year Goal:

1. QCI Re-certification for Planning and Zoning Code Enforcement Officers (2)
Responsible Department: Planning and Zoning Department
Goal: Recertify QCI Re-certification (*Code Enforcement Officer*)
Due: December 2020
2. QCI Re-certification for Building Department (3 Building Inspectors)
Responsible Department: Building Department
Goal: Recertify (5) Building Inspectors with QCI training
Due: December 2020
3. QCI Certification for (2) new Building Inspectors (Nixon & Morris)
Responsible Department: Building Department
Goal: Certify new building inspectors within one year of new hire
Due: December 2020

Why become a Qualified Credentialed Inspector?

- Better understand the ADEM general NPDES permit program and local programs to help achieve & maintain compliance.
- Understand the importance of the Construction Best Management Practices plan & recognize proper BMP installations.
- Perform *self-inspections*, recognize BMP problems and coordinate timely maintenance as required by the general permit.
- Be able to log & keep records & improve communications with the operator - reduce compliance liability.
- Avoid or reduce risk of successful citizen lawsuits.
- Recognize the need to address environmental issues *early* in the project planning & throughout the construction period.

Figure 33 Information on the Qualified Credentialed Inspector Program from the Home Builders Association of Alabama website

6.0 MINIMUM CONTROL MEASURE # 4: POST CONSTRUCTION STORM WATER MANAGEMENT

- **Requirement:** Develop/revise, implement and enforce a program to address storm water run-off from qualifying new development and redevelopment projects, to the maximum extent practicable. This program shall ensure that controls are in place to prevent or minimize water quality impacts. The City of Fairhope shall have procedures, outlined in the SWMPP, for site plan review and the approval process when changes to post-construction controls are required; outline procedures in the SWMPP to demonstrate and document that post-construction storm water measures have been installed per design specifications, which includes enforceable procedures for bringing non-compliant projects into compliance. The City of Fairhope must develop and implement strategies which may include a combination of structural and/or non-structural BMPs designed to ensure, to the maximum extent practicable, that the volume and velocity of pre-construction storm water run-off is not significantly exceeded, using a design rainfall event with an intensity up to that of a 2 year-24 hour storm event for the basis; develop and use ordinances or other regulatory mechanisms to address post-construction run-off from qualifying new development/redevelopment projects; require long-term operation and maintenance of BMPs; perform or require the performance of post-construction inspections, at a minimum once per year, to confirm post-construction BMPs are functioning as designed. The City of Fairhope shall include an inspection schedule, to include inspection frequency, within the SWMPP; maintain or require the developer/owner/operator to keep records of post construction inspections, maintenance activities and make them available to ADEM upon request and require corrective actions to poorly functioning or inadequately maintained post-construction BMPs; review and evaluate policies and ordinances related to building codes, or other local regulations, with a goal of identifying regulatory and policy impediments to the install of green infrastructure and low impact development techniques. More details on these requirements can be found in the general permit.



Figure 34 A sample subdivision undergoing site work in Fairhope's largest watershed, Cowpen Creek

POST CONSTRUCTION STORM WATER MANAGEMENT, CONT.

- **Rationale Statement:** The Fairhope Zoning Board of Adjustments and Appeals also meet monthly if there are cases to be heard. The Planning Commission and the Board of Adjustments and Appeals are committees with appointments by the Mayor and Council, and work with the Planning and Zoning and the Building Department with design and review procedures, as set forth in the Zoning Ordinance and Subdivision Regulations. The Planning Commission reviews amendments to the Zoning Ordinance and the Subdivision Regulations.

The Subdivision Regulations “Storm Water Standards” (Article V Section F) include a 5-year stormwater inspection report requirement and a long term stormwater plan (Operation and Maintenance requirement). An O&M Plan is submitted with final subdivision plat. The Subdivision Regulations Low Impact Development (LID) requirements include “as many LID techniques as practical and appropriate for the development”. Plans and calculations shall show the efficacy of each LID technique and include a quantitative analysis of their performance. Plans shall clearly identify each LID technique on a Grading and Drainage Plan with appropriate details and cross references to the drainage calculations.”

The Planning and Zoning Department Code Enforcement Officers address runoff issues from sites within the City of Fairhope (including post construction residential, commercial and right of way areas). These issues are tracked via a monthly Notice of Violation log. This log tracks complaints, follow up, and corrective action taken. The Public Works Department oversees maintenance of city-owned storm water infrastructure.

- **Responsible Persons:** Planning and Zoning Department; Building Department; Public Works Department; Utilities Director;



Figure 35 Level spreader installation (LID feature) at apartment complex project

POST CONSTRUCTION STORM WATER MANAGEMENT, CONT.

- **BMPs / Mechanisms** for Post Construction Storm Water Management
 1. Subdivision Regulations
 - a. Storm Water Standards (Article V, Section F)
 - b. Stormwater Facility Inspection Requirement (Article V, Section F)
 - c. Flood Control Structures (definition)
 - d. LID standards (Article V, Section F)
 2. Zoning Ordinance
 - a. Stormwater Management (Article IV, Section F)
 - b. Pervious Paving (Article IV, Section F)
 - c. Low Impact Development Techniques (Article IV, Section F-Ordinance 1550)
 3. Pervious Paving in City projects, where applicable (Police Department, City parks, Library, etc.)
 4. Storm Water Projects by the City
 5. Creek / Shoreline Assessment by kayak
 6. Standard Courtesy Letter for Property Owners of non-compliant storm water facilities
 7. Annual Email to POA/HOA groups: "HOA Stormwater Guide"



Figure 36 Pylon entanglement cleared during kayak assessment

POST CONSTRUCTION STORM WATER MANAGEMENT, CONT.

BMP # 1: Subdivision Regulations: available on line for the public to view. Construction, development and re-development standards for storm water are listed here.

Responsible Department: Planning and Zoning Manager

- a. **Stormwater Standards:**
<https://www.fairhopeal.gov/home/showdocument?id=20823>
- b. **Storm Water Facility Inspection Requirement:** As per the Operation and Maintenance (O & M) plan within the Subdivision Regulations, the City of Fairhope Planning and Zoning Department has specific regulations for property owners regarding the five year storm water inspection requirement for respective storm water facilities. This requirement is for subdivision storm water facilities, installed, effective in 2007. For more information, refer to the City of Fairhope Subdivision Regulations, Article V, Section F, 3. (a) (3).

Responsible Department: Planning and Zoning Manager

- c. **Flood Control Structures** definition: *“Those physical structural works for which funds have been authorized, appropriated and expended and which have been constructed specifically to modify flooding in order to reduce the extent of areas within the city subject to a “special flood hazard” and water depths associated with flooding. Flood control structures typically include: hurricane tidal barriers, dam, reservoirs, levees or dikes. Typically flood control structures are located perpendicular to a stream and within the stream buffer.”*
- d. **LID Standards: Article V, Section F revised in 2018**

Fairhope Sub Regs:

Required Use of Low Impact Development (LID) Techniques - a. The use of the LID techniques is required and is to be determined from an entire site development perspective by the engineer of record for the project. The design and integration of LID techniques shall promote the health, safety, and general welfare of the community and shall be designed to work in a complimentary fashion with the drainage plan for the proposed development. The LID techniques are required within the municipal limits of the City of Fairhope and the planning jurisdiction of the City of Fairhope based on the rain events experienced in the area, geology, slopes, and other natural features. The design engineer is encouraged to submit additional LID based techniques to be utilized in the proposed development. b. The use of LID techniques is required in any and all proposed developments where the stormwater regulations apply. The design engineer shall rely on verifiable professional engineering judgment on which LID techniques to deploy in each proposed development based on the particular characteristics of the subject property. The intent of the requirements for the use of LID techniques is that the development shall implement as many LID techniques as practical and appropriate for the development. Plans and calculations shall show the efficacy of each LID technique and include a quantitative analysis of their performance. Plans shall clearly identify each LID technique on a grading and drainage plan with appropriate details and cross-references to the drainage calculations. c. If a project, due to the natural characteristics of the property, cannot successfully implement any of the LID

techniques the applicant may submit a waiver request for Article V Section F. Planning Design Standards Storm Water Standards. The waiver request shall be submitted at the time of the application and provide verifiable engineering documentation that LID techniques cannot be used. The City shall have the right, but not the obligation, to engage such third party engineers, consultants and other professionals as necessary and appropriate to advise the City as to whether a particular application complies with and is otherwise in concert with this subsection 10 (a “Third Party Professional”). In the event the City engages a Third Party Professional in connection with a particular application, the City will forward all application materials to the Third Party Professional along with a request for a cost estimate from the Third Party Professional for his/her role in the review of such application. Upon presentation by the Third Party Professional of a cost estimate to the City, the City shall provide same to the applicant, and the applicant shall deposit with the City a cash sum equal in amount to the cost estimate of the Third Party Professional (the “Cash Deposit”). Upon completion of all work by the Third Party Professional relative to such application and payment by the City of all fees and expenses of the Third Party Professional from the Cash Deposit, if any portion of the Cash Deposit remains, the City shall refund it to the applicant. If the Cash Deposit is insufficient to pay the fees and costs of the Third Party Professional, the applicant shall immediately remit to the City such funds as are necessary to make up any shortfall. d. The Third Party Professional shall submit a finding report to the City Planning Department. The City Planning Department shall forward a copy of the finding to the applicant or the applicant’s agent. The City Planning Department shall include, as part of the application materials to the Planning Commission a recommendation regarding the waiver. e. The Planning Commission shall consider the waiver, the applicant’s documentation, and Third Part Professional finding and City Planning Department recommendation and make a final determination as to the waiver request. f. The following LID techniques are available for use by applicants given the particular circumstances and characteristics of the proposed subdivision: (1.) Wet Basins: The City finds the potential benefits of wet basins are, among other items, allowing sedimentation to fall out of stormwater, attenuating flows, assisting in evapotranspiration, and improving the stormwater quality. Special design considerations are: groundwater elevations, large surface areas are encouraged, special attention should be given in pervious soil, surface area of the basin should take into account nutrient loading from lawns for example in order to treat and improve stormwater quality to the maximum extent possible, ensuring that an adequate base flow is provided to maintain water levels, they are not recommended to be constructed in an inline facility, utilize low slopes, the use of forbays are recommended, upstream and downstream areas shall be considered in the design in accordance with Fairhope standards. Recommended characteristics are: The approach slopes should be 4:1 or less around the perimeter, side slopes 3:1 or less (below the water level, beyond the safety bench), safety bench just below water elevation (4’ wide, 6”-12” deep), energy is dissipated prior to entering the basin, can be excavated below the ground surface. (2.) Rain Gardens: The City finds the potential benefits of rain gardens are, among other items, small scale flow attenuation, infiltration, limited evapotranspiration, allowing sediments to be trapped, and water quality treatment. Special design considerations are: Typically smaller areas and drainage areas are used for rain garden design, special attention should be given in pervious soils, recommended for use in hydrologic soil groups A and B, not recommended in high swell soils. Recommended characteristics are: Small scale and frequent use in drainage areas, the choice of landscaping materials, soil mix, and other characteristics are crucial to the success of a rain garden. Rain gardens can be highly visible and utilized as a visual amenity in a proposed

development. (3.) Permeable Pavement Systems: The City finds the potential benefits of permeable pavement systems are, among other items, flow attenuation, infiltration, and filtration of stormwater. There are many products and strategies that can be utilized and the City is open to the use of varied products in accordance with manufacture recommendations. Consultation with the city prior to design of the product to be utilized is suggested. Special design consideration are: Use in areas with hydrologic soil groups A and B, special attention should be given in pervious conditions, not recommended in areas with high swell soils, ground water tables should not impact the ability of water to infiltrate, the technique works best in low slopes. (4.) Sand Filter: The City finds that the potential benefits of sand filters are, among other items, flow attenuation, infiltration, reducing sedimentation, and providing filtration of storm water. Special design considerations are: Best used in small drainage areas, special attention should be given in pervious soils, recommended use in areas with soils with good permeability in hydrological soil groups A and B, not recommended in high swell soils. (5.) Grass Swales: The City finds that the potential benefits of grass swales are, among other items, in straining stormwater, providing limited quality treatments, while providing some moderate flow attenuation. Special design considerations are: Typically work best in smaller drainage areas where volumes are reduced, special consideration should be given in pervious soils, not recommended with high swell soils, should have low slopes, adjacent areas and layout should be considered in the design. Suggested characteristics where topography, soils, and slope permit vegetated open channels and spaces should be considered as a significant or a primary means of stormwater conveyance. (6.) Grass Buffers: The City finds that the potential benefits of grass buffers are, among other items, in straining stormwater, providing limited quality treatments, while providing some moderate flow attenuation. Special design considerations are: Typically work best in smaller drainage areas where volumes are reduced, special consideration should be given in pervious soils, not recommended with high swell soils, should have low slopes, adjacent areas and layout should be considered in the design. Suggested characteristics where topography, soils, and slope permit vegetated open channels and spaces should be considered as a significant or a primary means of stormwater conveyance. (7.) Constructed wetland channels or wetlands: The City finds that the potential benefits of constructed wetland channels or wetlands are, among other items, flow attenuation, buffering of flooding events, evapotranspiration, sedimentation, and treatment of stormwater quality. Special design considerations are: Not recommended in high swell soils, low slope, forebay is recommended, primary benefit of pollutant removal, not volume reduction, adjacent areas should be considered in the design. (8.) Step Pool Stormwater Conveyance Structures: The City finds that a step pool stormwater conveyance structure may attenuate stormwater flows, provides evapotranspiration, reduce sediment transport, and water quality treatment. Special design considerations are: Not recommended in high swell soils. Adjacent areas should be taken into consideration in order to ensure long term viability of step pool structures and adjacent erosion. (9.) In-line stormwater storage: The City finds that in-line storage may provide for attenuation and limits sedimentation. Special design considerations are: Designed to be self-cleaning where possible or suitable clean out access is provided and designed into the system, designed to surcharge non-sensitive areas with no flooding in parking lots, structures, or other typically occupied spaces. (10.) Site design for habitat, wetland, and water body conservation: The City finds that site design that incorporates the natural features of the property can help to minimize erosion and reduce stress on natural water conveyance and attenuation systems by preserving a natural vegetated state of native plants, water courses, and flood prone areas. Suggested characteristics are: The

technique may be used in conjunction with the City's planned unit development or village subdivision processes to propose alternative street layouts and design so that impervious areas and other improvements are sited with due regard to the natural elements of the property. Special design considerations: To consider adjacent areas in the design since important natural features that utilize this LID technique often extends past property lines or the phases of proposed development. (11.)

Restoration of Habitat or Wetlands and Water Bodies: The city finds that the restoration of habitat or wetland and water bodies can be productive to improve the environment by minimizing erosion and reducing stress on natural water conveyance and attenuation systems by preserving a natural vegetated state of native plants, water courses, and flood prone areas. Suggested characteristics are: This technique may be used in conjunction with the City's planned unit development or village subdivision processes to propose alternative street layouts and design so that impervious areas and other improvements are sited with due regard to the natural elements of the property. Use only native plants in the development process and take special consideration to restore portions of the site to predevelopment native ecological communities, water bodies or wetlands with more than 10% of the development footprint. Special design considerations: To consider adjacent areas in the design since important natural features that utilize this LID technique often extend past property lines or the phases of proposed development (12.)

Greenways: The City finds that greenways provide for beneficial use of LID for potentially active and passive recreation opportunities and wildlife corridors. This technique allows for the creative integration into a development proposal that is frequently linked with other natural or recreation systems that extend past the property lines of the proposed development. Suggested characteristics: Typically greenways are easier to integrate into a development proposal on larger acreages. They are frequently utilized as linear parks and often include sensitive wetland areas, steep slopes, gullies or other natural land forms, creeks, and unique wildlife habitat for protected species. (13.)

Restoring Channel Morphology and Natural Function: The City finds that restoring channel morphology and natural function provides for flow attenuation, infiltration, and reduces sedimentation. Special considerations are: Typically works most effectively in larger development proposals where a substantial linear footage of channel can be restored. It is important to consider the upstream and downstream current and future characteristics so conversation of land use in accounted for in the design. (14.)

Bio-Retention: The City finds that bio-retention provides for flow attenuation, infiltration, limited evapotranspiration, reduced sedimentation, and stormwater quality treatment. Suggested characteristics are: To be used as both a stormwater and aesthetic feature frequently throughout developments. Special attention should be given to plant and ground cover considerations given the volume and duration of the designed stormwater. Special design considerations are: Typically work best in small drainage areas with frequent use and distribution, special attention is required in pervious soils and should be used in areas with high permeable soils (hydrologic soils groups A and B), not recommended in high swell soils. (15.)

Level Spreader: The City finds that level spreaders can be an effective tool to evenly distribute flows and return volumes and velocity to a predevelopment distribution pattern. There are limited stormwater straining and water quality improvements. Suggested characteristics are: Level spreaders are intended to work in a complimentary fashion with other LID techniques such as, but not limited to, sand filters and grass buffers. Special design considerations are: Typically level spreaders are used downstream of an outfall and have a low slope with stabilized and vegetated buffers both up and downstream. They typically are installed a suitable distance from the property line (30'-35' is suggested) so that flow energy is dissipated, and predevelopment sheet flow characteristics are generated.

*Special consideration should be given in areas with highly erodible soils. (16.) Additional information regarding LID techniques is included in the document *Planning For Stormwater, Developing a Low Impact Solution*, a publication of the Alabama Cooperative Extension Service. This document is available for download from the Alabama Cooperative Extension Service website.*



Figure 37 Example of a LID bio-swale stormwater facility in Fairhope subdivision

POST CONSTRUCTION STORM WATER MANAGEMENT, CONT.

BMP # 2: Zoning Ordinance: available on line for the public to view. Construction, development and re-development standards for stormwater are listed here.

Responsible Department: Planning and Zoning Department (Director)

a. Stormwater Management Standards:

Fairhope Zoning Ordinance, Article IV, Section F:

Stormwater Management 1. Intent The intent of this section is to provide for stormwater management in site design. The primary management strategy should be infiltration of all runoff created by development through natural systems and constructed natural systems. Should infiltration not address stormwater management for the site adequately, retention and detention of run-off will be required. This section also seeks to incorporate any stormwater management system into the design of the site as a natural or aesthetic amenity. 2. General Requirements All site plans shall be designed with surface drainage provisions in accordance with the Fairhope Subdivision Regulations, construction, building, or grading permits, and any other City ordinance regarding the effects of stormwater. Developers shall take steps necessary to prevent run-off, which may have the potential for causing flood damage to neighboring property. The building inspector shall, in consultation with the city engineer, determine that reasonable provisions for properly handling surface drainage have been made in the applicant's design, and will report these findings for the Fairhope Planning Commission's consideration in acting on building applications. If reasonable provisions are not made in the applicant's design, the Fairhope Planning Commission shall make the remedies available to the applicant a condition of the approval, or deny the application. "Dry wells," biofilters, or other constructed infiltration systems may be required of sufficient capacity to receive up to four inches per hour rainfall on the paved area or areas required for off-street parking and loading. Rainfall intensity to be calculated on storm frequency determined by the commission and/or its consultants. 3. Design Standards Storm water detention shall be screened from direct view from all abutting properties by installation and maintenance of living plants at least 36 inches in height at time of planting, and achieve a height of not less than six feet in three years after planting. Outer slopes of detention ponds shall not be steeper than four feet horizontal to one-foot vertical. Where water depth and time of detention is sufficient to require safety fencing, such fencing shall be installed behind required screening, on the pond side. 4. Alternative Designs Standards of this ordinance and any standard of this ordinance that relates to the City of Fairhope Subdivision Regulations may be waived to provide for an alternative stormwater design system provided that: a. The alternative stormwater design provides for an infiltration system that incorporates at least 80% of the runoff from impervious surfaces into the groundwater on the site and results in an overall reduction in impacts on streams in the watershed. b. The alternative stormwater design addresses stormwater on an area-wide or watershed basis making stormwater management on individual lots within the site unnecessary. c. Natural elements on the site are incorporated into a natural storm drain infrastructure minimizing or eliminating the need for detention ponds and other

constructed storm drainage. Constructed elements of the natural drainage system shall be limited to artificial wetlands, bio-filters, and dry swales. To the extent that it does not damage the function of the natural drainage system, natural elements should serve additional community purposes such as trails or greenways, parks, or aesthetic screens. d. Any waiver of standard to accommodate the alternative stormwater design proposes an equal or better alternative for meeting the intent of the waived standard. e. The alternative stormwater design is accompanied by a plan produced by a registered engineer testifying to its accuracy and sustainability. f. The alternative stormwater design plan included provisions for long-term maintenance and operation of the alternative design, including easements, covenants, restrictions, and an acceptable legal entity to oversee long-term maintenance. g. The alternative stormwater design plan shall accompany a site plan for the entire development. The plan and any waivers to the standards of this ordinance shall be approved according to the procedures and standards for the site plan.

b. **Pervious Paving:** For projects requiring more than 8 parking spaces, a 25% minimum pervious paving material requirement is required.

c. **LID Component:**

Compact Car Parking Requirement:

Compact car parking spaces shall be a minimum of 30% of the required parking spaces and no more than a maximum of 40% of the required parking spaces. Compact car spaces shall be grouped together to the greatest extent possible. Compact car spaces shall be designated by paint at the entrance of the parking stall.

Parking Dimension and Size:

- 1) Standard parking lot dimensions
- 2) Compact car parking dimensions

	<u>90°angle</u>	<u>60°angle</u>	<u>45°angle</u>
width	8'	8'	8'
depth	15'	16.8'	16.5'

Low Impact Development (LID) Parking Requirements

Landscaping is required for all parking lots. The interior parking lot landscaping requirements shall use LID techniques and be designed by an Alabama licensed Professional Engineer and an Alabama licensed Landscape Architect or designer. The following LID techniques shall be used in the interior of all parking lots containing 12 or more parking spaces. The LID parking requirement landscape plan will be reviewed in accordance with the Tree Ordinance. Any landscaping plan submitted in accordance with this subsection shall include technique 5 below and at least one of the other following techniques:

- 1) **First Flush Treatment:** The LID landscaping design shall be sized appropriately to treat the first one inch of runoff into the receiving parking lot LID area.

- 2) Bio-retention.
- 3) Rain Garden.
- 4) Vegetated Swale.
- 5) Permeable Pavement Systems: Permeable pavement systems are a required LID technique. 100% of parking provided over and above the minimum parking requirements shall be permeable pavement systems. Typical systems are brick pavers, pervious asphalt, and pervious concrete. Other systems may be approved if the design engineer provides adequate documentation that demonstrates the proposed technique is equally or more effective than the typical permeable systems listed. Approval of a proposed technique is at the sole discretion of the City during the permitting process.
- 6) Tree and Ground Cover Plantings: When trees are required in a parking lot by the Tree Ordinance they shall be included and integrated into the LID design. Species shall be as approved by the City Horticulturist and must be suggested by the landscape architect or designer. There shall be no bare ground exposed and all ground cover proposed shall be integral to the success of LID techniques. All ground cover shall be as approved by the City Horticulturist and must be suggested by the landscape architect or designer.

Bioretention: This technique removes pollutants in stormwater runoff through adsorption, filtration, sedimentation, volatilization, ion exchange, and biological decomposition. A Bioretention Cell (BRC) is a depression in the landscape that captures and stores runoff for a short time, while providing habitat for native vegetation that is both flood and drought tolerant. BRCs are stormwater control measures (SCMs) that are similar to the homeowner practice, of installing rain gardens, with the exception that BRCs have an underlying specialized soil media and are designed to meet a desired stormwater quantity treatment storage volume. Peak runoff rates and runoff volumes can be reduced and groundwater can be recharged when bioretention is located in an area with the appropriate soil conditions to provide infiltration. Bioretention is normally designed for the water quality or "first flush" event, typically the first 1"-1.5" of rainfall, to treat stormwater pollutants.

Vegetated Swale: is a shallow, open-channel stabilized with grass or other herbaceous vegetation designed to filter pollutants and convey stormwater. Swales are applicable along roadsides, in parking lots, residential subdivisions, commercial developments, and are well suited to single-family residential and campus type developments. Water quality swales are designed to meet shear stress targets for the design storm, may be characterized as wet or dry swales, may contain amended soils to infiltrate stormwater runoff, and are generally planted with turf grass or other herbaceous vegetation.

First Flush: This is the given volume of water generated in the drainage area from the first 1" to 1.5" of rainfall.

Rain Garden: a shallow depression in a landscape that captures water and holds it for a short period of time to allow for infiltration, filtration of pollutants, habitat for native plants, and effective stormwater treatment for small-scale residential or commercial drainage areas. Rain gardens use native plants, mulch, and soil to clean up runoff.

POST CONSTRUCTION STORM WATER MANAGEMENT, CONT.

BMP # 3: Pervious Paving material is used in City projects where applicable. Past projects include sidewalks at Boothe Road Extension, Fairhope Police Station, Bancroft Avenue sidewalk, the Volanta sidewalk, Knoll Park, and Coastal Alabama College Campus.

Responsible Department: Public Works (Director)

BMP # 4: City Storm Water Projects: The City of Fairhope Public Works Department completes several storm water projects annually. Projects include bioretention and storm water facility installation and maintenance (on City property), pervious sidewalk installation (on City right of way), bluff stabilization and repair (on City property) and drainage improvements on City right of way.

Responsible Department: Public Works (Director); Utilities Director of Operations



Figure 38 City stormwater project on North Mobile Street

POST CONSTRUCTION STORM WATER MANAGEMENT, CONT.

BMP # 5: Creek / Shoreline Assessment by Kayak: The Planning and Zoning Department staff conducts a creek or shoreline assessment (by kayak) annually, of a portion of the City of Fairhope MS4 area. Assessed shoreline area will change every year according to suspected projects, outfalls due for assessment and/or other considerations. Target items are negative impacts of drainage, erosion and sedimentation (manmade or otherwise), and drain pipes dumping into the body of water (privately owned and city owned pipes/conveyance systems/outfalls).

Responsible Department: Planning and Zoning Department (Code Enforcement)

BMP #6: Standard Courtesy Letter to Property Owners: In 2012, the Planning Department, in conjunction with the Public Works Department, developed a standard letter to be sent to property owners (including Property Owners Associations) of potentially non-compliant or failing storm water facilities (detention ponds, etc.). This has proven to be an effective means of notifying property owners of downstream impacts, and potential liability issues, especially with subdivisions built prior to 2007 (which are exempt from the O & M plan requirement). After outfalls assessments are conducted (annually), those found with significant deficiencies receive a letter from the Public Works Director stating the deficiency found and requesting maintenance and/or repair of facility.

Responsible Department: Public Works Department (Director)

BMP #7: Annual Email to POA / HOA Groups: HOA Stormwater Guide

According to the Storm Water Standards written into the City of Fairhope Subdivision Regulations, Section F. (7) regarding detention and retention ponds: *“Such facilities shall be owned, operated and maintained by the development entities and shall not be accepted for inspection or maintenance by the City of Fairhope”*. Therefore, the City emails the POA / HOA presidents or contact persons an electronic copy of the brochure titled *“A Homeowner Guide to Detention Pond Maintenance”*. This is a brochure drafted in May 2018 by the Weeks Bay Foundation and Weeks Bay National Estuarine Research Reserve for the City of Fairhope to use as outreach and MS4 compliance. This is used by the City to educate property owners of stormwater facilities of their responsibility for maintenance of their subdivision pond or ponds. This in turn helps the City achieve compliance with the MS4 permit requirement which states that the City of Fairhope *“shall include an inspection schedule, to include inspection frequency, within the SWMPP; maintain or require the developer/owner/operator to keep records of post construction inspections, maintenance activities and make them available to ADEM upon request and require corrective actions to poorly functioning or inadequately maintained post-construction BMPs”*. The City of Fairhope Planning and Zoning Department maintains a *“Subdivision Contact List”*.

Responsible Department: Planning and Zoning Department (Code Enforcement); Public Works Department (Director)

A HOMEOWNER GUIDE TO STORMWATER DETENTION POND MAINTENANCE



IF YOU HAVE SOMETHING LIKE THIS ON YOUR PROPERTY, OR IN YOUR SUBDIVISION, THIS GUIDE IS FOR YOU!

Stormwater detention areas are built to safely hold stormwater that runs off from impervious surfaces during heavy rain events. This reduces the flow into rivers and streams during storms, and decreases flooding.

Unfortunately, if these structures are not inspected, maintained, and managed correctly, they can actually increase flooding, cause a safety hazard, and negatively affect property values.

As a homeowner or member of a Home Owners Association you have a responsibility to keep your pond in good working condition. This guide and checklist will help you to ensure that your stormwater structure is able to handle our rainy Gulf Coast seasons.

INDEX OF DEFINITIONS

Storm Water: any water that runs over the surface before it reaches a waterway. This can be runoff from parking lots, streets, roofs, and other impervious surfaces.

Impervious surface: any material that does not allow rain to enter into the soil.

Wet detention pond: a pond designed to have a permanent pool of water during normal conditions. The pond only releases water during heavy rainfall events.

Dry detention pond: a pond that will normally not have standing water, except for a short time after a large storm event.

Inlet: the mechanism that allows water into the stormwater basin or pond. Usually a pipe, ditch, or swale.

Outlet: the structure that controls the rate of release from the pond and the water depth and storage volume in the pond.

Outfall: the point where collected stormwater reenters a natural waterway.

Rip rap: Rock material typically used to stabilize conveyance channels.

Emergency spillway: discharges excess stormwater during substantial runoff events.

O&M: Operations and Maintenance.

WHY SHOULD YOU BOTHER TO MAINTAIN YOUR POND?

- When rainfall runs over impervious surfaces it does not have time to soak into the ground, so it ends up entering our waterways in large quantities. This often results in increased flooding that can damage homes, businesses, and roads.
- Stormwater runoff is a big source of water pollution in our area. Everything that sits on our roads and parking lots, eventually runs into our streams and rivers with rainfall. Stormwater ponds allow some of these pollutants to settle out and filter through the ground.
- Well maintained ponds can actually be an aesthetically pleasing addition to a neighborhood. In addition, they can provide habitat for native species of birds, reptiles, and amphibians.
- There can be legal consequences of not properly maintaining your stormwater detention facility.

Provided by the Weeks Bay Foundation and the Weeks Bay National Estuarine Research Reserve
Through collaboration with the Coastal Training Program and local municipalities

Figure 39 HOA Stormwater Guide Page 1

A HOMEOWNER GUIDE TO STORMWATER DETENTION POND MAINTENANCE

ROUTINE MAINTENANCE

Inspections: Periodic scheduled inspections with the attached checklist, and inspections after major rainfall events, to check for damage & to remove debris/ trash.

Vegetation Management: Mowing on a regular basis to prevent erosion or aesthetic problems. Trees and shrubs should not be allowed to grow in the pond basin. Limit use of fertilizers and pesticides in and around the ponds to minimize leaching into pond and subsequent downstream waters.

Erosion: Appropriate mowing equipment and machinery should be used on pond structure to avoid erosion.

Trash, debris and litter removal: Removal of any debris causing obstructions and especially after every runoff producing rainfall event. General pickup of debris in and around the pond during all inspections.

Mechanical Equipment check: Inspection of any valves, pumps, fence gates, locks or mechanical components during periodic inspections. Plans for appropriate replacement/repair should be made at the time of documentation.

Structural Component check: Inspection of the inlet, outlet, and other structural features on a regular basis for additions to the annual Non-Routine Maintenance list.

NON-ROUTINE MAINTENANCE

Bank erosion/stabilization: It is critical to keep effective ground cover on the exposed pond areas to ensure that loose sediment does not fill up the pond. In addition, vegetation increases infiltration of runoff, and effectively filters pollutants. All areas not vegetated should be re-vegetated and stabilized immediately

Sediment removal: The sediment accumulation should be monitored and the pond depths checked at several points. If the depth of the accumulated sediment is greater than 25% of the original design depth, sediment should be removed.

Structural Repair/Replacement: Over time, even excellent stormwater structures get damaged and need repair and replacement. Plan for expenses related to general wear and tear at yearly intervals.

SO HOW DO YOU PAY FOR ALL THIS WORK?

The property owner or the HOA should consider establishing an O&M fund and assess annual fees for maintenance.

After several years of operation with these set fees, it may be necessary to re-evaluate maintenance costs for the actual operation of the pond.

The fund should also contain funds for emergency repairs related to hurricanes or other storm events.

Remember: *Functioning stormwater systems benefit everyone in the community with improved water quality, better aesthetics, and decreased flooding and pollution.*



Provided by the Weeks Bay Foundation and the Weeks Bay National Estuarine Research Reserve
Through collaboration with the Coastal Training Program and local municipalities

Figure 40 HOA Stormwater Guide Page 2

A HOMEOWNER GUIDE TO STORMWATER DETENTION POND MAINTENANCE

INSPECTION CHECKLIST

Checklist used should be specific to your site, such as the one provided in your subdivision's Operation and Maintenance Plan

Date: _____ Detention Facility: _____ Inspected by: _____ Phone: _____

Type of Facility: Dry Pond Wet Pond Outfall Type of Inspection: Routine Post – Storm

ISSUE	PROBLEM NOTED? YES or NO	STEPS TO BE TAKEN	DATE OF COMPLETION
Are all structural components working properly?			
Is water flowing out of the outflow pipe?			
Are there any cracks or damaged areas on inlet/outflow pipes? Spillway? Weir?			
Does the grass need to be cut?			
Has unwanted vegetation grown over the outflow or inlet pipes?			
Overgrowth of algae noted?			
Invasive plants noted?			
Areas that need to be reseeded/replanted?			
Are there signs of erosion?			
Is there noticeable sedimentation in the basin? In the inlet/outflow?			
Signs of pollution? (Oily sheen, foam, etc.)			
Signs of vandalism?			
Signs of pests? (Burrowing, nesting, fire ant hills)			

Other Comments/Observations:

Provided by the Weeks Bay Foundation and the Weeks Bay National Estuarine Research Reserve
Through collaboration with the Coastal Training Program and local municipalities

Figure 41 HOA Stormwater Guide Page 3

A HOMEOWNER GUIDE TO STORMWATER DETENTION POND MAINTENANCE

FAIRHOPE RESOURCES FOR STORMWATER QUESTIONS

Fairhope

Richard Johnson
Richard.johnson@fairhopeal.gov
(251) 928-8003

Online

EPA Stormwater Program
<https://www.epa.gov/npdes/npdes-stormwater-program>

ADEM Stormwater
<http://www.adem.state.al.us/programs/water/default.cnt>

NOAA
<http://www.noaa.gov/resource-collections/watersheds-flooding-pollution>



Portions of the content of this document are based on existing information from other stormwater programs. Special thanks goes to the following:

Canon City Stormwater Program "Maintaining Detention Ponds"

Oregon Department of Transportation, "Maintenance Requirements for Water Quality Features"

City of Portland Oregon, "Stormwater Management Facilities Operation and Maintenance for Private Property Owners"



Provided by the Weeks Bay Foundation and the Weeks Bay National Estuarine Research Reserve
Through collaboration with the Coastal Training Program and local municipalities

Figure 42 HOA Stormwater Guide Page 4

POST CONSTRUCTION STORM WATER MANAGEMENT, CONT.

➤ Measurable Goals:

- 1. One Year Goal: Community Event for Stormwater Education**
Responsible Department: Planning and Zoning Department
Goal: Facilitate or support community event: hands on event related to post-construction storm water education (such as Earth Day watershed exhibit)
Due: December 2020
- 2. One Year Goal: Creek/Shoreline Assessment by Kayak**
Responsible Department: Planning and Zoning Department
Goal: Conduct creek or shoreline assessment via kayak to look for pipes, pollutants or sediment discharging into the creek or shoreline, and obstructions in the creek or shoreline.
Due: December 2020

ASSESSMENT CRITERIA

Launch Site: End of Volanta access

Assessment area: Fly Creek north to Rock Creek and then south to South Beach Park



When: Thursday, December 6, 2018 8:30 a.m. – 11:30 a.m.

Equipment used:


- (2) one-person kayaks
- Sony camera
- I-phone
- Dive knife

What did we look at ?

- City bluffs
- City Infrastructure including:
City of Fairhope MS4 major outfalls: 6 of 13:
 - *Major outfall #1 Fly Creek
 - *Major outfall #2 Rock Creek
 - *Major outfall #10 Volanta Gully outfall
 - *Major outfall #11 South Beach Park – Stack Gully
 - *Major outfall #12 End of Fairhope Avenue (south of municipal pier) – Stack Gully
 - *Major outfall #13 Gayfer Court (Big Mouth)



Launching at end of Volanta Avenue near the mouth of Fly Creek



Conditions: Temperature was crisp @ 40 degrees. Water was clear.

Figure 43 Kayak Assessment Criteria, 2018

**7.0 MINIMUM CONTROL MEASURE # 5:
POLLUTION PREVENTION / GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS**

- **Requirements:** Develop and implement a program that will prevent or reduce the discharge of pollutants in storm water run-off from municipal activities to the maximum extent practicable. The program elements shall include, at a minimum, the following: An inventory of all municipal facilities that have the potential to discharge pollutants via storm water run-off; Strategies for implementation of BMPs to reduce litter, floatables and debris from entering the MS4 and evaluation of those BMPs annually (including a plan to remove litter, floatable and debris material from the MS4); SOP for municipal activities; program for inspecting municipal facilities for good housekeeping practices; and a training program for municipal staff. More details on these requirements can be found in the general permit.
- **Responsible Persons:** Planning and Zoning Department; Building Department; Public Works Department; Golf Course; Recreation Department; Gas Department; Water and Sewer Department; Electric Department; Police Department; Fire Department; Mechanic Shop; City Hall; Utilities Director of Operations; Community Development; Special Projects Manager
- **Rationale Statement:** The City of Fairhope has many departments within its own authority. Those operated by Public Works are noted, City facilities include:
 - Mechanic Shop (AL0000324764)-Public Works
 - Waste Water Treatment Plant (AL0020842)
 - C & D Landfill (Permit #02-07)-Public Works
 - Quail Creek Golf Course
 - Recreation Department
 - Gas Department
 - Water and Sewer Department
 - Electric Department
 - Public Works / Recycle Facility / Transfer Station
 - Greenhouse (Nichols Avenue & Public Works)
 - Police Department
 - Volunteer Fire Department
 - City Hall / Civic Center
 - The Haven (Animal Shelter)
 - City Marinas: Sea Cliff Drive and Municipal Pier



Figure 44 Fairhope Docks Marina, Sea Cliff Drive

POLLUTION PREVENTION / GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS, CONT.

All department heads / directors are responsible for pollution prevention / good housekeeping in each respective department. This is implemented through weekly or monthly staff meetings and training. The Public Works Department Sanitation Officer and the Planning and Zoning Department Code Enforcement Officers periodically monitor the Public Works facility and maintenance / shop areas, to ensure compliance with the City of Fairhope IDDE program. Any deficiencies are reported to the Department Director. If not resolved within a timely manner, inefficiencies are reported to the Mayor for resolution.

The City of Fairhope provides garbage, trash and recycling pickup weekly (garbage twice weekly), and this aids in keeping our storm drains clean. Daily street sweeping operations also remove debris from streets and storm drains.

The City of Fairhope owns two marinas: Fairhope Docks at the end of Sea Cliff Drive on Fly Creek and the Fairhope Municipal Pier. The Fairhope Docks marina is owned and operated by the City of Fairhope. The Fairhope Municipal Pier marina is leased, together with the building housing a restaurant, and the lessee manages the marina. Both facilities offer boat slips. Both areas have sewage pump out facilities available. Fairhope Docks is following Clean Marina guidelines while undertaking necessary repairs and renovation work. At this time there are no industrial or boat maintenance/repair activities listed for either marina. The City is considering providing dry storage and/or a boatyard. In the case of the boatyard, the lessee will be responsible for acquiring ADEM permitting.

These City facilities operate under the following ADEM Permits:

1. Mechanic Shop, 560 South Section Street (AL0000324764)
2. Waste Water Treatment Plant, 300 N. Church Street (AL0020842)
3. C & D Landfill, 555 South Section Street (AL 02-07)

➤ **BMPs / Mechanisms for compliance of pollution prevention / good housekeeping:**

1. Employee Meetings
2. Pest Management
3. Waste Management Program (Garbage, Trash, Recycling, HHW)
4. Street Cleaning with Street Sweeper
5. Storm Water Project work by City Employees
6. *Field Guide for Erosion and Sediment Control on Construction Sites in Alabama*, by Alabama Soil and Water Conservation Committee and Partners
7. Dedicated Wash Racks for Vehicles
8. SOP for Municipal Activities

POLLUTION PREVENTION / GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS, CONTINUED:

BMP # 1: Employee Meetings: Employee meetings are held in most departments monthly (and in some cases weekly), and housekeeping items are addressed throughout the year.

BMP # 2: Pest Management:

a. Certified Pesticide Applicators: Pesticide, herbicide and fertilizer application is overseen by certified applicators, in the Public Works and Golf Course. Two employees within the City of Fairhope are currently certified through the State of Alabama Department of Agriculture and Industries as certified pesticide applicators. This specialized training ensures that pesticide, herbicide and fertilizer application on City property is done in accordance with manufacturer's recommendations in the most environmentally friendly method possible. Applicator license (3 year) certifications include:

- a. Public Works, Landscape Supervisor
- b. Golf Course Grounds Supervisor
- c. Newly appointed Parks and Rec Directors will be certified in 2020

b. Mosquito Control Program / Source Control: The City of Fairhope Mosquito Control program is a seasonal spray program using a Cedar Oil based spray dispensed road side from a City pick-up truck. The MSDS for the cedar oil spray is available on the City website. The City of Fairhope Public Works Department sprays areas in the city limits weekly during mosquito season. The City of Fairhope Public Works Department maintains a "no spray" list for those residents who prefer not to have their respective right of way areas sprayed. Source control is encouraged.

<https://www.fairhopeal.gov/departments/public-works/streets-and-construction/mosquito-control>

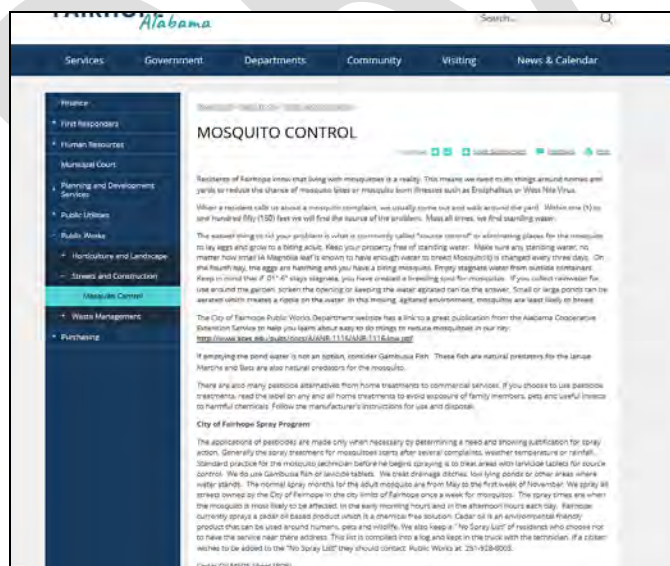


Figure 45 Mosquito control information from City of Fairhope website

POLLUTION PREVENTION / GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS, CONTINUED:

BMP # 3: Waste Management Program:

Garbage, Trash and Recycling Pickup: Recycling is picked up weekly, curbside for residents and commercial businesses. Based on recent years averages, about 1,500 tons of material are recycled annually (paper, cardboard, glass, plastic, and metals). Yard waste is picked weekly from residents and placed in the City yard waste pile (at 555 South Section Street) for mulching, grinding or land reclamation efforts. Based on recent years' averages, about 30,000 cubic yards of yard waste (organic) material are removed annually from residential right of ways, contributing to keeping the storm drains clear from debris. Garbage pickup is offered two times per week for residents, and up to five times per week for commercial businesses. Based on recent years' averages, about 9,000 tons of garbage are removed and disposed of in the Baldwin County sanitary Magnolia Landfill. There is a drop off site at the Public Works facility for trash, HHW and recycling. There is also a Transfer Station for garbage. **Recycling Facility / HHW:** The Sanitation Officer (Public Works) is responsible for overseeing these areas are kept clean and ensures there is no illicit discharge from these activities. Tires, HHW chemicals, motor oils, electronics and anything that could contribute to an illicit discharge is kept covered, to the maximum extent practical.

Residents and businesses are encouraged to recycle. Mechanisms for education include:

1. Mobile Area Earth Day; E-waste recycling event (April)
2. America Recycles Day; E-waste recycling event (November)
3. City website (www.fairhopeal.gov)

BMP # 4: Street Sweeper: The City of Fairhope Public Works Department owns two street sweepers. Streets are swept daily in the downtown area, removing sediment and debris from the roadways, and storm drains. Other main streets in the City of Fairhope are swept weekly.

BMP # 5: Project work by City Employees: City departments are required to obtain City of Fairhope construction / land disturbance permits (as well as any necessary State and Federal permits) for planned projects; City projects are held to the same standards as other projects. The Code Enforcement Officer (Planning and Zoning Department) and the Building Inspectors (Building Department) ensure that erosion and sediment control on construction projects are done in accordance with City of Fairhope BMP standards (which follow the *Alabama Handbook*). City of Fairhope crew leaders of right of way and utility work are given the *Field Guide for Erosion and Sediment Control on Construction Sites in Alabama* as a reference tool.

POLLUTION PREVENTION / GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS, CONTINUED:

BMP # 6: *Field Guide For Erosion and Sediment Control on Construction Sites in Alabama*, by the Alabama Soil and Water Conservation Committee and Partners, is a pocket size pamphlet available to contractors and other permittees on request in the Building Department.

BMP # 7: Dedicated Wash Racks: Vehicle / Equipment Washing: Employees in all departments within the City are instructed to wash vehicles and equipment only in designated areas, which are connected to the City of Fairhope Waste Water Treatment plant. The City currently has seven (7) designated wash rack facilities, which discharge into the Waste Water Treatment plant, within its operation. Wash rack facilities include the main wash rack at Public Works (555 South Section Street), the Transfer Station at Public Works, Founders Park Maintenance Barn (Founders Park, Hwy. 44), and car wash facilities at the Police Department (107 North Section Street) and Fire Stations. Fire Station addresses are: Station #1- 198 S. Ingleside Drive; Station #2- 19875 Thompson Hall Road; and Station #3- 8600 Highway 32 (Airport). **Director or department head of each department is responsible for overseeing the proper washing of vehicles and equipment in his / her respective department.** The Public Works Department has a “Tire Rinse” station (open grate drain) for the rinsing of mud and sediment from bulldozer tracks and equipment tires. This grate drain has a sediment removal basin, which is cleaned out annually by the Public Works Department. There is signage at this basin stating this is for “Tire Rinsing Only”. Vehicles are not allowed to be washed off here, since this drains directly to Tatumville Gully.



Figure 46 Fairhope Public Works and Utilities Warehouse, 555 South Section Street

POLLUTION PREVENTION / GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS, CONTINUED:

BMP # 8: SOP For Municipal Activities:

In 2016, Public Works created a Standard Operating Procedure for their activities (revised in 2018):

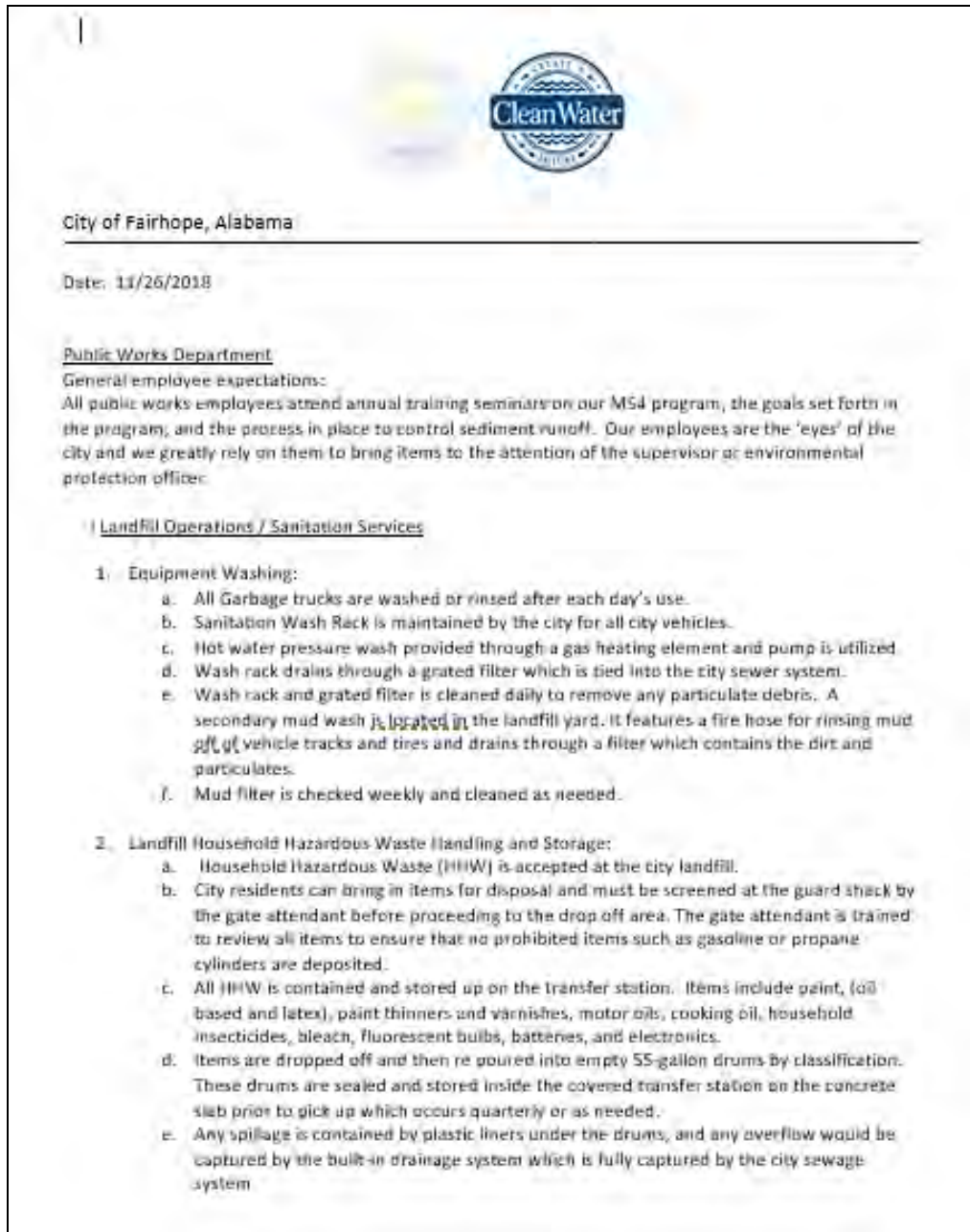


Figure 47 SOP for Municipal Activities Page 1

3. Tires:
 - a. Residents may bring in tires and are charged a nominal fee.
 - b. Tires are stored in a covered shed before being loaded into container boxes or box vans and hauled off to a certified processing facility.

4. Landfill Housekeeping:
 - a. Litter control is maintained daily and weekly by walk through inspections by the certified landfill operator(s).
 - b. Litter collection is maintained by work parties (inmates) collecting misplaced debris and litter weekly.
 - c. All Public Works employees are tasked with the general responsibility to pick up and collect any litter seen in or around the landfill itself.

II Public Works Streets

Street sweeping constitutes the major thrust toward keeping solid debris from entering the City's storm water drainage system, along with solid waste collection during trash pick-up times. To help keep our streets clean and reduce the amount of polluted storm water runoff from entering our waterways, the City operates two street sweepers. The sweepers have a fixed route and schedule.

1. Public Works sweeping plan:
 - a. Downtown and beach areas are swept three times a week; Monday, Wednesday and Friday
 - b. All subdivision and streets built since 1995 are swept once a year between May and October or as needed. They should stay on this schedule until street trees reach a height of twenty foot.
 - c. When street trees planted closer than 70 foot apart and or reach a height of twenty foot or larger, streets inside subdivisions shall be swept every six weeks between November and April. The same streets shall be swept once between April and November or as needed.
 - d. In the Fruit and nut, North Mobile area, Bon Secour area, Colonial acres, Dogwood, Azalea, Wisteria, Sea Cliff, City owned right of way in Montrose, and other heavily forested areas; streets are swept every two weeks between Mid-February and Mid-April or during the Live Oak leaf season drop. These areas are swept monthly in November, December and January and once between November and April or as needed.
 - e. The sweeper dumps litter after sweeping on the city of Fairhope solid waste transfer station for disposal into a solid waste landfill.

Figure 48 SOP for Municipal Activities Page 2

2. Public Works Street Materials:

Public Works designed a storm water management plan for the laydown yard. The site has a split drainage plan over the top, creating water flow that is channeled behind the city greenhouses to the North. The Northern channel is captured in underground storage pipes behind the greenhouses. The southern watershed is diverted to the retention pond East of the city warehouse.

- a. Fairhope Public Works maintains the following materials in the Public Works yard: Street rock is maintained in piles in different areas of the Public Works yard. The materials are left openly accessible for vehicles to load and unload. The materials are placed in such a way as not to wash out during heavy rain storms. Due to the nature of the materials it is not considered a potential contaminant for storm water.
- b. Concrete pipe, brick and masonry block are stored in different locations and are not considered hazardous to storm water.
- c. Streets and Construction: During Public Works streets and construction projects along right of way, personnel use BMP plans that call for wattles, hay bales and silt fencing. The plan may be submitted for approval by the building department on large projects. When this plan is submitted, it triggers regular inspections from the environmental officer. After any right of way project is complete, sod or hay mat is installed to prevent erosion. The supervisor for the project is responsible for compliance.

III. Landscape Operations

1. Debris Removal:

- A. Generation of organic landscape debris is handled according to city policy:
 - Crews stack debris to facilitate pick up by city trash trucks or by landscape trailers.
 - Stumps are ground down and picked up the same as regular debris.
 - All debris from trimming and pruning are hauled off daily to city mulch field.
 - City mulch field is area located on the landfill grounds where vegetative debris are deposited, pushed and spread out, covered with dirt and compacted.
 - Only organic vegetative debris is allowed to be placed here.
- B. Roadside litter is collected 5 days per week on the same schedule as mowing, bush hogging, and arm mowing. Dedicated employee rides along the routes and collects any litter present before the area is mowed.

2. Applications of Pesticides and Fertilizers follow the State of Alabama rules and regulations:

- A. All pesticides and chemical fertilizers are stored in original marked containers.
- B. All chemical containers are kept in a locked storage area.
- C. Use is monitored by trained and certified employees for approved application procedures.
- D. All empty containers are triple rinsed when empty.
- E. Disposal of containers will go into the Transfer Station for disposal in Magnolia Springs Landfill (containers, including washed and empty containers. Containers not allowed in the City C&D landfill).
- F. Any spillage or overages are contained and submitted into the city hazardous household waste facility, stored in 55gallon drums, and turned over to an industrial chemical disposal company for destruction.

Figure 49 SOP for Municipal Activities Page 3

POLLUTION PREVENTION / GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS, CONTINUED:

➤ **Measurable Goals**

One Year Goals:

1. Good Housekeeping / Pollution Prevention memo for all departments

Responsible Department: Planning and Zoning Department

Goal: Create and send out a memo to all departments, reminding employees of good housekeeping or pollution control practices (*Planning Director*)

Due: December 2020

2. Dry Weather Screening of Public Works Facility

Responsible Department: Public Works

Goal: Conduct dry weather screening of the facility at 555 South Section Street, to ensure rinsing activities are in designated areas; recycle and drop off materials are properly managed and covered; and to ensure Public Works activities are not contributing to illicit discharges. (*Public Works Dept. Sanitation Officer*)

Due: December 2020

3. New Commercial Pesticide Applicators License to be acquired

Responsible Party: Parks and Recreation Director appointed in Oct. 2019

Goal: Commercial applicator's license

Due: December 2020

Two to Five Year Goal:

1. Recertify Pesticide Applicator's License #2002077

Responsible Party: Golf Course Supervisor

Goal: Renew Commercial Applicator's License

Due: December 2021

2. Recertify Pesticide Applicator's License #2002057

Responsible Party: Public Works Landscape Supervisor

Goal: Renew Commercial Applicator's License

Due: December 2021

RESOLUTION NO: 2019-02

A RESOLUTION AMENDING ARTICLE IV, SECTION H. MULTIPLE OCCUPANCY PROJECTS OF THE CITY OF FAIRHOPE SUBDIVISION REGULATIONS

WHEREAS, Alabama Code Section 11-52-31, expressly authorizes a municipal planning commission to adopt subdivision regulations governing the subdivision of land within its jurisdiction; and

WHEREAS, the Planning Commission desires to amend the Subdivision Regulations as hereinafter provided.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

1. Article IV, Section H. Multiple Occupancy Projects of the Subdivision Regulations is hereby revised to read as follows:

H. MULTIPLE OCCUPANCY PROJECTS:

1. Any project that will involve or otherwise result in three (3) or more units (whether contiguous or otherwise) being constructed on real property for occupancy, regardless of the form or type of ownership or right of possession of said units, unless otherwise regulated by these Regulations in another Article and/or Section hereof, shall comply with the following terms and conditions of this Section H.
2. The Subdivider shall submit to the Planning Commission via the City of Fairhope Planning Department a preliminary plat and plans for such project, which must, at a minimum, comply with the following requirements:
 - (a) Each preliminary plat and plans shall comply with the storm water requirements of Article V, Section F hereof.
 - (b) Each preliminary plat and plans shall comply with the traffic requirements of Article IV, Section C 1(h) hereof.
 - (c) Any and all improvements constructed in connection with the project shall be constructed strictly in accordance with Article VI hereof.
 - (d) The minimum setback for any building(s) constructed in connection with a project from the property lines shall be twenty feet (20') on all sides for unzoned property. Property within City of Fairhope's corporate limits shall comply with the minimum set back requirements of the City of Fairhope Zoning Ordinance.
 - (e) No building or other improvement to be constructed in connection with a project shall exceed thirty-five feet (35') in height for unzoned property. The 20 foot minimum setback requirement may be increased by the Planning Commission based on the size of the building, the location of the driveways, and other factors. Property within the City of Fairhope corporate limits shall comply with the height requirements of the City of Fairhope Zoning Ordinance.

- (f) Each preliminary plat and plans shall otherwise conform to the terms of Article I, Section A hereof.
 - (g) Each preliminary plat and plans shall comply with the greenspace requirements of Article V, Section C. hereof.
 - (h) Each preliminary plat and plans shall comply with the tree protection requirements of Article V, Section D.5.a(9)-(11).
3. Each preliminary plat and plans shall be submitted for review and decision in accordance with the requirements of Article IV, Section C, and the final plat and plans shall be submitted for review and decision in accordance with Article IV, Section D.
 4. The filing fee for any project regulated in accordance with this Section H of this Article IV shall be the same as the filing fee for an application for a Minor Subdivision for four (4) or fewer units, or a Major Subdivision for five (5) or more units.
 5. **PROCEDURE EXCEPTION** – For Multiple Occupancy Projects which include four (4) or fewer units and no new streets or rights-of-way and no new utility mains are required, application for simultaneous preliminary and final approval may be made to the Planning Commission. Submittals shall in all other respects meet the minimum requirements of these regulations.

DULY ADOPTED this ___ day of _____, 2020.

Lee Turner, Chairman

Attest:

Emily Boyett, Secretary



Planning Commission

January 6, 2020

Subdivision Approval

Case: SD 20.01 Point Clear Pond

Project Name:

Point Clear Pond Minor

Property Owner /Applicant:

Catherine Alba

General Location:

The property is located on the east side of County Road 3 just south of Rose Bishop Lane

Project Type:

Minor Subdivision inside Fairhope's ETJ

Number of lots:

2

Project Acreage:

2.73

Zoning District:

Unzoned

PPIN Number:

213432

Surveyor of record:

Moore Surveying

School District:

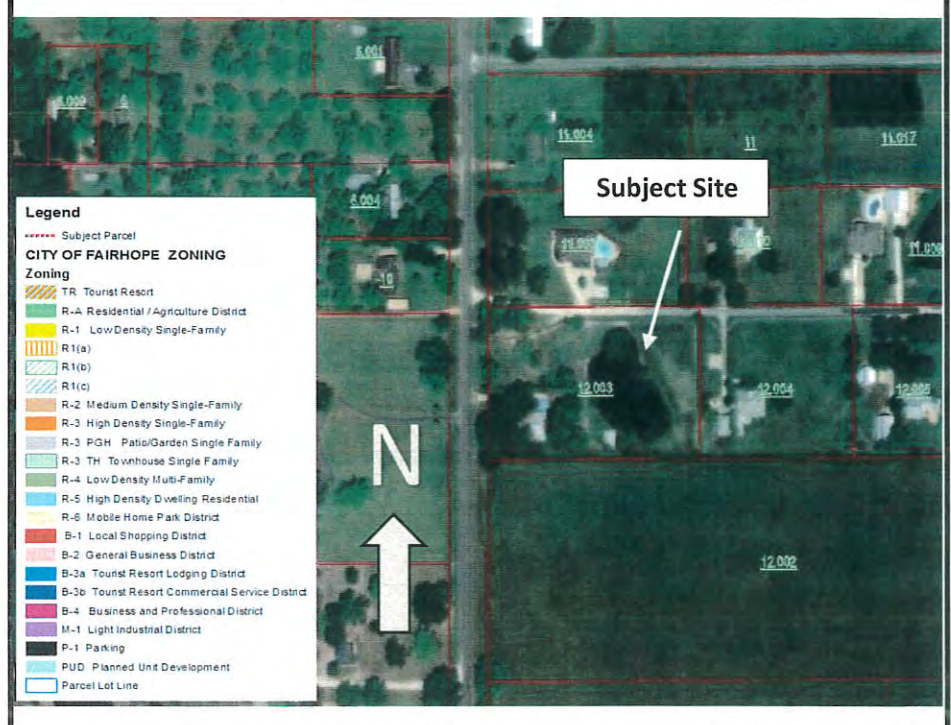
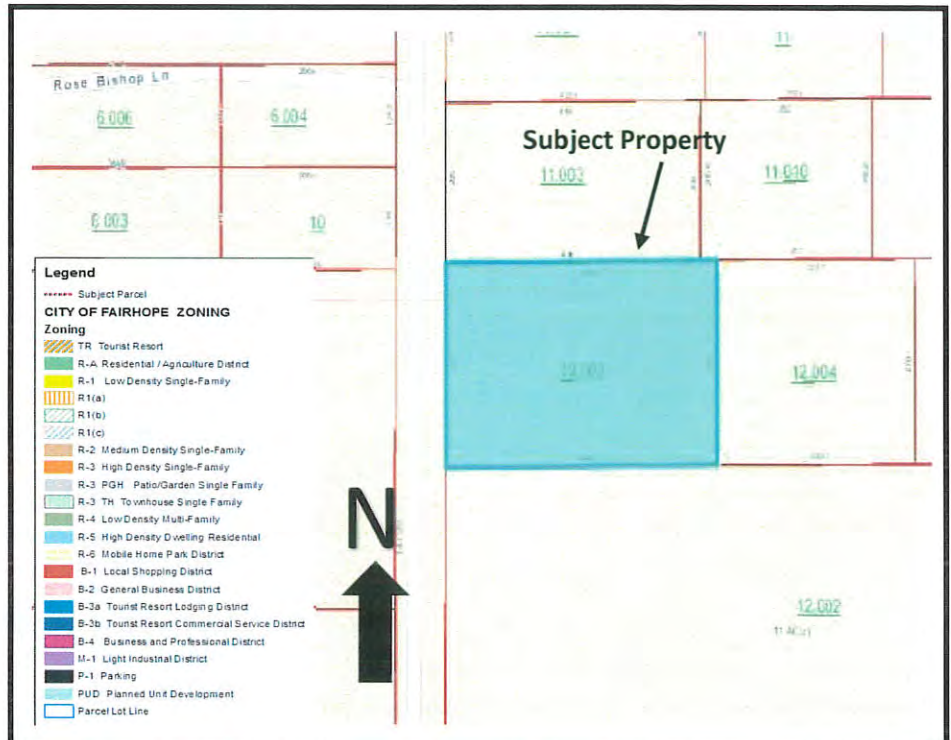
J Larry Newton, Fairhope Middle, Fairhope High School

Report prepared by:

Carla L. Davis
City Planner

Recommendation:

Approval



Summary of Request:

Public hearing to consider the request of Catherine Alba owner and applicant for a 2-lot minor subdivision. The property is located on the east side of County Road 3 just south of Rose Bishop Lane. The subject property is approximately 2.72 acres and the applicant desires to divide the property into two residential lots. The proposed Lot 1 is approximately 2.09 acres (90,605 square feet) and has an existing dwelling on the property. The proposed Lot 2 is approximately 0.63 acres (27,750 square feet).

Comments:

The subject property is in Fairhope’s Extra Territorial Jurisdiction and therefore must follow Fairhope’s Subdivision Regulations. The proposed subdivision according to Fairhope’s Subdivision Regulations is a minor subdivision and has been reviewed accordingly. Fairhope’s Subdivision Regulations Article VI Section D requires the provision of sidewalks along all streets in the Planning Jurisdiction of Fairhope. The preliminary plat does not illustrate sidewalks and therefore the applicant is requesting a waiver.

The proposed subdivision does not include the building of any infrastructure or improvements therefore a tree protection plan, landscape plan, and other criteria required for a major subdivision is not applicable. The proposed subdivision did not trigger a traffic study. Concerning storm water runoff none of the existing flow patterns will be changed by this replat. Water services will be provided by the City of Fairhope. Power is supplied by Baldwin County EMC. It should be pointed out that the applicant will have individual septic tanks, which requires the Health Department’s approval.

Waiver Request:

Article VI Section D. Sidewalks requirement in the City of Fairhope Subdivision Regulations which states, “sidewalks shall be installed on all streets within the planning jurisdiction of the City of Fairhope.”

The applicant has provided a letter stating the following regarding the request for a sidewalk waiver:

*There are not any existing within miles to this property.
The closest sidewalk is to the south along U.S Hwy 98 over 9,300 feet to the South and over 4.75 miles to the North.
We have added a ten-foot sidewalk easement along the front of the lots in the event that if needed there will be enough room to place sidewalks along the road.*

A. WAIVER STANDARDS: (Staff response in purple)

Waivers may be granted where the Planning Commission finds that the following conditions exist:

1. An extraordinary hardship may result from strict compliance with these regulations due to unusual topographic or other physical conditions of the land or surrounding area not generally applicable to other land areas.

Article VI Section D. - Sidewalks: Though no hardship is presented, currently there are no sidewalks in the nearby vicinity. However, the applicant is proposing to allow a 10’ sidewalk easement thus a sidewalk can be constructed in the future if needed.

2. The condition is beyond the control of the sub-divider.

Article VI Section D. - Sidewalks: Not applicable for this individual case.

3. The requested waiver will not have the effect of nullifying the purpose and intent of the regulations, the Zoning Ordinance, or the Comprehensive Plan.
Article VI Section D. - Sidewalks: Staff finds that this waiver will not nullify the intent of the regulations because the existing character of the surrounding properties is such that there are no sidewalks. However, the applicant has provided additional space for the construction of a sidewalk, if needed.
4. The waiver is the minimum deviation from the required standard necessary to relieve the hardship;
Article VI Section D. - Sidewalks: Because property is allocated for future construction for sidewalks, the waiver would be a minimal deviation from the required standard.
5. The waiver shall not have an adverse effect on adjacent landowners, or future landowners, or the public;
Article VI Section D. - Sidewalks: No, the waiver shall not have adverse effects.
6. The waiver is necessary so that substantial justice is done.
Article VI Section D. - Sidewalks: Staff is neutral on this standard.

The subdivision regulations contain the following criteria in Article IV.B.2. Approval Standards:

"2. Consistency with Plans, Regulations and Laws - The Planning Commission shall not approve the subdivision of land if the Commission makes a finding that such land is not suitable for platting and development as proposed, due to any of the following:

- a. *The proposed subdivision is not consistent with the City's Comprehensive Plan, and/or the City's Zoning ordinance, where applicable;*
 - **Not applicable**
- b. *The proposed subdivision is not consistent with the City's Comprehensive Plan or any other plan or program for the physical development of the City including but not limited to a Master Street Plan, a Parks Plan, a Bicycle Plan, a Pedestrian Plan, or the Capital Improvements Program;*
 - **Not applicable**
- c. *The proposed subdivision is not consistent with these Regulations;*
 - **Meets**
- d. *The proposed subdivision is not consistent with other applicable state or federal laws and regulations; or*
 - **Meets**
- e. *The proposed subdivision otherwise endangers the health, safety, welfare or property within the planning jurisdiction of the City."*
 - **Meets**

Recommendation:

Staff recommends **approval** of SD 20.01 conditional upon the approval of a sidewalk waiver.

OWNER'S CERTIFICATE OF ACCEPTANCE:
STATE OF ALABAMA
COUNTY OF BALDWIN

This is to certify that I, CATHERINE H. ALBA, the undersigned do hereby certify that I am the Owner of LOT 1, of the within platted and subdivided as indicated hereon, for the uses and purposes herein set forth and do hereby acknowledge and adopt the same under the design and title hereon indicated, and grant all easements and dedicate all Streets, to the public or private uses as noted on this plat.

CATHERINE H. ALBA Date

NOTARY PUBLIC:
STATE OF ALABAMA
BALDWIN COUNTY)

I, _____, a Notary Public, in and for said State and County, do hereby certify that the above name/s signed to the within OWNERS ACCEPTANCE and who are known to me, that they voluntarily executed said ACCEPTANCE on this date, _____ day of _____, 20____.

Notary Public - Baldwin County, Alabama

My Commission Expires: _____

TELEPHONE COMPANY CERTIFICATE:

The undersigned, as authorized by _____ hereby approves the within plat for the recording of same in the Office of the Judge of Probate, Baldwin County, Alabama, this the _____ day of _____, 20____.

Authorized representative

POWER COMPANY CERTIFICATE:

The undersigned, as authorized by Baldwin County EMC, hereby approves the within plat for the recording of same in the Office of the Judge of Probate, Baldwin County, Alabama, this the _____ day of _____, 20____.

Authorized representative

CERTIFICATE OF APPROVAL OF UTILITIES
BY CITY OF FAIRHOPE FOR WATER:

The undersigned, as authorized by The City of Fairhope, hereby approves the within plat for the recording of same in the Office of the Judge of Probate, Baldwin County, Alabama, this the _____ day of _____, 20____.

Authorized Representative WATER

CERTIFICATE OF APPROVAL BY THE
BALDWIN COUNTY E-911 ADDRESSING

The undersigned, as authorized by the Baldwin County E-911 Board, hereby approves the Road names as depicted on the within plat and hereby approves the within plat for the Recording of same in the Judge of Probates Office, Baldwin County, Alabama, on this the _____ day of _____, 20____.

Authorized Representative Signature

CERTIFICATE OF THE BALDWIN COUNTY
PLANNING DIRECTOR:

The undersigned, as Director of the Baldwin County Planning and Zoning Department, hereby approves the within plat for the recording of same in the Judge of Probates Office, Baldwin County, Alabama, on this the _____ day of _____, 20____.

Planning Director

CERTIFICATE OF APPROVAL BY THE CITY OF FAIRHOPE PLANNING COMMISSION

This plat has been submitted to and considered by the City of Fairhope Planning Commission and is hereby approved.

Dated this the _____ day of _____, 20____.

Secretary or Authorized Representative

Found Re-bar

Point of Commencement of the Proposed Right-of-Way, corner of the Northeast Quarter of Section 17, Township 7 South, Range 2 East, Baldwin County, Alabama.

S 00° 02' 13" E 1,322.70'

Found Railroad Spike

County Road #3

Existing Fire Hydrant

80' Right-of-Way Paved Road

A BEST MANAGEMENT PRACTICE PLAN SHALL BE SUBMITTED AT THE TIME OF BUILDING PERMIT AND SHALL MEET OR EXCEED THE REQUIREMENTS OF THE CITY OF FAIRHOPE, BALDWIN COUNTY, AND ALABAMA DEPARTMENT ENVIRONMENTAL MANAGEMENT REQUIREMENTS AS PER THE 2016 HANDBOOK (ADEM).
THE FINISH FLOOR SHALL BE 16-INCHES ABOVE THE HIGHEST GRADE NEXT TO THE PROPOSED RESIDENCE.

BALDWIN COUNTY HEALTH DEPARTMENT:

The lots on this plat are subject to approval or deletion by the Baldwin County Health Department. No representation is made that any lot on this plat will accommodate an Onsite Sewage System (OSS). The appropriateness of a lot for wastewater (sewage) treatment and disposal shall be determined when an application is submitted. If permitted, the lot approval may contain certain conditions which restrict the use of the lot or obligate owners to special maintenance and reporting requirements, and these conditions are on the with the said Health department and are made a part of this plat as if set out hereon.

By: Environmentalist Date

05-56-04-17-0-000-011.003
HUTTER, MARK A & CYNTHIA D
14770 CO RD 3
FAIRHOPE AL 36532
Residential

05-56-04-17-0-000-011.010
HENDERSON, PHILIP & DONNA
14752 CO RD 3
FAIRHOPE AL 36532
Residential

05-56-04-17-0-000-012.004
FRANC, BRIAN T
14748 CO RD 3
FAIRHOPE AL 36532
Residential

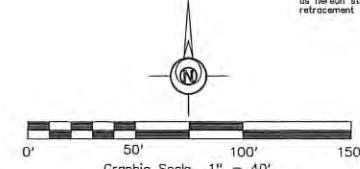
05-56-04-17-0-000-012.002
SHERLING, AMZI R & EILEEN M
14420 CO RD 3
FAIRHOPE AL 36532
Farm Land

LEGAL DESCRIPTION:
Commencing at the purported Northeast corner of the Northeast Quarter of section 17, Township 7 South, Range 2 East, St. Stephen Meridian, Baldwin County, Alabama; thence run South 00 degrees 02 minutes 13 seconds East, a distance of 1,322.70 feet to a point; thence run North 89 degrees 40 minutes 20 seconds East, a distance of 44.51 feet to an iron pin marker lying on the East Right-of-way line of County Road #3 for the POINT OF BEGINNING; thence continue North 89 degrees 40 minutes 20 seconds East, a distance of 439.45 feet to an iron pin marker; thence run South 00 degrees 21 minutes 40 seconds West, a distance of 270.00 feet to an iron pin marker; thence run South 89 degrees 40 minutes 20 seconds West, a distance of 439.45 feet to an iron pin marker lying on said East Right-of-way line; thence run North 00 degrees 21 minutes 35 seconds East, along said East Right-of-way line a distance of 270.00 feet to the POINT OF BEGINNING. SUBJECT TO A 30-FOOT WIDE INGRESS, EGRESS EASEMENT over and across the northern end thereof.

JUDGE OF PROBATE STAMP



- SURVEYOR'S NOTES:
1 All measurements were made in accordance with U.S. Standards.
2 Description as furnished by Client.
3 There may be recorded or unrecorded Deeds, Easements, right-of-ways, or other instruments that could affect the boundaries of said properties.
4 There was NO attempt to determine the existence, location or extent of any sub-surface features such as Septic Tanks, Underground Utilities, Footings, etc.
5 Bearings and Distances shown hereon were "Computed" from actual field traverses.
6 The Basis of Bearings for this Survey are Based on Grid North as established by G. P. S. Fixed Time Network NAD 83, referenced to NAD 1983, Alabama West Zone.
7 There was NO attempt made to locate any Environmental issues such as but not limited to Wet Lands, Fuel Tanks, etc.
8 Owner Must Verify Wetlands Location if Shown on Survey with the proper authorities before any construction is to be started.
9 Refer to Recorded Deeds, Plats, Restrictive Covenants for any additional information.
10 Measurements of the Residence are exterior dimensions and are not to be used for calculating square footage of Residence.
11 Flood Zones are scaled from the current FEMA maps.
12 Limits of proposed Residence to be sited are as per clients instructions.
13 Verify any Building Setbacks and Building location with the proper authorities before any construction can begin.
14 This Plat or Map is the property of Moore Surveying, Inc. and Seth Moore. It is solely for the use of the Client. Name hereon and may not be used by a third party.
15 This Survey is valid for 30 days from the date of survey and it is NOT transferable to a third party and may NOT be used for any other purpose without prior written consent from Moore Surveying, Inc. or Seth Moore.
16 This Survey is based upon existing monumentation found on these states and does not purport to represent a replacement of the Government Survey.



FLOOD CERTIFICATE
I also state that I have examined the current FIA Official Flood Hazard Map, Community Number 015000, Panel Number 0759 M, (01003C0759 M) and found referenced lot above lies in Flood Zone X, Map Dated April 19, 2019.

I, Seth W. Moore, a Licensed Professional Land Surveyor, hereby state that all parts of this survey and drawing have been completed in accordance with the requirements by the Standards of Practice for Land Surveying in the State of Alabama to the best of my knowledge, information and belief, this is a true and correct map.

All according to my survey made this the _____ day of _____, 2019.

I also state that this drawing and or certification does not reflect any title or easement research, other than what is visible on the ground or provided by the clients at time of survey.

Seth W. Moore, P.L.S.
Ala. Reg. No. 16671

- SITE DATA:
1. Total Number of Lots 2, Project Size 2.72+/- Acres
2. Smallest Lot is 27,750 Square feet, Largest Lot 2.08 +/- Acres.
3. The Lots are served by AT & T Communications - Telephone, City of Fairhope for Water, Baldwin County EMC for Power Individual Septic Tank
4. There Drainage and Utility Easements as Shown hereon.
5. Building Setbacks: Front Yard = 35 Rear Yard = 35 Side Yard = 10 Unless otherwise shown hereon
6. This Project lies Outside the City of Fairhope and is Not Zoned.
7. All Lot corners are to be marked with a re-bar and cap unless otherwise noted.
Existing Utilities: No new Streets this Project.

COUNTY ENGINEER:
The undersigned, as County Engineer of Baldwin County, Alabama, hereby approve the within plat for the recording of same in the Probate Office of Baldwin County, Alabama, this the _____ day of _____, 20____.

05-56-04-17-0-000-012.003
OWNER/ DEVELOPER
ALBA, CATHERINE H
18300 SCENIC HWY 98
FAIRHOPE AL 36532



MOORE SURVEYING, INC.
PROFESSIONAL LAND SURVEYING
655 NORTH SECTION STREET,
FAIRHOPE, ALABAMA 36532
PHONE (251) 928 - 6777
Email mooresurveying@bellsouth.net

PL = Power Pole	JOB NO.	2019 141
CL = Centerline	DATE	11/8/2019
UR = Underground	FIELD WORK	
RS = Record	DRAWN BY	SWM
MS = Measured	SCALE	1" = 40'
CL = Calculated	REVISIONS	12/12/19
FC = Fence Corner		
CB = Center		
CR = Curve		
AL = Area Layout		
TEL = Telephone		
SL = South Line		
ELEV = Elevation		
REB = Found Re-bar & Cap		
SP = Found Iron Pin		
SR = Set Re-bar & Cap		

POINT CLEAR POND
A RESIDENTIAL SUBDIVISION

Property lies in Section 17, T-7-S, R-2-E

THIS SURVEY IS UNREGISTERED. THE REASONING THE SURVEY IS UNREGISTERED.



Planning Commission

January 6, 2020

Preliminary Plat

Case: SD 20.02 Battles Trace Phase 7

Project Name:

Battles Trace Phase 7

Property Owner /Applicant:

The Retirement Systems of Alabama

General Location:

East side of Colony Drive just north of County Road 34 (a.k.a. Battles Road).

Project Type:

Preliminary Plat

Number of lots:

38

Project Acreage:

18.9

Zoning District:

Tourism Resort District
Low-Rise Residential Zone

PPIN Number:

372296

Engineer of record:

GMC, Inc.

School District:

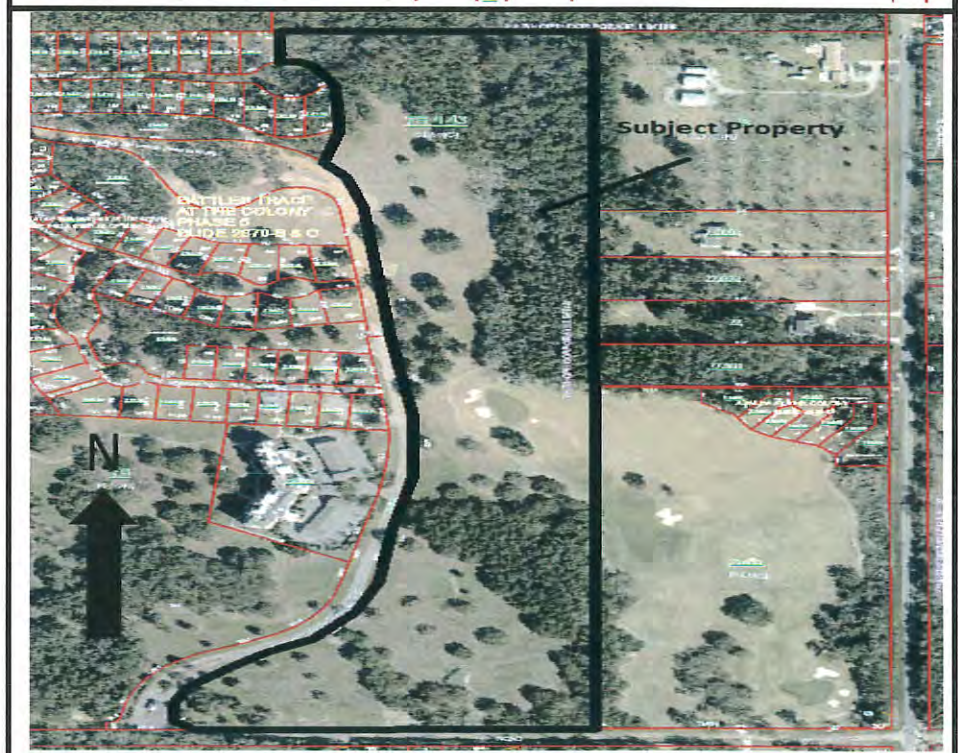
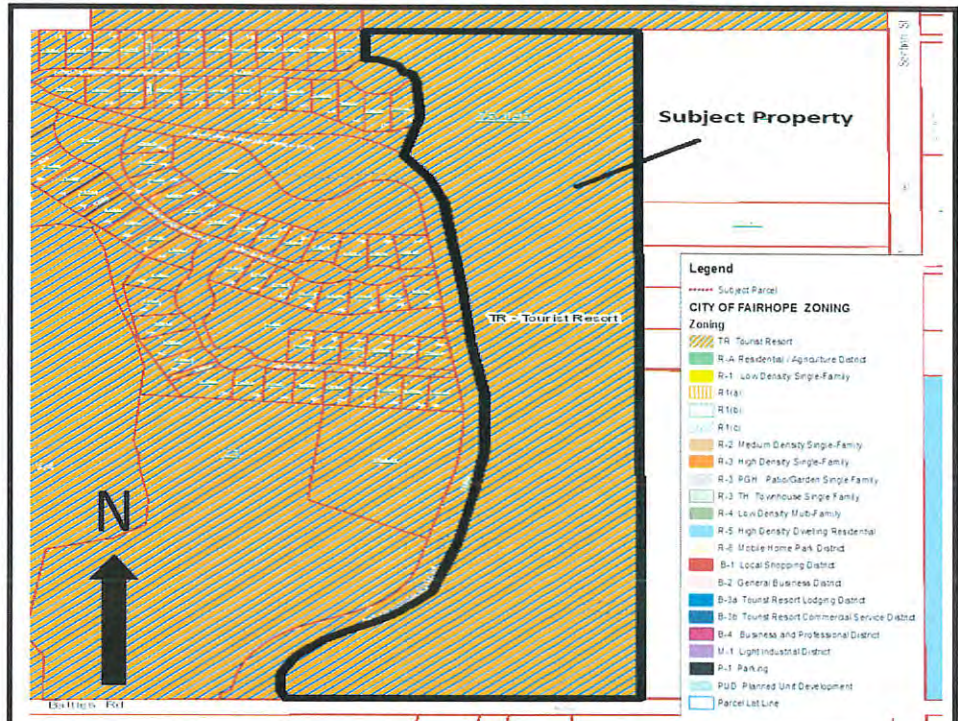
J. Larry Newton, Fairhope Middle, and High School

Report prepared by:

Mike Jeffries, QCI
City Planner

Recommendation:

Approve with conditions



Summary of Request:

Public hearing to consider the request of Goodwyn, Mills, Cawood, LLC on behalf of the Retirement Systems of Alabama for preliminary plat approval of Battles Trace Phase 7, a 38-lot major subdivision. The property is approximately 18.8 acres and is located on the east side of Colony Drive just north of County Road 34 (a.k.a. Battles Road) with the smallest lot 8,125 S.F. and largest lot 15,933 S.F.

SITE DATA

TAX PARCEL NO.

05-46-09-30-0-000-078.143

TOTAL SITE AREA = 18.77 ACRES± (817,552 S.F.±)

TOTAL NUMBER OF LOTS = 38

SMALLEST LOT = 0.19 ACRES± (8,125 S.F.±)

LARGEST LOT = 0.37 ACRES± (15,933 S.F.±)

TOTAL COMMON AREA = 9.33 ACRES± (406,214 S.F.±)

GREENSPACE = 8.49 ACRES± (369,816 S.F.±)

TOTAL LINEAR FEET OF STREET = 1,109.61 FEET

GROSS DENSITY = 2.02 UNITS PER ACRE

ZONING

TR-TOURIST RESORT (LR/MR)

ZONING REQUIREMENTS

- 10' FRONT SETBACK
- 5' REAR SETBACK
- NO SIDE SETBACK

DEDICATED EASEMENTS

- 10' UTILITY EASEMENT ALONG ALL ROAD SIDE LOT LINES

UTILITIES

POWER — RIVIERA UTILITIES
SEWER — FAIRHOPE WATER & SEWER
WATER — FAIRHOPE WATER & SEWER
TELE — AT&T
GAS — FAIRHOPE GAS

Comments:

- The subject property is part of the TR District and if approved will be the next phase of Battles Trace. The TR District requires that the overall gross density for residential areas shall be no greater than 3.5 units per gross area and the TR District shall provide at least 20% open/green space. Both conditions are met.
- 8.49 acres of green space are being shown for this phase resulting in approximately 45%. Most of which is wooded and will convey a majority of the upstream offsite storm water to the detention pond.
- Drainage is handled on site and travels across other RSA owned property until finally discharged into Mobile Bay. Inlets and underground drainage pipes will direct the storm water to the large detention pond that was constructed in Phase 6. The design of the pond included future phases of development beyond phase 6.
- Eleven LID techniques were implemented to treat the storm water runoff at the time of development of phase 6 and three additional techniques were added for this subdivision.
- Row of widths are consistent with previous phases and the overall conceptual Master Plan.

The subdivision regulations contain the following criteria in Article IV.B.2. Approval Standards.

“2. Consistency with Plans, Regulations and Laws - The Planning Commission shall not approve the subdivision of land if the Commission makes a finding that such land is not suitable for platting and development as proposed, due to any of the following:

a. The proposed subdivision is not consistent with the City’s Comprehensive Plan, and/or the City’s Zoning ordinance, where applicable;

- Meets

b. The proposed subdivision is not consistent with the City’s Comprehensive Plan or any other plan or program for the physical development of the City including but not limited to a Master Street Plan, a Parks Plan, a Bicycle Plan, a Pedestrian Plan, or the Capital Improvements Program;

- Meets

c. The proposed subdivision is not consistent with these Regulations;

- Meets

d. The proposed subdivision is not consistent with other applicable state or federal laws and regulations;
or

- Meets

e. The proposed subdivision otherwise endangers the health, safety, welfare or property within the planning jurisdiction of the City.”

- Meets

Recommendation:

Staff recommends approval SD 20.02 Battles Trace Phase 7 with the following conditions:

1. Add general note to plat that Operations and Maintenance Plan for Phase 6 of Battles Trace included the infrastructure for Phase 7 Battles Trace.



Planning Commission

January 6, 2020

Final Plat

Case: SD 20.03 Resubdivision of Lot 4, Echo Bay Subdivision

Project Name:

Resubdivision of Lot 4, Echo Bay Subdivision

Site Data:

Lot 1 – 2.056 acres +/-
Lot 2 – 0.420 acres +/-
Lot 3 – 0.484 acres +/-

Project Type:

Major Subdivision

Jurisdiction:

Fairhope Planning Jurisdiction

Zoning District:

R-2 Medium Density Single Family

PPIN Number:

46899 (Parent Parcel)

General Location:

Southern terminus of N. Mobile Street

Engineer:

S.E. Civil, LLC

Owner:

L&M Waterfront, LLC

School District:

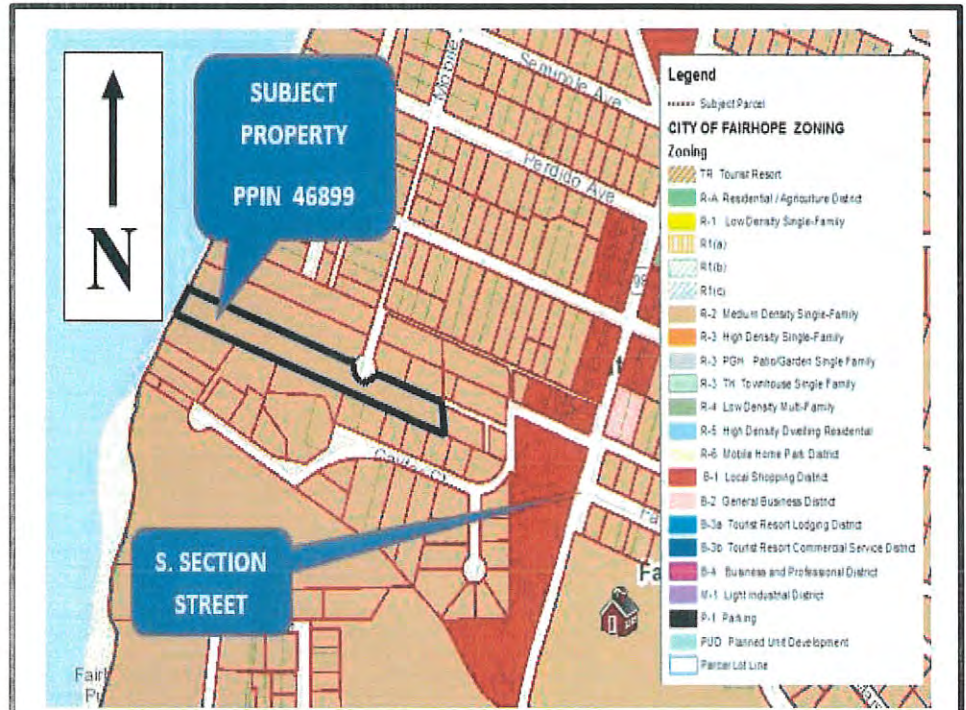
Fairhope Elementary, Middle and High Schools

Recommendation:

Approve with conditions

Prepared by:

J. Buford King
Development Services Manager



Summary of Request:

Public hearing to consider the request of S. E. Civil, LLC on behalf of proper owner L&M Waterfront, LLC for a request for approval of the final plat of the Resubdivision of Lot 4, Bay Echo Subdivision, a three-lot major subdivision. Subject property is located at the southern terminus of N. Mobile Street. Subject property consists of approximately 2.96 total acres, with the new lot sizes as indicated on the staff report cover page. Mr. Larry Smith, PE of S.E. Civil serves as the engineer of record (EOR) for subject application.

Comments:

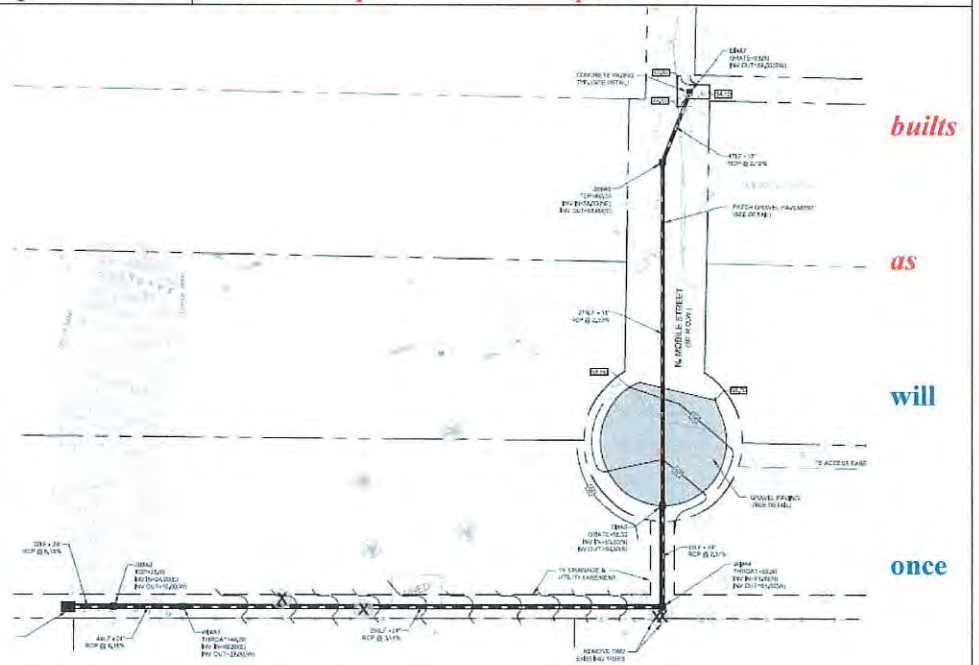
MAJOR SUBDIVISION CRITERIA

The following items are excerpts from the various checklists utilized by staff to evaluate subject application's compliance with the *City of Fairhope Zoning Ordinance*, *City of Fairhope Subdivision Regulations* and other relevant ordinances and are included here to provide relevant background and rationale behind staff's recommendation. Any items remaining in **red italic text** will be cured by conditions of approval, or in the case of a recommendation for denial of an application, provide rationale for the recommendation of denial. Any items initially marked "revise and resubmit" have been cured by the notations in **blue text**, which may include conditions of approval.

<i>Article IV, Section.D.1.a.</i> Maintenance Bond		
a. Either a financial guaranty (in the form of a <u>maintenance bond</u>) in an amount and form acceptable to the City Council as a guarantee for the installation of required improvements or the determination of the City's General Superintendent that all required improvements have been installed to the City's requirements.		
<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Accepted with comments	<input type="checkbox"/> Follow-up information required
Comments: <i>A maintenance bond is not required for this project – the improvements were installed by the City of Fairhope (by a contractor – see Resolution # 3472-19). The contractual agreement between the City and the contractor includes warranty provisions provided by the contractor in lieu of a typical maintenance bond that would otherwise be provided by the developer.</i>		

<i>Article IV, Section.D.1.b.(3)</i> Final Plat and Final Plans showing all information required by and meeting requirements of Article IV., Section C.1. and the following additional information: (3) Storm water culverts and appurtenances, their sizes and locations.		
<input type="checkbox"/> N/A	<input type="checkbox"/> Accepted	<input checked="" type="checkbox"/> Follow-up information required

Comments: *As-built drawings of drainage improvements were not furnished with the initial application. However, the as-may be submitted by the contractor that installed the improvements. As-builts shall contain the Engineer's certificate required by Article IV, Section.D.1.b.(18). The EOR verified via follow-up correspondence that as-builts be submitted to the Public Works Director and include the appropriate engineer's certification. As a condition of approval, the plat will be signed as-builts are delivered. This procedure is allowed for subject development because the drainage improvements are furnished by the City of Fairhope, but designed but designed by the EOR. Resolution 3472-19, adopted July*



**builts
as
will
once**

22, 2019 by the Fairhope City Council awarded a contract to Blade Construction LLC to provide the drainage improvements depicted in the screenshot above right.

Article IV, Section.D.1.b.(4) Final Plat and Final Plans showing all information required by and meeting requirements of Article IV., Section C.1. and the following additional information:

(4) Street Tree Plan shall be submitted showing the location of all *planted* street trees.

N/A Accepted with comments Revise and Resubmit per comments

Comments: Subject development did not install new roadways or rights-of-way (ROWs) for which street tree installation is required.

Article IV, Section.D.1.b.(5) Final Plat and Final Plans showing all information required by and meeting requirements of Article IV., Section C.1. and the following additional information:

(5) Final plans and calculations for utility layouts.

N/A Accepted with comments Revise and Resubmit per comments

Comments: The applicant provided correspondence during the preliminary plat review process (Case # SD 19.18) indicating the applicant conferred with Fairhope Public Utilities (FPU) Director of Operations (Richard Peterson), and indicated Fairhope Public Utilities (FPU) will bring utility services to the requested lots via aid-to-construction fees, and this requirement is indicated by note "11" on the final plat.

Article IV, Section.D.1.b.(7) Final Plat and Final Plans showing all information required by and meeting requirements of Article IV., Section C.1. and the following additional information:

(7) Delineation on plans or plat of clear sight triangles as required by Article V., Section D.5.b.(5).

N/A with comments Accepted Revise and Resubmit per comments

Cross Reference: Article V., Section D.5.b.(5).

Comments: Subject development did not install new roadways or rights-of-way (ROWs) for which sight triangle delineation is required.

Article IV, Section.D.1.b.(9) Final Plat and Final Plans showing all information required by and meeting requirements of Article IV., Section C.1. and the following additional information:

(9) Where streets stubs are provided, said stubs shall provide access to abutting properties. The applicant shall include a note on the plat providing notice that said stub shall provide future access to abutting properties.

N/A with comments Accepted Revise and Resubmit per comments

Comments: No street stubs are required for subject development. Subject development is located at the terminus of an existing cul-de-sac and all lots are accessible from the existing cul-de-sac. All lots surrounding propped development appear to be developed and no future development requiring a stub street is expected.

Article IV, Section.D.1.b.(12) Final Plat and Final Plans showing all information required by and meeting requirements of Article IV., Section C.1. and the following additional information:

(12) Provision for Recording Certificate.

N/A Accepted with comments Revise and Resubmit per comments

Comments: Sufficient space for a recording certificate is included on the plat.

Article IV, Section.D.1.b.(14) Final Plat and Final Plans showing all information required by and meeting requirements of Article IV., Section C.1. and the following additional information:

(14) Certificate for County Engineer's approval for extra-territorial plats.

N/A with comments Accepted Revise and Resubmit per comments

Cross Reference: Article V, Section A. When lands proposed to be subdivided lie outside the corporate limits of the City, the minimum design standards of Baldwin County shall apply when such standards are more restrictive than those of the City. All approvals of the Commission shall be subject to the more restrictive requirements of Baldwin County and the approval of the County Engineer shall be a condition precedent to approval for construction of improvements.

Comments: Subject development is located within the corporate limits of the City of Fairhope. Signature by the County Engineer is not required.

Article IV, Section.D.1.b.(16) Final Plat and Final Plans showing all information required by and meeting requirements of Article IV., Section C.1. and the following additional information:
 (16) Digital or video image(s) with date and time stamp of storm drains to ensure drainage structures are undamaged and free of debris and sediment.

<input type="checkbox"/> N/A	<input type="checkbox"/> Accepted	<input checked="" type="checkbox"/> Revise and Resubmit per comments
------------------------------	-----------------------------------	--

Article IV, Section.D.1.b.(15) (continued) **Comments: Not furnished – this may be submitted by the contractor. The EOR verified via follow-up correspondence that as-built drawings will be submitted to the Public Works Director and include the appropriate engineer’s certification. As a condition of approval, the plat will be signed once as-builts are delivered as well as the inspection video required by this section. This procedure is allowed for subject development because the drainage improvements are furnished by the City of Fairhope, but designed but designed by the EOR. Resolution 3472-19, adopted July 22, 2019 by the Fairhope City Council awarded a contract to Blade Construction LLC to provide drainage improvements at the southern terminus of N. Mobile Street.**

Article IV, Section.D.1.b.(17) Final Plat and Final Plans showing all information required by and meeting requirements of Article IV., Section C.1. and the following additional information:
 (17) Maintenance Plan for maintenance of detention facilities during development and documents providing for continued maintenance after completion of development and sale of all lots. Such documents running as a covenant with the lands. **Note the five (5) year inspection cycle in lieu of three (3) years.**

<input checked="" type="checkbox"/> N/A with comments	<input type="checkbox"/> Accepted	<input type="checkbox"/> Revise and Resubmit per comments
---	-----------------------------------	---

Cross Reference: *Article V, Section F.3.a.(3)*

Comments: No retention or detention facilities were installed by this development.

Article IV, Section.D.1.b.(18) Final Plat and Final Plans showing all information required by and meeting requirements of Article IV., Section C.1. and the following additional information:
 (18)The engineer shall perform the supervision of construction; the final plat shall have the following engineer’s certification:

“ENGINEER’S CERTIFICATE”
 “I, the undersigned, a Registered Engineer in the State of Alabama holding Certificate Number _____, hereby certify that I have designed the within improvements in conformity with applicable codes and laws and with the principals of good engineering practice. **I further certify that I have observed the construction of the within improvements**, that the same conforms to my design, that the within is a true and accurate representation of improvements as installed and that said improvements are hereby recommended for acceptance by the City of Fairhope, Alabama.

 Project Engineer

 Date

Name of Project to which the Certificate Applies Plans which are certified consist of Page _____ thru _____, each of which bears by seal and signature.”

<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Accepted with comments	<input type="checkbox"/> Revise and Resubmit per comments
------------------------------	--	---

Article IV, Section.D.1.b.(18) (continued) **Comments: The EOR verified via follow-up correspondence that as-built drawings will be submitted to the Public Works Director and include the engineer’s certification required by this section. As a condition of approval, the plat will be signed once as-builts containing this certification are provided.**

<i>Article IV, Section D.1.b.(19) Final Plat and Final Plans showing all information required by and meeting requirements of Article IV., Section C.1. and the following additional information: (19) All final plans submitted on a digital copy of all plans in an ADOBE PDF format.</i>		
<input type="checkbox"/> N/A	<input type="checkbox"/> Accepted	<input checked="" type="checkbox"/> Follow-up information required
<i>Comments: Staff requests 18 copies of the final plat on 11x17 paper for inclusion in the planning commissioner's packets. Furnished as requested.</i>		

<i>Article IV, Section D.7. Recording 7. Recording – Applicant is responsible for recording of Plat and approval shall be null and void if the Plat is not recorded within sixty days after the date of final approval; provided, however, that the Commission may, on finding of good cause, extend that sixty day period. The applicant shall provide a copy of the recorded plat; failure to do so shall result in the denial of the issuance of the building permits within the subdivision.</i>		
<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Accepted with comments	<input type="checkbox"/> Revise and Resubmit per comments
<i>Comments: For the applicant's information.</i>		

The subdivision regulations contain the following criteria in Article IV.B.2. "Approval Standards". Each of these criteria is addressed below with either a "meets" or "does not meet" comment. If any of the criteria is not met, a denial will be recommended.

Consistency with Plans, Regulations and Laws - The Planning Commission shall not approve the subdivision of land if the Commission makes a finding that such land is not suitable for platting and development as proposed, due to any of the following:

- a. The proposed subdivision is not consistent with the City's Comprehensive Plan, and/or the City's Zoning ordinance, where applicable;***
 - meets
- b. The proposed subdivision is not consistent with the City's Comprehensive Plan or any other plan or program for the physical development of the City including but not limited to a Master Street Plan, a Parks Plan, a Bicycle Plan, a Pedestrian Plan, or the Capital Improvements Program;***
 - meets
- c. The proposed subdivision is not consistent with these Regulations;***
 - meets
- d. The proposed subdivision is not consistent with other applicable state or federal laws and regulations;***
or
 - meets
- e. The proposed subdivision otherwise endangers the health, safety, welfare or property within the planning jurisdiction of the City."***
 - meets

Site Photos:



Looking north along N. Mobile Street with new drainage structure in foreground



Looking east within cul-de-sac at terminus of N. Mobile Street with new drainage structure at right



Looking south along border between lot 1 and 2 with drainage structure within the drainage and utilities easement.



Looking west toward edge of bluff with drainage structure within drainage and utilities easement

Staff Recommendation:

Staff recommends APPROVAL of case # SD 20.03, Lot 4 Echo Bay Subdivision Final Plat contingent upon the following conditions:

- 1) Memorialize drainage improvements designed by Engineer of Record and furnished and installed by the City of Fairhope by a contractor (Resolution # 3472-19) are in progress at the time of staff report preparation.
 - a. As a condition of approval, the final plat of subject development will be signed once as-built drawings of the drainage improvements are submitted to the Public Works Director, and shall include the Engineer's Certificate required by Article IV, Section.D.1.b.(18).
 - b. As a condition of approval, the final plat of subject development will be signed once the storm drainage inspection video required by Article IV, Section.D.1.b.(16) has been furnished to City of Fairhope staff.

- 2) Memorialize acceptance of the approved waiver of Article V, Section E.3.a. accepted via approval of Case number SD 19.18, reflected on the final plat as follows:
 - a. Proposed lot three may be accessed from the southern terminus of N. Mobile St. via the proposed 15' private access easement.
 - b. The existing unpaved southern terminus of N. Mobile Street shall remain unpaved to preserve the aesthetics of the existing neighborhood, but include the drainage improvements described in condition of approval "1" above.

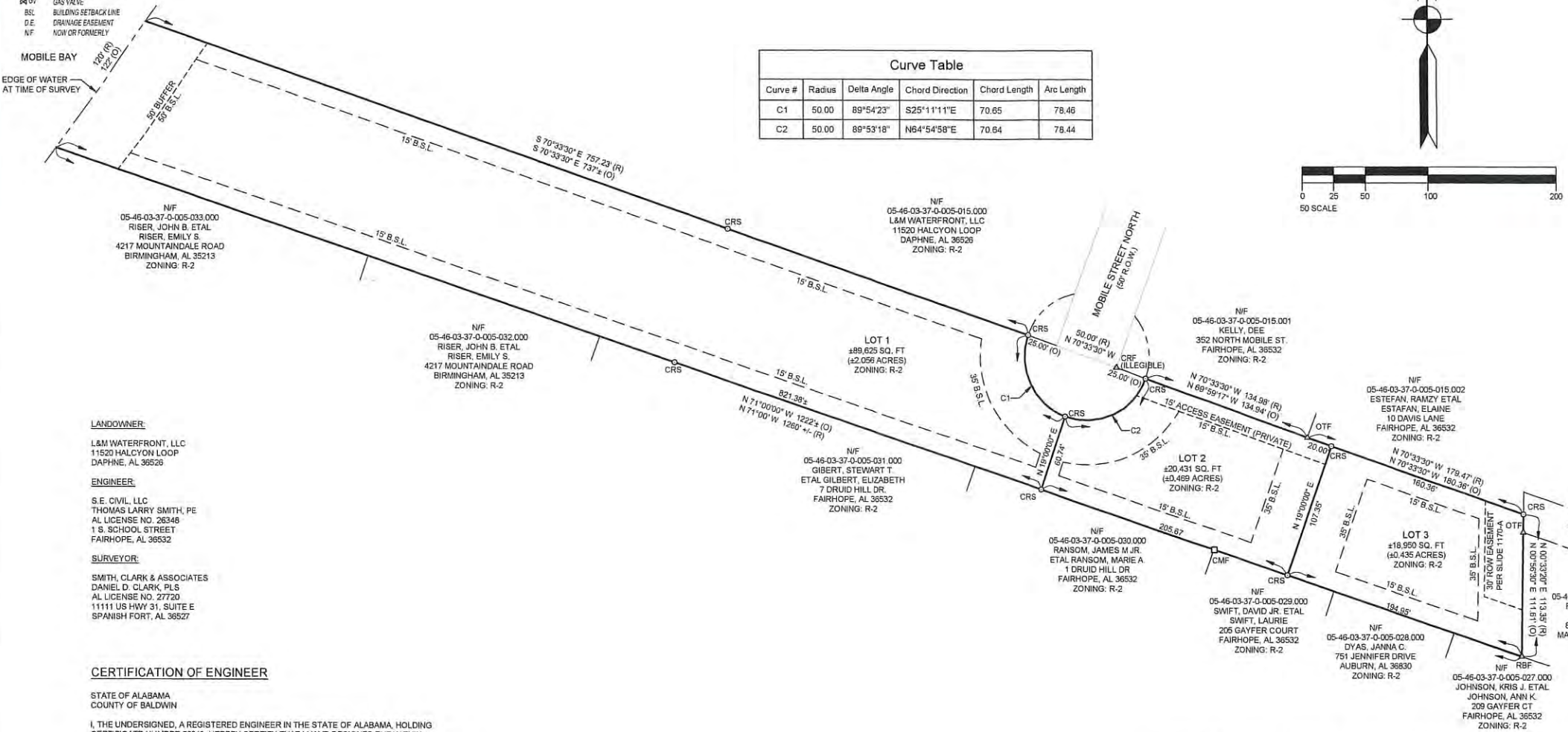
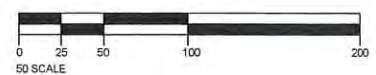
A Resubdivision of Lot 4, Bay Echo Subdivision

January 2020



- LEGEND**
- CRF CAPPED IRON ROD FOUND
 - CTF CRIMPED TOP PIPE FOUND
 - OTF OPEN TOP IRON PIPE FOUND
 - RFB REBAR IRON FOUND
 - IFP IRON PIN FOUND
 - CRS CAPPED IRON ROD SET
 - (R) RECORD
 - (O) OBSERVED
 - R.O.W. RIGHT OF WAY
 - P.O.C. POINT OF COMMENCEMENT
 - P.O.B. POINT OF BEGINNING
 - PROPERTY LINE
 - BUILDING SETBACK LINE
 - LIGHT POLE
 - POWER POLE
 - ELECTRICAL TRANSFORMER
 - TELEPHONE PEDESTAL
 - CABLE TV BOX
 - STORM WATER MANHOLE
 - STORM DRAIN INLET
 - FIRE HYDRANT
 - WATER METER
 - WATER VALVE
 - SANITARY SEWER MANHOLE
 - GAS VALVE
 - B.S.L. BUILDING SETBACK LINE
 - D.E. DRAINAGE EASEMENT
 - N.F. NOW OR FORMERLY

Curve Table					
Curve #	Radius	Delta Angle	Chord Direction	Chord Length	Arc Length
C1	50.00	89°54'23"	S25°11'11"E	70.85	78.46
C2	50.00	89°53'18"	N64°54'58"E	70.84	78.44



- SITE DATA:**
- ACREAGE IN TOTAL TRACT: 129,007 SQ. FT. (2.96 ACRES, MORE OR LESS)
 - SMALLEST LOT SIZE: 18,950 SQ. FT. (0.435 ACRES, MORE OR LESS)
 - TOTAL NUMBER OF LOTS: 3
 - SITE DENSITY: 1.0 UNITS PER ACRE
 - PROPERTY ZONED: R-2 (CITY OF FAIRHOPE)
- NOTES:**
- TYPE OF SURVEY: SUBDIVISION
 - ALL CAPPED REBAR SET ARE SMITH, CLARK (CA: 696)
 - RECORD DIMENSIONS BASED ON PLAT OF SUBDIVISION RECORDED ON SLIDE 1170-A IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA
 - THE LOTS ARE SERVED BY: AT&T - TELEPHONE CITY OF FAIRHOPE FOR POWER, WATER, SEWER, AND GAS.
 - BUILDING SETBACKS: FRONT YARD = 35 FEET REAR YARD = 35 FEET SIDE YARD = 10 FEET SIDE STREET = 20 FEET UNLESS OTHERWISE NOTED.
 - DRAINAGE SHALL BE REQUIRED AT THE TIME OF BUILDING PERMIT.
 - A BMP PLAN IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
 - ALL REQUIRED TESTING SHALL BE SUBMITTED AT THE TIME OF BUILDING PERMIT.
 - A LOTS HAVE A 15 FOOT DRAINAGE AND UTILITY EASEMENT ON SIDE AND REAR LOT LINES UNLESS OTHERWISE SHOWN. INTERIOR LOT LINES, THE EASEMENT WILL BE 7.5 FEET ON EACH SIDE.
 - THE FINISHED FLOOR ELEVATION OF THE LOTS SHALL BE FIFTEEN (15) INCHES ABOVE THE HIGHEST FINISHED GRADE AROUND THE BUILDING FOOTPRINT.
 - THE LOT OWNERS WILL BE REQUIRED TO PAY AN AID-TO-CONSTRUCTION FEE IN ORDER TO BRING WATER, SEWER, ELECTRIC TO THE LOTS AND TO INSTALL A LIGHT POLE AND FIRE HYDRANT.
 - THE 15' PRIVATE ACCESS EASEMENT ACROSS LOT 2 IS FOR THE SOLE BENEFIT OF LOT 3

LANDOWNER:
L&M WATERFRONT, LLC
11520 HALCYON LOOP
DAPHNE, AL 36526

ENGINEER:
S.E. CIVIL, LLC
THOMAS LARRY SMITH, P.E.
AL LICENSE NO. 26348
1 S. SCHOOL STREET
FAIRHOPE, AL 36532

SURVEYOR:
SMITH, CLARK & ASSOCIATES
DANIEL D. CLARK, PLS.
AL LICENSE NO. 27720
11111 US HWY 31, SUITE E
SPANISH FORT, AL 36527

CERTIFICATION OF ENGINEER

STATE OF ALABAMA
COUNTY OF BALDWIN

I, THE UNDERSIGNED, A REGISTERED ENGINEER IN THE STATE OF ALABAMA HOLDING CERTIFICATE NUMBER 26348, HEREBY CERTIFY THAT I HAVE DESIGNED THE WITHIN IMPROVEMENTS IN CONFORMITY WITH APPLICABLE CODES AND LAWS AND WITH THE PRINCIPALS OF GOOD ENGINEERING PRACTICE. I FURTHER CERTIFY THAT I HAVE OBSERVED THE CONSTRUCTION OF THE WITHIN IMPROVEMENTS, THAT THE SAME CONFORMS TO MY DESIGN, THAT THE WITHIN IS A TRUE AND ACCURATE REPRESENTATION OF IMPROVEMENTS AS INSTALLED AND THAT SAID IMPROVEMENTS ARE HEREBY RECOMMENDED FOR ACCEPTANCE BY THE CITY OF FAIRHOPE, ALABAMA.

DATED THIS THE ___ DAY OF _____, 2020.

THOMAS LARRY SMITH, P.E.
ALA. LIC. NO. 26348

NAME OF PROJECT: A RESUBDIVISION OF LOT 4, BAY ECHO SUBDIVISION

PLANS WHICH ARE CERTIFIED CONSISTS OF PAGE 1 THRU 1, EACH OF WHICH BEARS MY SEAL AND SIGNATURE.

CERTIFICATION OF SURVEYOR & DESCRIPTION OF PROPERTY

BALDWIN COUNTY
ALABAMA

LOT 4, BAY ECHO SUBDIVISION AS RECORDED ON SLIDE 1170-A IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

DANIEL D. CLARK
ALABAMA LICENSE # 27720

DATE _____

CERTIFICATE OF APPROVAL BY AT&T

THE UNDERSIGNED, AS AUTHORIZED BY AT&T, DO HEREBY APPROVE THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS THE ___ DAY OF _____, 2020.

AUTHORIZED SIGNATURE _____

CERTIFICATE OF APPROVAL BY THE FAIRHOPE PLANNING COMMISSION

THE WITHIN PLAT OF THE RESUBDIVISION OF LOT 4, BAY ECHO SUBDIVISION, FAIRHOPE, ALABAMA, IS HEREBY APPROVED BY THE FAIRHOPE PLANNING COMMISSION.

THIS THE ___ DAY OF _____, 2020

AUTHORIZED SIGNATURE _____

CERTIFICATION OF OWNERSHIP AND DEDICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

THIS IS TO CERTIFY THAT THE UNDERSIGNED, IS THE OWNER OF THE LAND SHOWN AND DESCRIBED IN THE SUBDIVISION, AND THAT THEY HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREON, FOR THE USES AND PURPOSES HEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED, AND GRANT ALL EASEMENTS TO PUBLIC AND PRIVATE USE AS NOTED, TOGETHER WITH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT.

DATED THIS THE ___ DAY OF _____, 2020.

MICHELLE HAND FOR L&M WATERFRONT LLC

CERTIFICATION OF NOTARY PUBLIC

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____ A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, HEREBY CERTIFY THAT LYNN BODET, WHOSE NAME IS SUBSCRIBED TO THE CERTIFICATE OF OWNERSHIP AND DEDICATION, APPEARED BEFORE ME ON THIS DAY, IN PERSON, HEREBY ACKNOWLEDGE THAT HE SIGNED, SEALED AND DELIVERED SAID INSTRUMENT AT HIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS THE ___ DAY OF _____, 2020.

NOTARY PUBLIC _____
MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL BY THE CITY OF FAIRHOPE-WATER & SEWER

THE UNDERSIGNED, AS AUTHORIZED BY THE FAIRHOPE UTILITIES, DO HEREBY APPROVE THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS THE ___ DAY OF _____, 2020.

AUTHORIZED SIGNATURE _____

CERTIFICATE OF APPROVAL BY THE CITY OF FAIRHOPE-POWER

THE UNDERSIGNED, AS AUTHORIZED BY THE FAIRHOPE UTILITIES, DO HEREBY APPROVE THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS THE ___ DAY OF _____, 2020.

AUTHORIZED SIGNATURE _____

CERTIFICATE OF APPROVAL BY THE CITY OF FAIRHOPE-GAS

THE UNDERSIGNED, AS AUTHORIZED BY THE FAIRHOPE UTILITIES, DO HEREBY APPROVE THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS THE ___ DAY OF _____, 2020.

AUTHORIZED SIGNATURE _____

REVISION	DATE



A Resubdivision of Lot 4, Bay Echo subdivision

CITY OF FAIRHOPE, ALABAMA

JOB No. 20190436	DATE 11/29/19
DRAWN TJS	SCALE 1"=50'
SHEET 1 of 1	