

STATE OF ALABAMA) (
 :
COUNTY OF BALDWIN) (
 :

The City Council met in a Work Session
at 4:30 p.m., Fairhope Municipal Complex Council Chamber,
161 North Section Street, Fairhope, Alabama 36532,
on Monday, 12 September 2022.

Present were Council President Jimmy Conyers, Councilmembers: Jack Burrell, Corey Martin, Jay Robinson, and Kevin Boone, Mayor Sherry Sullivan, City Attorney Marcus E. McDowell, and Assistant City Clerk Jenny Opal Wilson. City Clerk Lisa Hanks was absent.

Council President Jimmy Conyers called the meeting to order at 4:35 p.m.

The following topics were discussed:

- The first item on the agenda was the Development and Planning Update. Hunter Simmons gave presentation as attached to minutes. Council President Conyers requested a copy of presentation for Mayor and Council. Council President Conyers thanked Hunter Simmons for his work on presentation.
- The next item on the agenda was the Discussion of Water and Waste Water Rates. Mayor Sullivan discussed the review of water rates and charges for irrigation rates with setting a threshold 7,000 gallons. Water rates are low compared to other municipalities, county and other water providers. We are putting item forward tonight for your input. Water/Wastewater Superintendent Jason Langley discussed the biggest impact on water system right now is irrigation. We are currently averaging six (6) million a day. We can produce almost nine (9) million in certain areas of the system. Rock Creek is our largest customer and largest area to irrigate. Upgrades are required on system. City Treasurer Kim Creech discussed a flat Wastewater Sewer Rate of \$70.00 for any household that does not have City of Fairhope water service. Montrose customers are provided Wastewater Service by the City of Fairhope. Councilmember Burrell inquired if this is the only rate change. Mayor Sullivan commented in addition if you use of 7,000 gallons a \$1.00 increase per 1,000 gallon. Councilmember Martin inquired whether outside consultant is reviewing rates. Kim Creech commented were utilizing the past study from 2018 with escalation of rate increases by tier. Mayor Sullivan recommended a study every 3 to 5 years. Councilmember Martin discussed Grey Water. Mayor Sullivan encouraged citizens to conserve.
- The next item on the agenda was the Discussion of Master Equipment Lease/Purchase. City Treasurer Kim Creech discussed Item #18 the issuance of Master Equipment Lease/Purchase award to United Bank at an interest rate of 1.79% fixed interest rate as a bank qualified tax-exempt rate with a 3-year

term. Kim clarified this is not a lease, our equipment with financing, with United Bank as lienholder. There is no penalty to pay off loan early. Resolution authorizes execution of any and all documents by Council President, Mayor, City Clerk, and Treasurer necessary to authorize and effect the issuance and closing of Master Equipment Lease/Purchase. Bond Counsel to prepare all closing documents. United Bank will pay closing costs up to \$6,500.00. Council President Conyers commented great rate and thanked Kim Creech.

- Councilmember Martin met with Public School Commission. Three-mil tax increase going well for schools. Creating Metrix on utilization of funding. Specialty teachers are being added. Council President Conyers inquired on what is remaining on the agreement for K1 Center. City Treasurer Kim Creech commented two more payments.
- Councilmember Boone commented the Personnel Board would meet on Thursday, September 15, 2022 at 7:00 a.m. in the Mayor's Conference Room.
- Council President Council thanked Council for update.
- Council President Conyers briefly went through the Agenda Items and who would explain if needed.
- Special Projects and Grants Manager Jessica Walker discussed Item No. 12 and answered questions. She discussed submission of HMGP Grant to AEMA requesting grant funds to construct a First-Responder Safe Room. Jessica will further discuss additional grant opportunities and projects at upcoming Work Session.
- Public Works Director Richard Johnson addressed the City Council and explained items below and answered questions.
 - Items No. 14 – Southern Earth Sciences, Inc. to perform Asbestos Inventory and Abatement Plan at the K-1 Center.
 - Item No. 15 – Thompson Engineering, Inc will partner with Watershed, LLC for Professional Landscape Architectural Services for (GOMESA Grant No. G-CFNP21CF) Grant Funded Capital Improvement Project in the Triangle Property.
 - Item No. 16 – Thompson Engineering, Inc. will partner with Watershed, LLC for Professional Services on Triangle Park Capital Improvement Project (GOMESA Grant No. G-CFNP21CF) for Public Engagement and Master Planning Services on contract.
 - Item No. 17 – MW Rogers Construction Co., LLC, Change Order No. 1 for Pecan Building Phase 2 West Wing Office Remodel.

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- Item No. 19 – Roof Doctors of Alabama, Inc. for Fairhope Recreation Center and Municipal Pool Complex Roof, Trim and Soffit Repair.
- Item No. 20 – BCM Moring Company, Inc. for New Ballpark Bathrooms at Founders & Volanta Parks.
- Item No.23 – Artcraft Awning Company for new awning at the Pecan Street Building.
- Item No.25 – KDF Enterprises, LLC responsive bidder for Disaster Related Emergency Tree Services.


Richard announced ALDOT is accepting ATRIP II applications for Rebuild Alabama. Mayor Sullivan and I are in agreeance to pursue intersection of Volanta and US 98 application at next month's meeting. Applications are due November 2022.

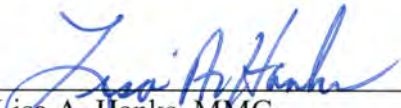
Council President Conyers briefly went through the Agenda Items and who would explain if needed.

- Building Official Erik Cortinas to discuss final adoption of Item No. 5 an Ordinance to amend Ordinance No. 1754 Known as the Right of Way Construction and Administration Ordinance, Section 10: Schedule of Fees – Rights of Way and Excavation Permit Fees and final adoption of Item No. 6 an Ordinance to authorize and grant Mediacom Southeast LLC the Rights-of-Way of the City of Fairhope, Alabama to provide cable services to citizens of the City under the terms of a Cable Television System Franchise Agreement.
- Mayor Sherry Sullivan to discuss Item No. 7 deed restrictions to the “Triangle Property”.
- City Attorney Marcus E. McDowell to discuss Item No. 8 pending real property dispute with Penelope Johnson.
- Mayor Sherry Sullivan to discuss Item No. 9 Reciprocal Agreement between Baldwin County Alabama, Baldwin County Revenue Commissioner's Office and City of Fairhope for exchanging information relating to the Building Permit Information and related documents.
- Mayor Sherry Sullivan to discuss Item No. 10 Indemnity Agreement between Oak Hollow Farm, Inc. and the City of Fairhope for the City's Christmas Event for employees at the “Barn” on December 9, 2022.
- Mayor Sherry Sullivan to discuss Item No. 11 amending Rules and Regulations for “Fairhope Docks” for paragraphs 21, 30, 32 and 33.

- Regulatory Compliance Manager Wes Boyett discussed Item No. 13 Magnolia River as selected Consultant for Natural Gas Engineering Consulting Services on Leak Prone Piping Project. We will use Engineering on project to apply for federal grant money with no match at 100%. Wes gave update that the Gas Department is 100% complete on Church Street.
- Chief Stephanie Hollinghead discussed Item No. 21 the purchase of one (1) 2022 Ford Explorer with XLT Package or equivalent for the Police Department. Chief explained this is a replacement vehicle from vehicle in accident. Insurance proceeds applied toward purchase.
- Ben Patterson discussed Item No. 22 procurement of one (1) 300 kVA 3 Phase Pad Mount Transformer from Maddox for the New Obstetrics Building. Customer has reimbursed cost. Lead time is ten (10) to twelve (12) weeks.

There being no further business to come before the City Council, the meeting was duly adjourned at 5:55 p.m.


James Reid Conyers, Jr.
Council President


Lisa A. Hanks, MMC
City Clerk



Planning Department

Development Update

September 12, 2022

Development Inventory

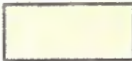


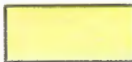



Inventory of development that has been approved since 2006.

- Status changing daily
- **What is approved? Vs. What is built?**
- We will be reviewing pre-2006 as time allows.



Development Inventory

Categories

-  Single-Family, Low Density
-  Single-Family, Medium Density
-  Single-Family, High Density
-  Multi-Family
-  RV/Mobile Home
-  Lodging
-  Commercial

Single-Family, Low Density



**1,088 Homes
Approved**

614 Inside Corp. Limits
334 Occupied

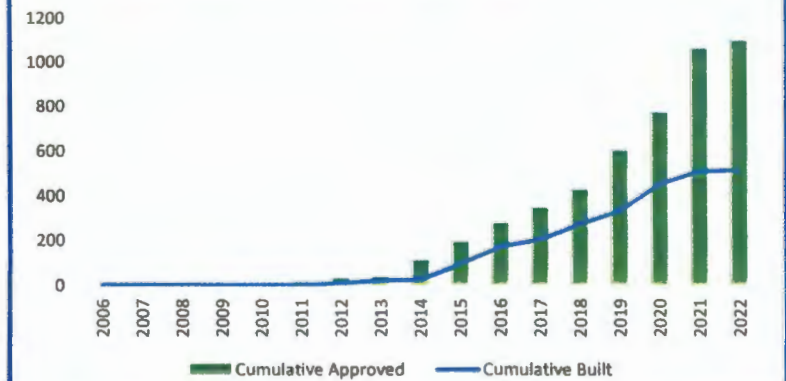
474 Outside Corp. Limits
162 Occupied

*Since 2006

Low Density Residential - By Year

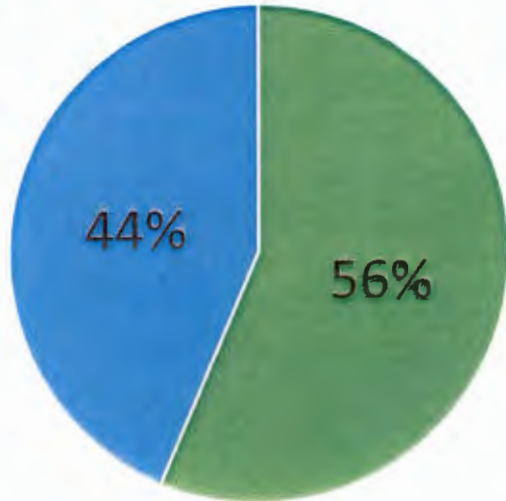


Low Density Residential - Yr to Yr Cumulative

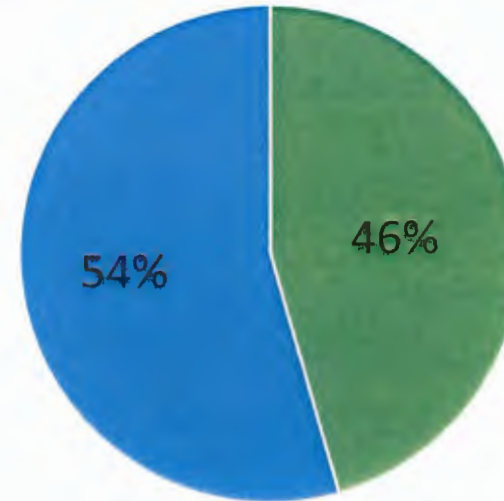


Single-Family, Low Density

■ Inside City ■ Outside



■ Built ■ Approved, Not Occupied



Single-Family, Medium Density



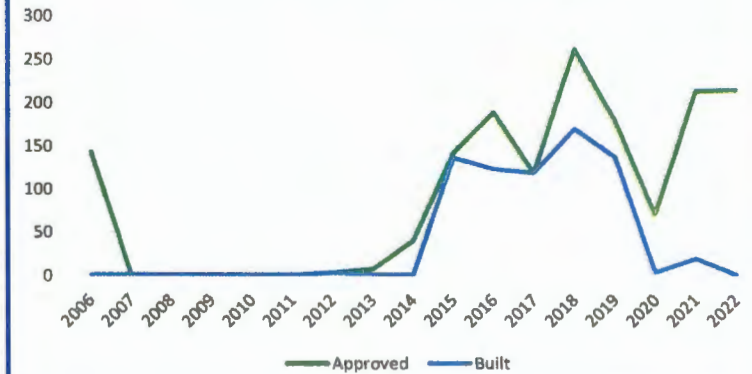
1,438 Homes Approved

1256 Inside Corp. Limits
640 Occupied

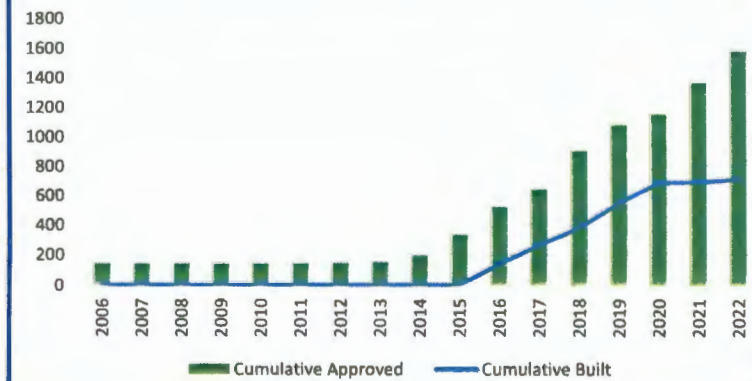
182 Outside Corp. Limits
68 Occupied

*Since 2006

Medium Density Residential By Year

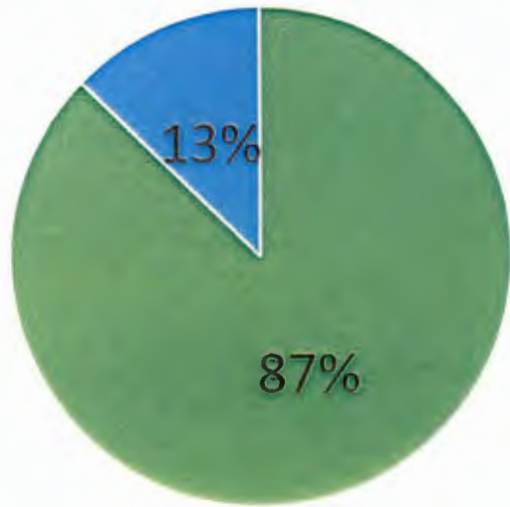


Medium Density Residential - Yr to Yr Cumulative

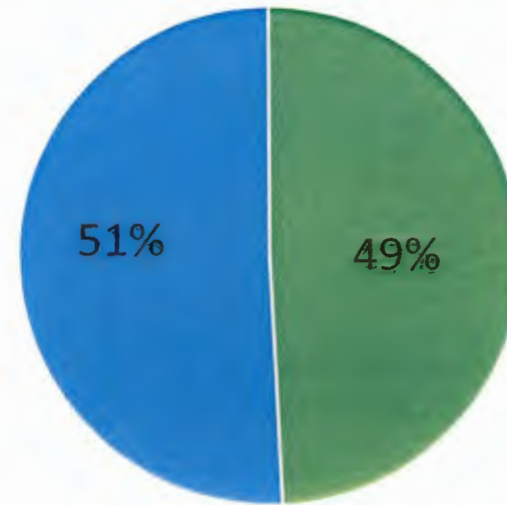


Single-Family, Medium Density

■ Inside City ■ Outside



■ Built ■ Approved, Not Occupied



Single-Family, High Density



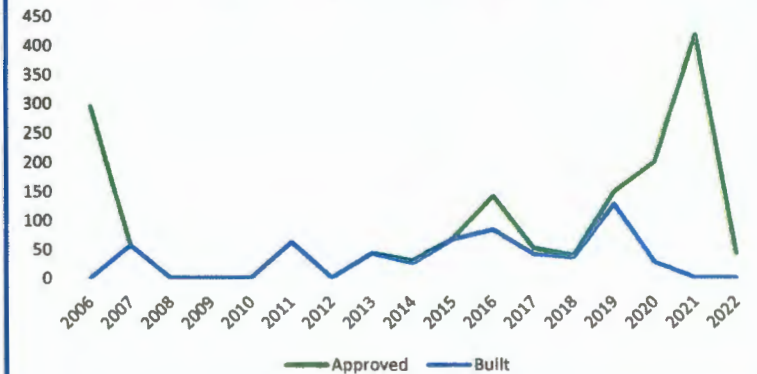
1,602 Homes Approved

1306 Inside Corp. Limits
565 Occupied

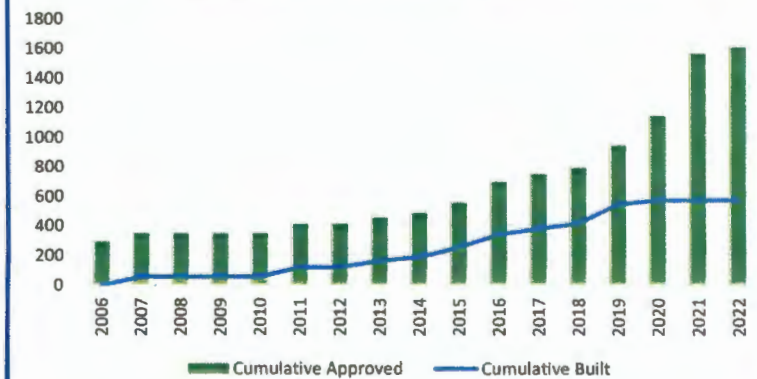
296 Outside Corp. Limits
40 Occupied

*Since 2006

High Density Residential - By Year

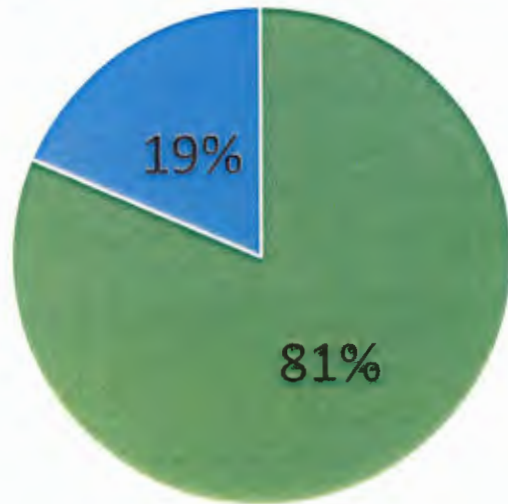


High Density Residential - Yr to Yr Cumulative

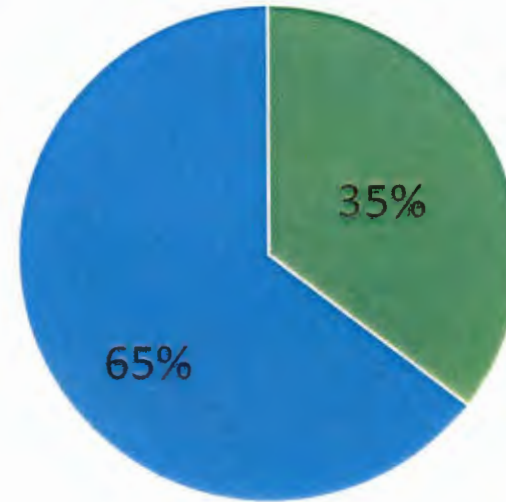


Single-Family, High Density

■ Inside City ■ Outside



■ Built ■ Approved, Not Occupied



Multi-Family

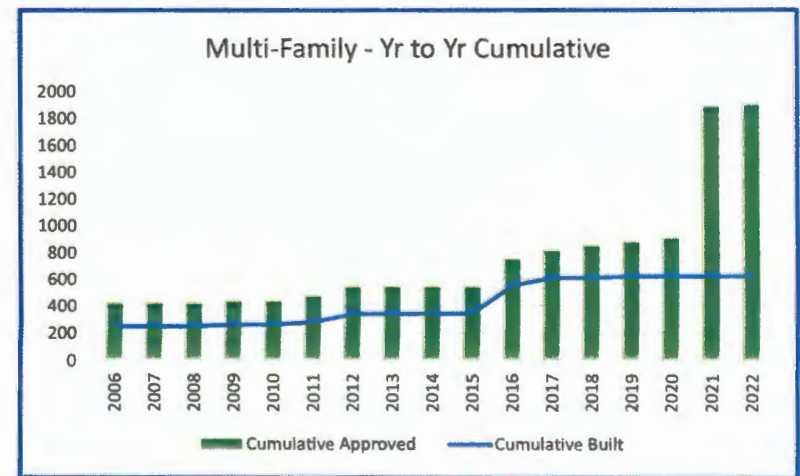
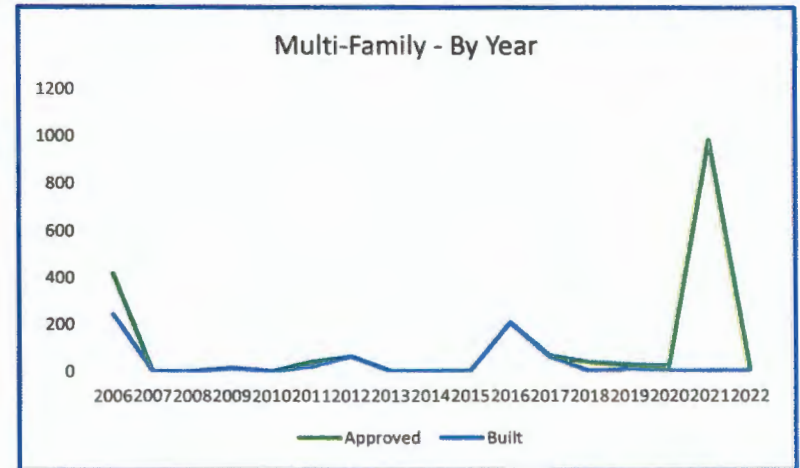


**1,899 Units
Approved**

1616 Inside Corp. Limits
619 Occupied

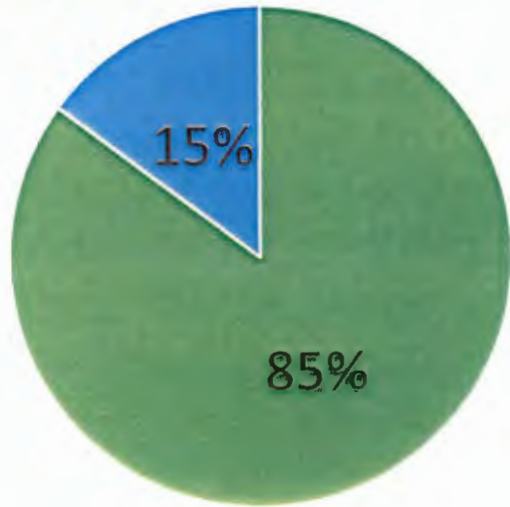
283 Outside Corp. Limits
3 Occupied

*Since 2006

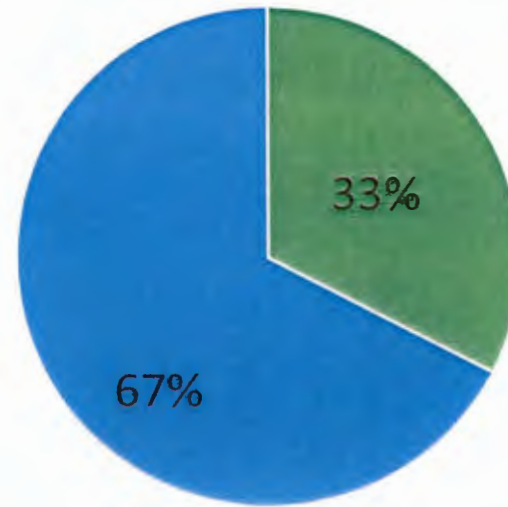


Multi-Family

■ Inside City ■ Outside

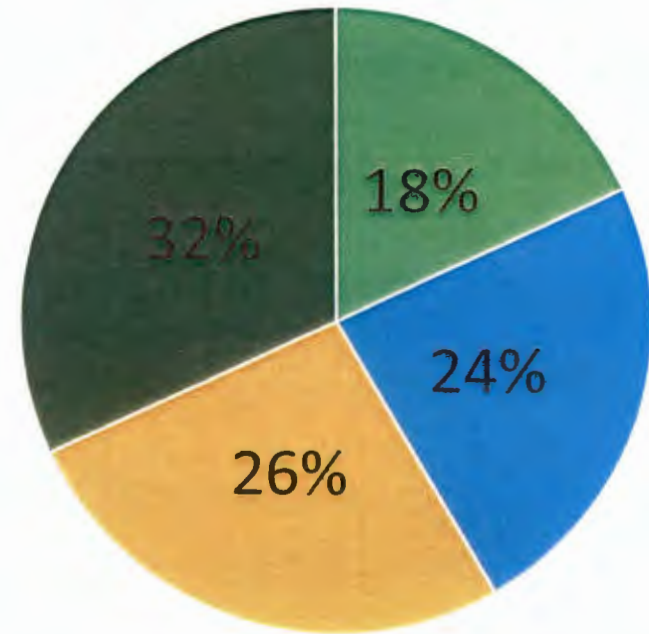
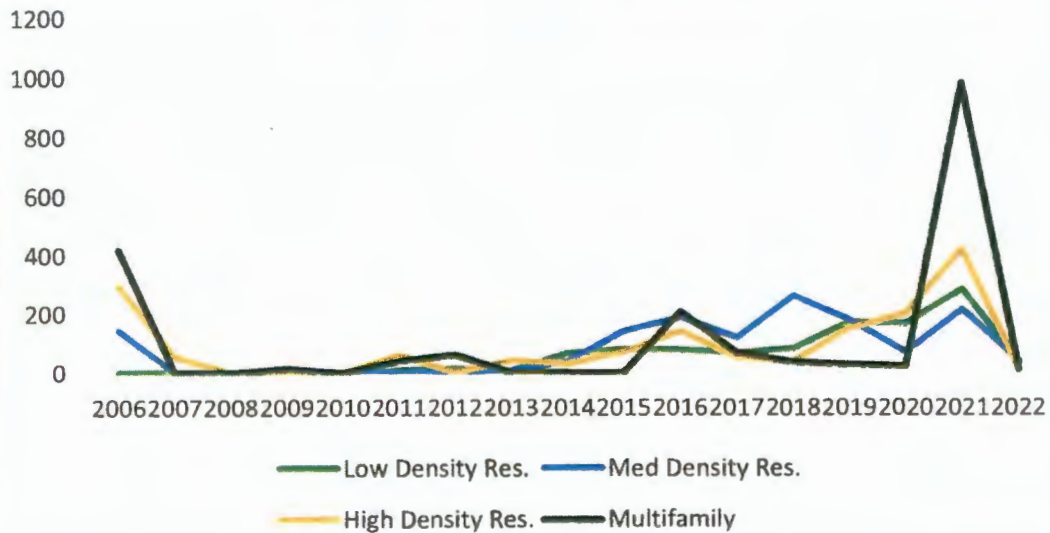


■ Built ■ Approved, Not Occupied



Residential Trend

Residential Trend (Approve)

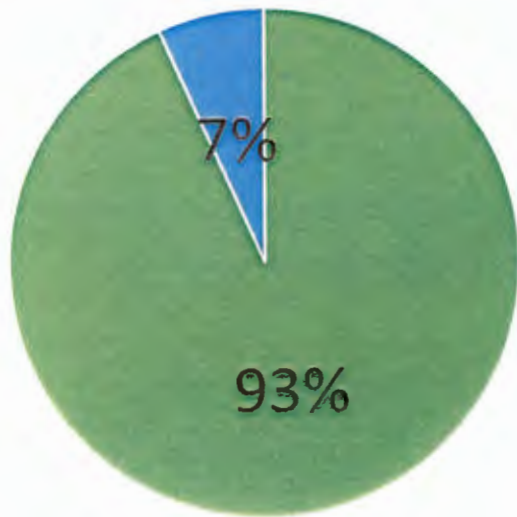


■ Low Density Res. ■ Med Density Res. ■ High Density Res. ■ Multi-Family

Development Inventory

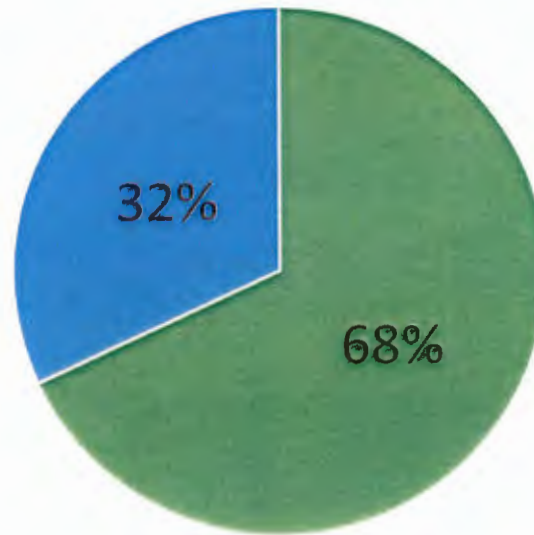


Residential Trend



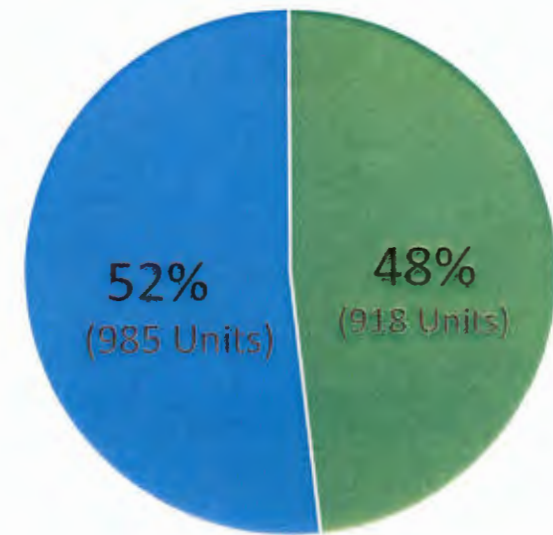
■ Single-Family Residential ■ Multi-Family

Historical Pattern



■ Single Family Residential ■ Multi-Family

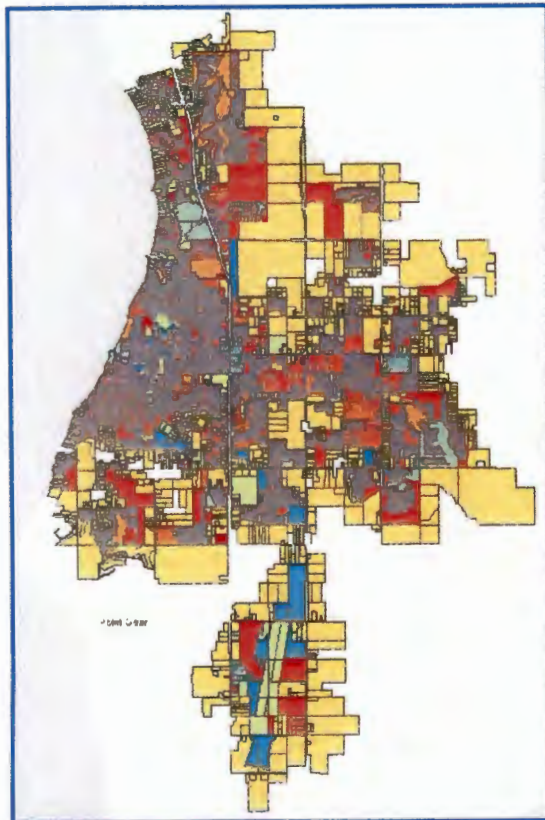
Recent Pattern (Since 2006)



■ Single Family Residential ■ Multi-Family

2021

Current Land Use



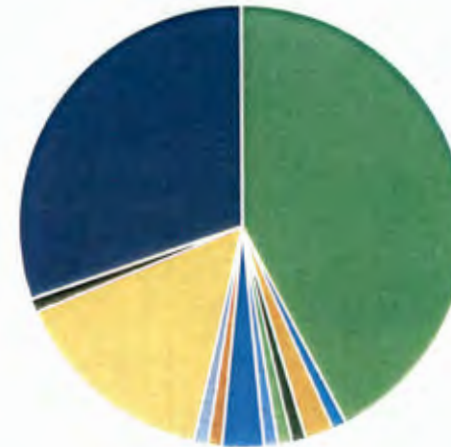
- Agriculture
- Civic
- Commercial, Office
- Commercial, Retail
- Greenspace
- Industrial
- Institutional
- Medical
- Mixed Use
- Not Classified
- Other
- Parking
- Recreation
- Residential, Multi-Family
- Residential, Single-Family
- Undeveloped
- Unused
- Utility

The Comprehensive Plan team mapped the current land use within the Corporate Limits.

Current Land Use

Land Use	Acreage
Residential, Single-Family	4,042
Residential, Multi-Family	109
Commercial, Retail	178
Commercial, Office	136
Mixed Use	13
Medical	47
Civic	74
Institutional	101
Industrial	34
Recreation	38
Greenspace	321
Parking	52
Agriculture	14
Unused	125
Undeveloped	1,484
Utility	51
Other	2,882

Current Land Use



- Residential, Single-Family
- Residential, Multi-Family
- Commercial, Retail
- Commercial, Office
- Mixed Use
- Medical
- Civic
- Institutional
- Industrial
- Recreation
- Greenspace
- Parking
- Agriculture
- Unused
- Undeveloped
- Utility
- Other



Projections

Persons Per Household

A multiplier of **2.60** was used for this study, which is derived from the U.S. Census. More information can be found at the following link:

<https://www.census.gov/quickfacts/fact/note/US/HSD410220>

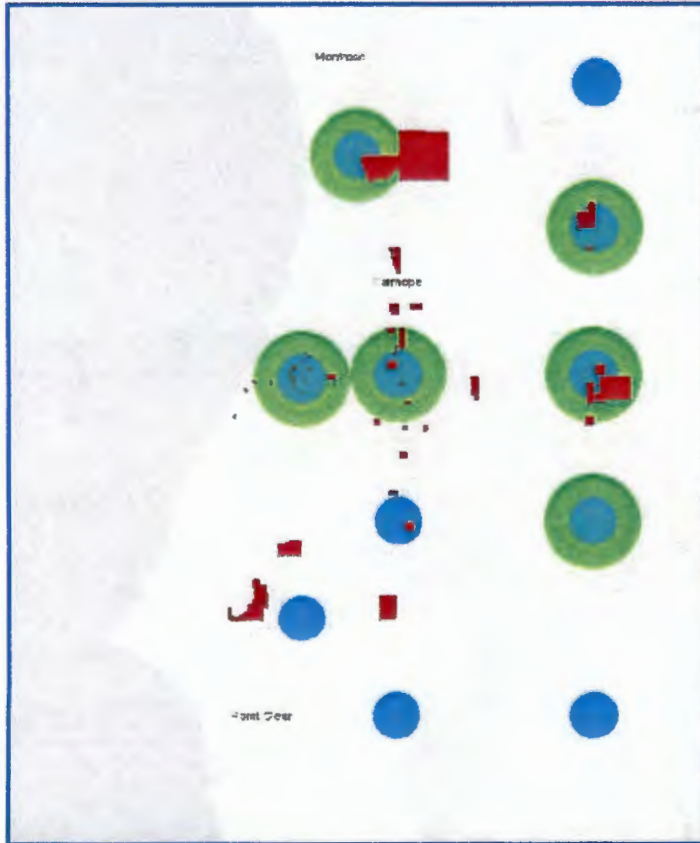
Projects approved through Planning Department applications account for an estimate *total population growth* of **15,595** since 2006.

Occupied households account for an estimated **6,243** residents.

Approved, but not yet built/complete, projects account for an estimated additional **9,352** residents.

	# of Households Approved	Persons Per Household	Total Projected Population Growth
Occupied	2401	2.6	6,243
Not Yet Occupied	3597	2.6	9,352
	5998	2.6	15,595

Commercial



Commercial Projects are more diverse and, thus, more difficult to monitor.

Some approvals consists of vacant lots with no short-term plans. Others create units within mixed-use developments. The map on the left illustrates approved projects that had a commercial component (in red) juxtaposed with the currently approved nodes of the comprehensive plan.

Explicitly, this reflects 1.25 million s.f. of commercial approved. Approximately 740,000 s.f. is occupied. Undeveloped acreage is not included.

Uses are not reviewed outside the Fairhope's corporate limits, so lots created in those areas may/may not become commercial. Much of the Fairhope's Planning Jurisdiction is now zoned by Baldwin County, which will have some restrictions on use.

RV/Mobile Homes



155 RV/Mobile Home 'Lots' were also created.

Lodging



Only 26 Lodging Units were created, but we are receiving more interest and foresee this number will grow exponentially.

What is NOT Included in this Study

Projects that were not reviewed by either City Council/Planning Commission. Some examples include:

- Single-Tenant/Owner Commercial
 - ALDI
 - University of South Alabama Surgery Center/Campus
 - Gas Station/Convenience Store (Wawa)
 - Storage Units
- Exempt Project, such as school expansions.
- Renovations
 - Additional bedrooms added
 - Additional commercial s.f.



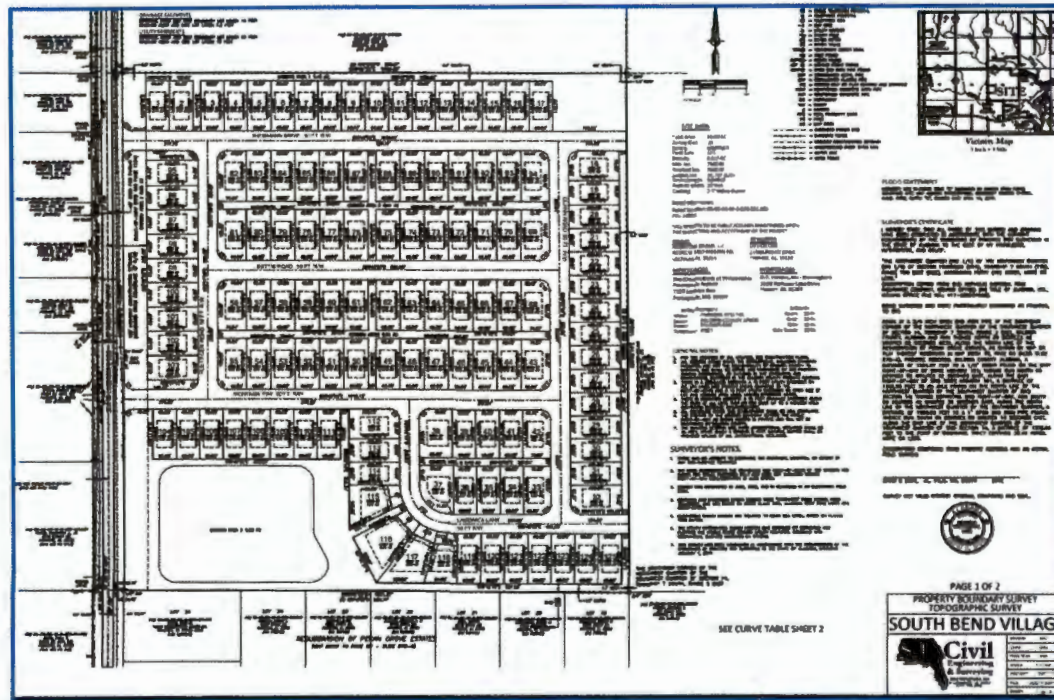
What is NOT Included in this Study

- Additional acreage added to the TR District.
- Homes built on vacant lots created prior to 2006.
- “Family Subdivisions” exempt from Baldwin County Subdivision Regulations.
- Other projects that are ‘straight to permit’.



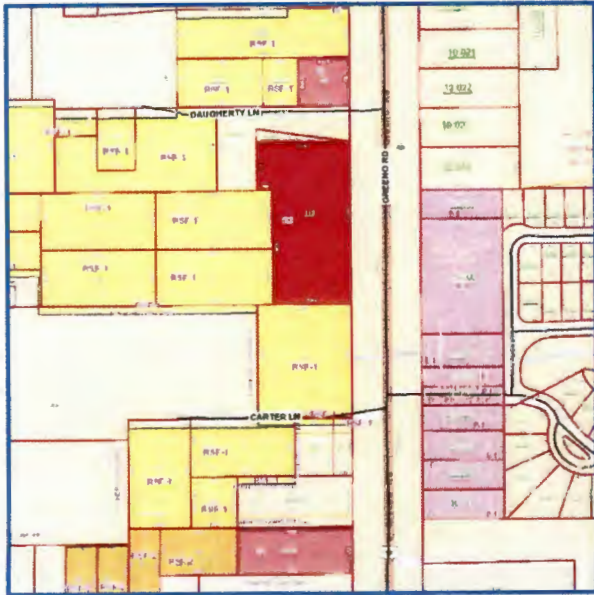
What is NOT Included in this Study

- Subdivisions approved by Baldwin County Planning Commission.

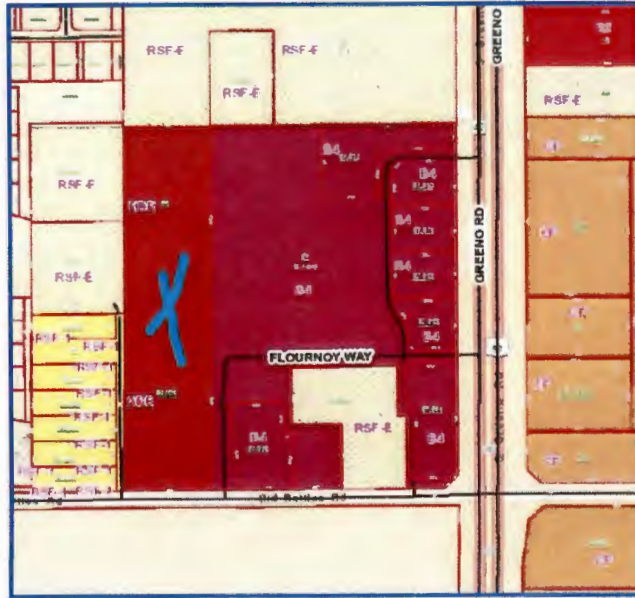


What is NOT Included in this Study

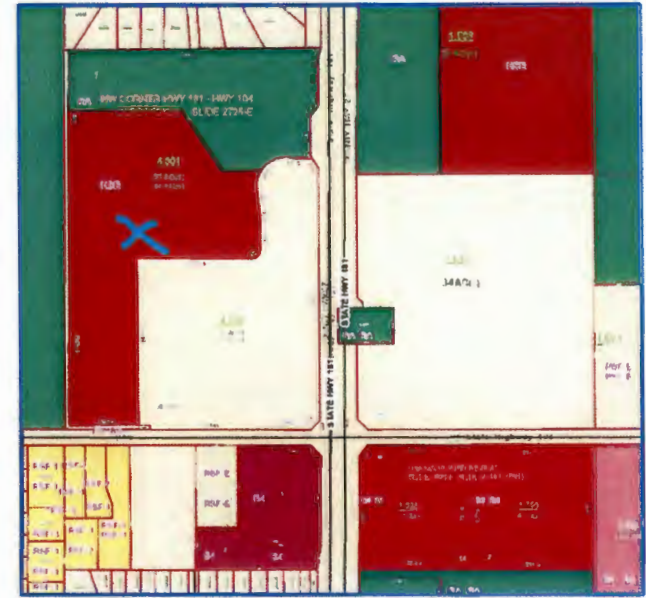
- Newly zoned property in Baldwin County Planning Districts. Examples:



New Commercial Zoning



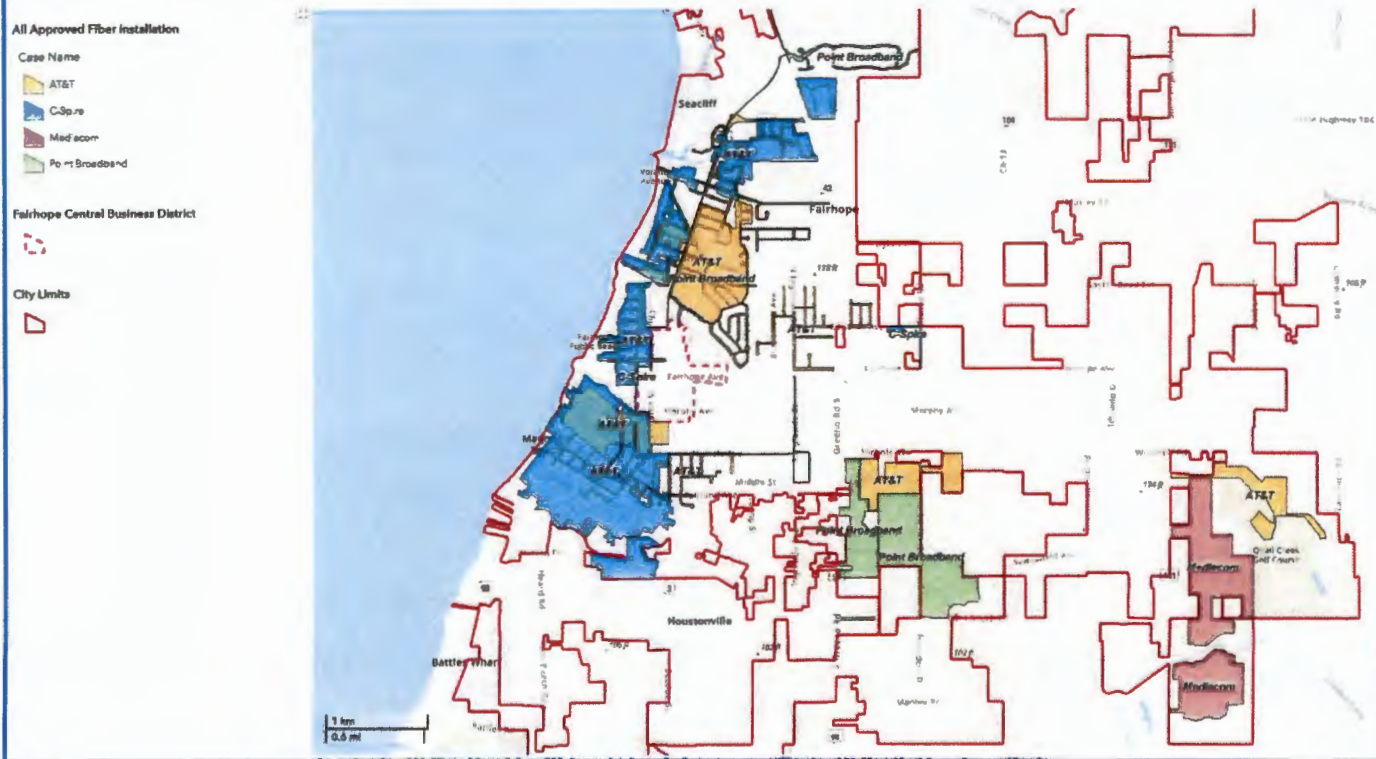
High density Residential (Up to 15 Units/Acre)



High density Residential (Up to 15 Units/Acre)

Communications

City of Fairhope Approved Fiber Installation



~100 miles of new fiber/communication lines have been approved through Planning Commission reviews. This does not include linear feet included within new subdivisions.

Moratorium

City implemented a Moratorium for new, in general, large subdivision cases outside Corporate Limits, but within the Planning Jurisdiction.

The moratorium did not include building permits or projects inside city limits.



What have we done?

- Large projects must meet with utilities prior to applying with the Planning Department.
- Implemented Citizenseve software for Planning Department. Applications will be received for planning by end of year. Greatly aided the planning/building review process.
- Developed new application and in-take process. Roll-out will be by end of the year.
- Scanning all historical planning files. Completion expected in FY2023.
- Continued work/meetings on the new Comprehensive Plan.
- Right-of-way Ordinance updated (Building Department and Public Works).
- Planning Department is fully staffed.
- Mapping all sidewalks/bike paths. Application is created. Bike/ped committee completing.
- Continued conversations/resolutions regarding impacts of SB107.
- Comparative analysis of planning related fees. Proposed updated fee schedule expected by end of year.
- Continued renovations to new Planning Department offices.



Amendment Timeline

August

- Staff and Workgroup Discussions
- Presentation to City Council regarding approved developments

October

- Agenda item for adoption of subdivision amendments
- Agenda item for recommendations to Zoning Ordinance.

December

- Zoning Amendments for Council Adoption

September

- Agenda Item for Discussion
- Feedback from Architects, Engineers, and Developers

November

- Revisions to Proposed Subdivision Regulations (If needed)
- Council Work Session - Zoning Code Amendments

2023

- Adopt Revised Comprehensive Plan
- Revise Ordinances to meet goals of Comp Plan



Amendment Priorities

Moratorium

- Higher Sense of Urgency
- Timeline Before End of Year

Comprehensive Plan/Long-term goals

- Long-range Goals
- Comp plan team is assisting

Zoning Ordinance Amendments

New Zoning Districts

- Recreation (Passive)
- Recreation (Active)
- Conservation District

Mixed-Use

- Mixed-use requirements need to be consistent within the Ordinance as a whole.
- Commercial Component is important. Short-term rentals count?

Short-term Rentals

- Clarify Intents.
- May need to amend other regulations/procedures.

Other Amendments

- Clarification on triggers for Site Plan Review
- Building height clarification
- Max lot coverage for impervious surface
- R-6 vs. Cottages
- Accessory structure vs. building vs. dwelling.
- Pools
- Covered walkways
- Parking requirements in CBD for office space.
- Stand-alone ordinances. Red Soil and Clay, Erosion Sediment Control, etc. into Subdivision Regulations.



Subdivision Regulation Amendments

Proposed new exemptions:

- “Utility Lots” or Public Infrastructure Lots
- Conservation Lots
- MOP Closeout Procedures
 - Technically, not an exemption, but an administrative closeout procedure since MOP’s do not require plats.

Fire Protection:

- Volunteer Fire Departments are caught unaware.
- Require developers to alert local fire departments when performing fire flow test.

Stormwater:

- Solutions for sites with existing problems.
- A different set of design criteria when moving runoff from one drainage shed to another.
 - Mass balance equation creates winners and losers.
- Clarification on analysis.
 - 10% rule is vague.
- Volume?



Subdivision Regulation Amendments

Environmental:

- Review existing buffer requirements
 - Compare with surrounding agencies
 - What can be done within a buffer
- Greenways
- Mitigation/Restoration requirements.

Greenspace:

- Clarify what can/cannot be counted for greenspace?
- If ponds are inaccessible, but wet, should they be counted?
- Landscape/Plants required?

Lots/Plats:

- Standard Plat Comments (Appendix Item)
- Common area lots: Remnant vs. Lot Count



Subdivision Regulation Amendments

Roads/Traffic:

- Is there a standard for growth rates that better reflect actual trends?
- Review desired intersections for study at pre-application meeting.
- Create a local road classification map/designation.
 - Many subdivisions should utilize a hierarchal road network.
- Installation/maintenance of city roads, both during and after construction.
- Clarify typical street sections and resolve with ROW ordinance.
- Parking requirements
- 'Failing': C or D?



Procedures

New Zoning Districts (County)

- Procedures for review. What happens after July 2023?
- Waivers supported if new zoning allows?

Multiple Occupancy Project

- Road Standards. Drive vs. "Private Streets"
- Lodging
- Location
- Clarify final review procedures. What are closeout procedures?
- What triggers an MOP? Clarifications when an existing project exceeds 3 units?
- Do we need MOP subtypes?

Variances vs. Special Exception

- Revise applications for clarifications.

Final Plats and Bond Closeouts

- Do we need to revise current regulations or more stringently enforce existing?
- Clarify our expectation regarding punch lists. Engineer/Developers responsibility.
- Benchmark inspections?

Agenda

- Application In-take/Pre-app requirement.
- Formal agenda clarifications.



Other

Right-of-Way Ordinance

- First phase approved by City Council
- Review of other sections will consider more specific items and how they correlate to subdivisions.

Fee Schedule

- The Planning Department fee schedule has not been updated since 2005.
- True advertising costs need to be accommodated for in revisions.

Utility “DRC” Review

- This is a working title, but our utilities are working toward a monthly meeting to review upcoming projects.
- Utility availability letters will generate from these meetings, so Subdivision Regulations will need to refer to this requirement.

Remove Conflicts

- Planning regulations do not need to conflict with other regulations, such as Tree Ordinance, Wetlands Ordinance, etc.



Other

Inventory of Approved Cases

- What has been built and what is coming?

Bike/Ped

- Map all existing sidewalks
- Prioritize “filling the gaps”
- ‘In lieu of fees’ where sidewalks are not practical.
- Bike route masterplan.

Citizenserve

- Should be ‘going live’ with new software before the end of the year.

Sign Ordinance

- Sign Ordinance needs an overhaul
- Sign should scale with buildings, but have overall max s.f.

