

FEAB MEETING MINUTES

October 14, 2022

3:00 p.m. in the Public Utilities Conference Room, 555 South Section Street

Member Attendees: Gary Gover, Jim Horner, Ben Frater, Amy Paulson, Nigel Temple, Rick Speight, Nicole Love, Darrel Williams, Jennifer Foutch

Members not in attendance:

None

City of Fairhope: Kim Burmeister -Planning and Zoning Department; Jessica Walker, Special Projects and Grants Manager

City Council: None

Honored Guests: Anna Keene Miller, Keen Living

Minutes taken by: Kim Burmeister

Amy called the meeting to order at 3:00 p.m.

Summary of meeting:

1. Amy will draft tentative schedule for FEAB members to attend Work Session and/or Council Meetings in the future.
2. FEAB council representative needs to be alerted (by FEAB) prior to Work Session or Council Meeting if there are agenda items of relevance to FEAB
3. City has not approved park management plans at this time but FEAB advisories for park management plans, including Colony Nature Park, are in the comments section of the Comp Plan draft. FEAB hopes city will consider adopting park management plans.
4. Ashley Campbell with Baldwin County is working with the Joint Environmental Advisory Committee to draft standardized buffer and wetland ordinance. City of Fairhope Planning Staff is working on subdivision regulation amendments draft as well as wetland ordinance amendment drafts.
5. Anna Keene Miller (anna@keenliving.pro) has information on grant moneys for green energy / energy efficiency projects for municipalities and public utility companies.

FEAB Minutes:

September minutes were approved as written.

Agenda provide by Amy:

AGENDA

THE CITY OF FAIRHOPE ENVIRONMENTAL ADVISORY BOARD MONTHLY MEETING

OCTOBER 14, 2022 / 3-4 PM, PUBLIC WORKS CONFERENCE ROOM

1. Housekeeping (~10 min)
 - a. Priority Setting and Engagement, 2023 – Amy
 - b. Biweekly attendance at Council Meetings - Amy

2. POC Status Reports on FEAB 2022 Priority Focus Issues and Old Action Items (~20 min)
LIMITED DISCUSSION – PASS IF NO NEWS TO SHARE
 - a. City Liaisons
 - i. City Council – Corey, Jennifer
 - ii. Mayor – Amy, Nicole
 - iii. City Departments – Kim, Christina, Jessica
 - iv. Baldwin County Env Advisory Committees – Amy, Kim
 1. Wetlands (red clay, LID, etc.)
 - v. Fairhope Committees' Joint Projects
 1. Bike and Ped, Harbor Board, Recreation Board, Recycling Committee, Historic Preservation

 - b. Greenspace (Comprehensive LUP, and COF Boards Joint Subcommittee for Greenspace) – Ben, Darrel
 - i. LUP Comments / Engagement – consolidated FEAB strategy needed?
 - ii. Greenspace Subcommittee

 - c. Wetlands Protection – Amy
 - i. Baldwin County initiative
 - ii. Schedule engagement with COF – November

 - d. Community Resiliency Index – Nicole
 - e. Eastern Shore Watershed Management Plan - Nicole
 - f. Recycling and Trash – Jennifer

3. New Business / Other Interests (< 5 min)
LIMITED DISCUSSION – PASS IF NO NEWS TO SHARE
 - a. Stormwater – Jim / Nigel
 - b. Earth Day 2023 and local outreach projects/partnerships – follow up from last month?

4. Involvement Opportunities (< 5 min)

5. Wrap up (< 5 min)
 - a. New action items – review/list
 - b. Next Month's meeting topics:
 - i. Wetlands discussion re: Baldwin County Coalition of EABs standardization effort
 - c. Adjourn

FEAB Priorities for 2023

This will be discussed at next meeting. Members encouraged to draft ideas.

Council / Planning Commission Attendance:

Amy opened discussions on the idea of creating a schedule for FEAB members to attend Council Meetings, and/or work sessions. Previously not everyone was in support of being on a schedule for council attendance. Amy said it is importance not just for information

but for FEAB to have an appearance at the meetings. She thinks presence at council is important. Council meetings are 2x / month.

Jim suggested Work Session attendance since these are a set time (1.5 hours) whereas council meetings can last several hours.

Ben suggested member in attendance should be in accordance to the agenda items, if any are pertinent to FEAB topics. Ben also suggested FEAB draft a procedure on how to immediately address topics at Council if member is called on to speak (particularly if FEAB has not passed a formal motion on its position on said topic). Ben said City Clerk might consider including FEAB member discussion in the work session and/or council agenda if Corey pre-approved.

Agendas are usually presented on-line Thursday prior the meeting, per Jessica. Jessica encourages work session attendance, and suggested council representative (Corey) be given a heads up by FEAB on their opinions of any pertinent topics. Corey may elect to have FEAB speak at the work session. Also, let Corey know ahead of time who from FEAB will be at the work session (and/or council meeting).

Nicole suggested, if schedule is drafted, everyone do their best to keep on schedule. She also suggested a checklist for member to help prepare, prior to council meeting, and/or work session.

Action plan: Amy will draft a tentative schedule for consideration prior to the next FEAB meeting. She will include draft procedures as mentioned by Ben and checklist as suggested by Nicole. This will be further discussed at November's meeting.

Park Management Plan

Amy mentioned recent frisbee golf development at Colony Park. She asked Jessica the status of park management plans with the City ---specifically Colony Nature Park. Jessica said FEAB's comments on park management plans are included in the Comp Plan draft, and she will check to see if there are any other updates. Otherwise, Pat White would be the person in charge of Park Management.

Kim referenced the recent FEAB Motions spreadsheet (attached) which mentions status of FEABs advisories on park management plans. The Motions spreadsheet also notes FEAB's recommendation on park management plans as a budget priority for 2023.

Gary referenced the 2010 Park Management Plan for Colony Park. Kim mentioned that this was a park management plan from Single Tax (previous property owner) and was never officially approved by City of Fairhope. Mayor and staff are both aware of the previous park management plan and the desire to develop park management plans for all city parks. Ben stated park management plans are likely on hold until comp plan is approved, since this might likely be a component of the new comp plan.

Jennifer asked for details of the 2010 Park Plan for Colony Park. Nigel said it mainly involves mowing and maintenance practices, since this park sits on a tributary to Cowpen Creek and within a flood plain.

Comprehensive Land Use Plan:

Ben is on the Steering Committee for the comp plan as the FEAB representative. Recent meeting in October was postponed, due to incomplete information in the draft per Jessica.

Jim is disappointed the comp plan does not appear to address projected growth (10 – 20 years). Daphne's includes projected growth. Jessica encouraged Jim to submit this as a comment from FEAB when meeting is rescheduled (Ben can mention this on behalf of FEAB).

Wetland Ordinance / Subdivision Regulation updates:

Amy said Ashley Campbell, Baldwin County, is working with Joint EAC on drafting language for standard wetland regulations across jurisdictional lines. This will include standard buffer languages.

Kim provided an overview of Fairhope's buffer language from the subdivision regulations and suggested it would be helpful to have a standard buffer width for all critical areas including wetlands and gullies. The current language is confusing. Buffer language below for review. Hunter and Michelle are considering language revisions for the Sub Regs and environmental ordinances, including Wetland Ordinance.

4. **Stream Buffers** –

- a. An undisturbed streamside buffer (buffer) is an area along a shoreline, wetland, or stream where development and redevelopment is restricted or prohibited. The primary function of the buffer is to physically protect and separate a stream, lake, bay, or wetland from future disturbance or encroachment. Buffers can provide storm water management and sustain the integrity of stream ecosystems and habitats. Buffers can be applied to new developments and redevelopment by establishing specific preservation areas and providing management of the buffers through easements or homeowner’s associations. For existing developed areas, an easement is typically required from adjoining landowners. Waivers in accordance with Article VII may be requested if the developer or landowner can demonstrate hardship or unique circumstances that make compliance with the buffer requirement difficult.
- b. A buffer layer in the City’s GIS system has been developed to show buffer limits along streams within the City’s planning jurisdiction. The following Buffer widths used to develop the buffer layer for streams, are shown in the following table and are measured from the top of bank as defined in Article II of these subregulations. Buffer widths for ponds, Mobile Bay, jurisdictional wetlands as determined by the Alabama Department of Environmental Management and the Army Corps of Engineers, and any lakes, ponds, and isolated wetlands are also shown in the table. The buffer requirement applies to streams beginning at a point where the drainage area is 100 acres or greater.

Feature	Buffer Width (feet)
Fish River	100
Other Watersheds	50
Mobile Bay	50
Wetlands (Jurisdictional and Isolated)	30
Ponds/Lakes/Isolated wetlands	30

- c. The buffer applies to all properties except those properties that are an existing lot of record and/or included on an approved preliminary subdivision plat (as of appropriate date).
- d. Allowable uses in the buffer include: flood control structures; utility easements as deemed necessary and approved by the Planning Director or his authorized representative; natural footpaths; greenways, paved roadways; pedestrian and bikeway crossings perpendicular to the streamside including

Figure 1 City of Fairhope Subdivision Regulations (2022)

<i>Article V</i>	<i>Section F.</i>
<i>Planning Design Standards</i>	<i>Storm Water Standards</i>
	<p>approaches, dock and ramp access, and other uses as determined by the Planning Director or his authorized representative. All buffer disturbances associated with allowable uses shall be to the minimal extent practicable and all disturbed areas shall be stabilized as soon as possible.</p>
e.	<p>The vegetated target for the buffer shall be undisturbed natural vegetation. Any of the allowable uses shall be designed and constructed to minimize clearing, grading, erosion, and water quality degradation.</p>
f.	<p>Land in the buffer shall not be used for principal structures and accessories, such as swimming pools, patios, etc. All new platted lots shall be designed to provide sufficient land outside of the buffer to accommodate primary structures. Buffers should be delineated before streets and lots are laid out to minimize buffer intrusion and to assure adequate buildable area on each platted lot. Land within the buffer can serve to meet the minimum lot requirements.</p>
g.	<p>Buffer impacts are inevitable with development. Modification and mitigation of the buffer width are available to landowners or developers of newly platted lots or subdivisions where there are exceptional situations or physical conditions related to the parcel that pose practical difficulty to its development and restrict the application of the buffer requirements. The landowner or his designated representative may prepare and submit for approval a written request and site plan showing the extent of the impact of the buffer on the proposed project and specify a proposed buffer mitigation plan. The Planning Director or his authorized representative will review and render a decision on the buffer encroachment and proposed mitigation within 30 days after receiving the request. In no case shall the reduced width of the buffer be less than 25 feet. Applicants can appeal the decision of the Planning Director or his authorized representative's decision to the Planning Commission.</p>
h.	<p>In order to maintain the functional value of the buffer: dead, diseased, or dying trees that are in danger of falling and causing damage to dwellings or other structures may be removed at the discretion of the landowner; debris in the buffer that is a result of storm damage may be removed; and, invasive plant species may be removed if they are replaced by native species. A buffer restoration plan must be approved by the Planning Director or his authorized representative.</p>
i.	<p>Stream boundaries including each buffer zone must be clearly delineated on all grading plans, subdivision plats, site plans and any other development plans.</p> <p>(1) The outside limit of the buffer must be clearly marked on-site with permanent signs placed every 100 feet, or at least one (1) sign installed per lot for lots less than 100 feet wide, prior to any land disturbing activities, or in the case of minor subdivisions, prior to approval of the minor subdivision plat. The Planning Commission reserves the right to require an alternative signage spacing distance to accommodate irregular-shaped lots and/or irregular-shaped wetland boundaries.</p>
	<p><i>Streams and buffer limits must also be specified on all surveys and recorded plats and</i></p>

Figure 2 City of Fairhope Subdivision Regulations (2022)

Stream and buffer limits must also be specified on all surveys and recorded plats and noted on individual deeds. Buffer requirements must be referenced in property owner's association documents and shall be labeled on the plat.

- (a) For major subdivisions, permanent wetland buffer signage shall be a minimum 1'-0" wide x 1'-6" tall 0.080" aluminum sign face, with black text over a white background reading "WETLAND BUFFER BOUNDARY"

FAIRHOPE SUBDIVISION REGULATIONS

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Article V

Section F.

Planning Design Standards

Storm Water Standards

with text scaled to fit the sign face. Signpost shall be a 2" x 2" x 0.188" galvanized steel tube or galvanized u-channel. Signpost shall be embedded in concrete a minimum of 2'-0" deep and 1'-0" in diameter with signpost centered in the concrete. Top of sign when attached to signpost shall be a minimum 6'-0" above grade. Sign shall be attached to signpost with a minimum of two, 3/8" cadmium plated bolts with cadmium plated nuts and washers.

- (b) For minor subdivisions, temporary wetland buffer signage shall be a minimum 1' - 6" wide x 1' - 0" tall 4mm thick plastic corrugated sign face, with black text over a white background reading "WETLAND BUFFER BOUNDARY" with text scaled to fit the sign face and applied to both sign faces. Signpost shall be 9 gauge wire 6.7" wide x 17.7" tall double "H" sign stakes installed as typical. The planning commission reserves the right to require permanent wetland buffer signage for minor subdivisions if the intensity of the development may affect wetlands during or after development.
- j. When a landowner or his representative obtain permits from ADEM or the Army Corps of Engineers that results in impacting the buffer then approved mitigation of these impacts based on the permit conditions supersede the applicable components of the buffer requirements in areas covered by the permit. The buffer requirements for areas not covered by the permit shall be applicable to the remainder of the proposed development site.

Figure 3 City of Fairhope Subdivision Regulations 2022

FEAB subcommittee on greenspace:

Darrel and Katie (Bike Ped Committee) are working on greenspace regulation review. They are in conversation but have not formerly met yet. Amy suggested main objective of the meeting be to look for compatible areas for mountain bike trails within the city of Fairhope. Airport authority has a lot of undeveloped property per Ben. Jessica said there may be restricted uses on airport property.

Energy Efficiency

Anna Keene spoke about upcoming grant opportunities for energy assessments and upgrades. Building Codes offering “stretch codes” is one application, offering incentives to builders who voluntarily elect for more stringent standards. There are other municipalities in the SE who are offering “stretch code” incentives. There also may be grant money for public utility projects targeting low income areas for green energy / energy efficiency improvements.

Jim stated Babcock Ranch is a very large home development NE of Ft. Myers. It was barely damaged by Hurricane Ian. It would be very instructive to get a copy of their building codes to learn how they achieved such a high degree of resilience.

[Neighborhood-Design-Guidelines-Revised--2821 \(civicplus.com\)](https://www.civicplus.com/neighborhood-design-guidelines-revised-2821)

Babcock Ranch, FL: Q&A Discovery Center Ph. #: 941 235-6900

Meeting adjourned at 4 p.m.

Next meeting is Thursday, November 10th @ 3:00 p.m. @ Public Utilities Conference room. ****November’s meeting date is on a Thursday because of upcoming holiday November 11th (Veteran’s Day, city facilities will be closed)**

FEAB CONTACT INFORMATION:

Chairman:

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