

Town of Perdido Beach- Planning Commission
August 5, 2015-6:30 pm-Town Hall

The Planning Commission of the Town of the Perdido Beach held its regular meeting at the Town Hall on August 5, 2015. Mr. Jim Brewer, Chairman called the Meeting to order at 6:30 pm.

Members Present: Commissioners: Mr. Tom Bloxham, Mr. Jerry Reagan, Chairman Jim Brewer, Mayor Patsy Parker, Mr. Steve Love, Mr. John Dobbs, Mr. Gary Kiefer, and Mrs. Lynn Thompson-Secretary.

Members Absent: Council Member Priscilla Condon

Others Present: Mrs. Diane Burnett-SARPC and Members of the Town.

Invocation: Mayor Parker **Pledge of Allegiance:** Tom Bloxham

Hearing of Applications: None

ITEM: Reading and approve the July 1, 2015 Regular Meeting Minutes.

Motion by Mr. Love, seconded by Mr. Bloxham to approve the July 1 2015 Minutes.

No Discussion:

Roll Call:

"YES"

"ABSTAIN"

"NO"

Mr. Bloxham
Chairman Brewer
Mayor Parker
Mr. Dobbs
Mr. Love
Mr. Kiefer
Mrs. Thompson

Mr. Reagan

All in favor-motion carried to approve the minutes as presented.

Public Comments: Mayor Patsy Parker gave a report on shoreline protection through the use of "Living Shorelines" and "Pocket Beaches"

Guest Speakers: None

Officer's Reports:

Mayor's Report: (Written Report Attached)

Chairman's Report: No Report

(SARPC) Representative Report: No Report

Unfinished Business:

ITEM: Public Hearing September 2, 2015 Planning Commission Meeting to hear public input either in favor of or against a proposed text amendment to the Town of Perdido Beach Land Use and Zoning Ordinance.

Proposed Text Amendment: Add wording from Town of Perdido Beach Subdivision Regulations Section 12.11.3 a (1) Design Requirements, to the existing statement -page 40 Land Use and Zoning Ordinance Article XIII- 13.9 Erosion Control (b).

Town of Perdido Beach Land Use and Zoning Ordinance Article XIII- 13.9 Erosion Control (b) Page 40
(b) Natural vegetation should be maintained and protected wherever and whenever possible. Areas immediately adjacent to watercourses, wetlands and lakes should be left undisturbed wherever possible.

Town of Perdido Beach Subdivision Regulations- Section 12.11.3 a (1) Design Requirements P-33 & 34

1. No land-disturbing activity shall be permitted in proximity to a lake, natural watercourse, or adjacent property where applicable unless a buffer zone of not less than 30 feet is provided along the boundary of sufficient width to confine visible siltation and/or prevent erosion, provided that the land-disturbing activity is not in connection with the construction of facilities to be located on, over, or under a lake, natural watercourse or adjacent property.

Chairman Brewer asked for a motion to reschedule the Public Hearing at the next regular scheduled Planning Commission Meeting.

Motion by Mr. Love, seconded by Mr. Bloxham to hold a Public Hearing at the next Planning Commission Meeting scheduled for September 2, 2015-6:00 pm at Town Hall to hear input from the public.

Discussion:

| <u>"YES"</u> | <u>Roll Call:</u> <u>"ABSTAIN"</u> | <u>"NO"</u> |
|-----------------|---------------------------------------|-------------|
| Mr. Bloxham | | |
| Mr. Reagan | | |
| Chairman Brewer | | |
| Mayor Parker | | |
| Mr. Dobbs | | |
| Mr. Love | | |
| Mr. Kiefer | | |
| Mrs. Thompson | | |

All in favor, motion carried unanimously to hold the public hearing.

Other Unfinished Business:

Mayor's recommendation to the Planning Commission to consider writing a Resolution congratulating the Town Council for adopting Resolution 2015-04 Authorizing the Mayor to Sign and Submit ALABAMA COASTAL AREA MANAGEMENT PROGRAM (ACAMP) Grant Application for the Development of a Stormwater Management Plan at a "Special" Council Meeting on March 2, 2015 and in support of acceptance of the grant, when awarded. (Still awaiting approval from National Oceanic and Atmospheric Administration-(NOAA).

New Business: 2015-2016 Fiscal Year Budget

Motion by Mr. Dobbs, seconded by Mrs. Thompson to approve (One Thousand) \$1,000.00 as the Planning Commission's projected budget for the 2015-2016 fiscal year.

Discussion:

| <u>"YES"</u> | <u>Roll Call:</u> <u>"ABSTAIN"</u> | <u>"NO"</u> |
|-----------------|---------------------------------------|-------------|
| Mr. Bloxham | | |
| Mr. Reagan | | |
| Chairman Brewer | | |
| Mayor Parker | | |
| Mr. Dobbs | | |
| Mr. Love | | |
| Mr. Kiefer | | |
| Mrs. Thompson | | |

All in favor, motion carried unanimously to approve the budget projections for 2015-2016.

Other New Business:

Short Term Use of Recreational Vehicles (RV'S) in the Town

Chairman Brewer asked for input from members of the Commission regarding the short term use of RV'S. He listed on a white board the following Pros and Cons submitted by the Commission Members related to short term, 1-2 weeks use.

SHORT TERM USE OF RECREATIONAL VEHICLES- 1-2 WEEKS

PROS

1. Allow friends and relatives to stay in RV
While visiting
2. Convenience

CONS

1. Bad if no Ordinance or Regulations in place.
2. Generator Noise
3. Sewer & Water hook ups
4. Number of units allowed
5. Staying too long
6. Big RV'S on Town's Roads
7. Parking-following set back guide lines

DISCUSSION:

1. Enforcement Issues
2. Use available power-not generator
3. How to Permit
4. RV Parks are available
5. Small Manufactured home is permitted

Discussion Only-No Action Taken.

Announcements:

- Next Regular Planning Commission Meeting/Public Hearing: September 2, 2015-6:30 pm.

Adjournment:

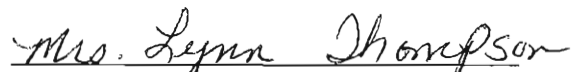
Being no further business there was a motion by Mrs. Thompson, seconded by Mayor Parker to adjourn.

The meeting ended at 7:29 pm.



Mr. Jim Brewer, Chairman

ATTEST:



Mrs. Lynn Thompson, Secretary



Town of Perdido Beach Planning Commission

Case No. PBTA-15001

Proposed Amendment to the

Town of Perdido Beach Land Use and Zoning Ordinance

Pertaining to Article XIII Design Standards, Section 13.9 Erosion Control

September 2, 2015

Public Hearing: September 2, 2015 - Pending

Staff Report Prepared by: Linda Lee, Planner – Baldwin County

BACKGROUND:

In accordance with the Town of Perdido Beach Land Use and Zoning Ordinance, at the August 5, 2015 meeting the Planning Commission voted to hold a public hearing to allow for public input on proposed text amendments to Article XIII Design Standards, Section 13.9 of the Land Use and Zoning Ordinance.

The purpose of the proposed changes is to require land disturbing activity in proximity to a lake, natural watercourse, or adjacent property to maintain a buffer zone of not less than 30 feet along the boundary to confine visible siltation and/or prevent erosion with the exception of land-disturbing activity in connection with the construction of facilities to be located on, over or under a lake, natural watercourse or adjacent property.

Staff Analysis and Findings:

The following factors for reviewing amendments are found in Section 19A.3 of the *Town of Perdido Beach Land Use and Zoning Ordinance*.

- (a) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?

Not applicable. The requests at hand are not tied to a specific piece of property.

- (b) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions in the near vicinity affected by the proposed action changed since the zoning was established or last amended?

Not applicable.

- (c) Does the proposed zoning improve conformity of land use to the Town's Master Plan?

Not applicable.

- (d) Will the proposed change conflict with existing or planned public improvements?

Not applicable.

- (e) Will the proposed change adversely affect traffic patterns or congestion?

Not applicable.

- (f) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community? The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.

Not applicable.

- (g) Is the proposed amendment the logical expansion of adjacent zoning districts?

Not applicable.

- (h) Is the timing of the request appropriate given the development trends in the area?

Not applicable.

- (i) Will the proposed change adversely impact the environmental conditions of the vicinity or the desirable historic resources or nature of the Town?

Proposed amendment should not have an adverse impact.

- (j) Will the proposed change adversely affect the health, safety or welfare of the Town?

Not applicable.

- (k) Other matters which may be appropriate.

STAFF RECOMMENDATION

Staff feels that the Planning Commission's recommendation to the Town Council on the proposed text amendment to Article XIII Design Standards, Section 13.9 Erosion Control should be based on comments received at the public hearing.

Staff recommends making the following change to the proposed text amendment.

EXHIBIT A

Town of Perdido Beach Land Use and Zoning Ordinance

Proposed Amendments Pertaining to

Article XIII Design Standards

Section 13.9.3 (b)

Article XIII, Design Standards:

Section 13.9 Erosion Control

13.9.3 *General Design Principles.* The following principles apply to all land disturbing activities within the jurisdiction of the Town of Perdido Beach and should be considered when preparing construction plans and/or submissions required under this ordinance:

(a) To minimize the potential for soil erosion, development should fit the topography and soils of the site. Areas with extreme slopes where cuts and fill would be required should be avoided.

(b) Natural vegetation should be maintained and protected wherever and whenever possible. Areas immediately adjacent to watercourses, wetlands and lakes should be left undisturbed wherever possible. *No land-disturbing activity shall be permitted in proximity to a lake, natural watercourse, or adjacent property where applicable unless a buffer zone of not less than 30 feet is provided along the boundary of sufficient width to confine visible siltation and/or prevent erosion, provided that the land-disturbing activity is not in connection with the construction of facilities to be located on, over or under a lake, natural watercourse or adjacent property.*

Recommendation: No land-disturbing activity shall be permitted on property adjacent to a lake, natural watercourse or wetlands unless a buffer zone of not less than 30 feet is provided along the boundary of a lake, natural watercourse or wetlands. Said buffer shall be of sufficient width to confine visible siltation and/or prevent erosion, provided that the land-disturbing activity is not in connection with the construction of facilities to be located on, over, or under a lake, natural watercourse or wetlands.

(c) All construction activities on a site should be conducted in a logical sequence so that the smallest practical area of land will be exposed for the shortest practical period of time during development.

(d) Sediment basins, silt traps and filters should be installed prior to the beginning of construction to remove as much sediment as possible from runoff leaving the site or entering watercourses, wetlands, lakes or reservoirs.

(e) The selection of soil erosion and sedimentation control measures should be based on the size of the project, the frequency of climatic events likely to accelerate erosion, the season during which the project is being constructed, and the potential for damage should erosion and sedimentation occur.

(f) In the design of erosion and sedimentation control measures the requirements for proper maintenance will be considered.

(g) Provision should be made to accommodate the increased runoff caused by altered surface and soil conditions both during and after land disturbance activity. Drainage ways should be designed so that their final gradients and resultant velocities will not cause erosion.

(h) Provision should be made for the proper transport of soil from the site without tracking or spilling soil along the transport route.

(i) Permanent vegetation and erosion control structures should be installed and temporary structures removed prior to the issuance of final Certificate of Occupancy.

(j) Any land disturbance activity which takes place in a right-of-way will require approval from the governing agency with authority over such right-of-way.

THE PURPOSE OF THIS DISCUSSION IS **NOT** TO VILLIFY ANYONE, BUT TO SHARE OUR IDEAS AND THOSE OF THE PUBLIC

As I was writing down the notes at the end of the last Planning Commission meeting, I was wondering why we have difficult times deciding issues. It dawned on me that maybe we do not know "who we are". Most companies have a vision or mission statement. When I worked for Valor Homes, a property management company, our mission statement was "To provide long term affordable homes for families". Every decision we made was to be based on this mission.

The mission statement for Perdido Beach, found on page i of the Master Plan is:

To embrace and enhance the coastal, historic and rural nature of Perdido Beach while ensuring the highest quality of life for each resident; preserving and protecting small town family values; and protecting the natural resources, historical environments and scenic beauty.

Let's talk about the word resident.

Wikipedia defines resident as "a person who maintains residency (domicile) in a given place".

Perdido Beach is made up of "permanent" residents (owners & renters), non-residing property owners, "snow birds", summer vacationers, and others. Are the residents referred to in our mission statement only the "permanent" residents of Perdido Beach? If so, then deciding issues like RV and trailer usage becomes very simple. What is best for the "permanent" residents to "ensure the highest quality of life"?

Perdido Beach has a history of being a place of permanent residence for its citizens as well as a place for summer vacationers. Granted the vacation homes have changed over the years and visitors now stay only a week or two instead of the entire summer. But still, we have a history of accommodating vacationers. How do they fit into our mission statement?

Once this is decided, then we can better address the issue of RV/trailers and other issues.

WHO ARE WE?

Mayor's Report to the Planning Commission

August 5, 2015

Thanking Mr. Bill McGrath: Mr. Bill McGrath has faithfully served the Planning Commission but no longer is able to continue that service. He has asked that he be relieved of his duties in order to allow the appointment of another to serve the remainder of his term.

Appointment of Member to Planning Commission: Mr. Jerry Reagan has graciously agreed to accept appointment to the Planning Commission and will serve the remainder of the term vacated by Mr. Bill McGrath. As in the case with Mr. McGrath, Mr. Reagan also serves on the Volunteer Fire Department and will advise the Planning Commission as needed when decisions have direct relationships to VFD policies and/or protocol.

Pine Street Improvement: Pine Street is included in repairs approved by the State and FEMA (April 2014 Flood). In order to complete the approved repairs, to provide safe and convenient entry to the residents and to provide access for emergency vehicles, it is necessary to open the right of way to at least 12 feet wide and 12 feet high. This will provide sufficient width and height for fire trucks to enter and for the contractor (Gene's Dozer) to grade the road surface.