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Planning and Zoning Commission
Meeting Minutes, October 18, 2022, 6:00 PM
City Hall, 160 Walker Drive

Members Present: Stephen Graham, Josh Weldon, Joey Breighner, Doug Morrison, Tim Walker, Steve Lucas

Members Absent: Dean Goforth, Walter Coleman, Kris Bishop

City Representatives: Stefanie O'Donnell, Earl Peoples, Asa Sargent, Lonnie Dunn, Attorney Joel Watson

The "Work Session" meeting was called to order at 6:12 p.m. by Stephen Graham.

Agenda Item: Discussion on making changes and updates to the Zoning Ordinance and the Subdivision Regulations.

S. O'Donnell stated that what she submitted to the Planning and Zoning commission was a "working in progress" draft to the Zoning Ordinance and Subdivision Regulations. Making suggested changes for things that she knew needed changed to create consistency, changed the format, grammatical or word changes, such as replaced Zoning Director with Building and Zoning Departments. Referred to color coded explanation of changes she submitted with the working drafts.

E. Peoples stated that the street paving specs and alternative paving specs have changed and need to be updated.

T. Walker brought up that warning sirens are referenced in the subdivision regulations, and we do not have warning sirens on the poles anymore.

T. Walker stated H. Toles wants us to look at the number of posted and warning signs that can be put on a person's property. It used to be in the regulations, and it was taken out, so we need to look at limiting the number of signs a person can put up on their property. There was discussion about being able to limit the number of signs, but not what is written on the signs because it becomes a matter of freedom of speech.

J. Weldon commented on the addition of silt fencing to the building permit section. Other municipalities are beginning to require a land disturbance bond and that may be something we want to look at doing. It will cost a bit of money, but then that money is there if you have a problem with your silt fence and dirt spills out into the road.

A. Sargent said he would contact the Trussville Building Official to see what they are using. We would like to requirement what our locally surrounding municipalities are requiring as well.

J. Weldon also stated that we should add not only that the contractor is responsible for installing and maintaining silt fencing, but it also needs to be wire reinforced silt fencing "Class A" silt fencing.

S. Graham stated between now and the next meeting, everyone takes the time to go over the Zoning Ordinance and Subdivision Regulations.

S. Graham, mentioned that while we are making changes, can we remove the B4? We do not have any area zoned B4, so can we remove it, so we do not run into the problems we had a while back with the Church turned house on Gin St that they wanted to turn into a daycare.

E. Peoples brought up clearly defining the back yard for Corner lots, because this is an issued that has come up several times. There was discussion that some municipalities allow you to come out 3 feet parallel to the house to allow for a gate. It was stated that in Vestavia, they allow for up to 50% of the house. It was also stated that there is a need for a clear line of sight.

T. Walker brought up when two houses back up to each other and you put fencing in that goes all the way to the back of your lot, where does a fire truck accesses the house. There was discussion of emergency access when fencing went all the way to the back of property. It was determined through further discussion that the area of concern was temporary during one of the first phases of subdivision that had already been taken care of and was related to water line location during the first phase of construction.

S. Graham asked if there were any other submittals or items for discussion, there were no other items for discussion. S. Graham asked everyone to submit comments to S. O'Donnell before the next meeting.

J. Weldon mentioned that we need to look at the penalty amount in subdividing lots without permissions. There was discussion about a situation going on in Clay where a lot was subdivided, recorded, and sold without being given permission by the city. It has been over a year and a half, and they are still going though proceedings on this land. J. Watson stated that is typically a continuing violation, so every day you are out of compliance, violation adds up each day and nothing can be done with the property until. J. Breighner asked about state law, J. Watson clarified that the state law gives the power for us to adopt subdivision regulations and has some specifics, but a lot of it is left open. In the Clay situation, the probate court should not have recorded the plat without signatures from the city. There were a lot of missteps along the way, this would fall back on the seller not the purchaser has purchased the home or property with a clean deed.

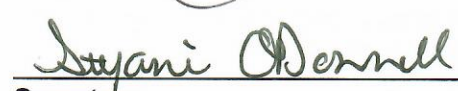
S. Graham recapped next, J. Watson will get with James Hill about the number of signs, the penalties for subdividing lots, and adding more meat to that portion.

J. Watson stated that James Hill will want to take a close look at this when we get to a place were we are ready to move forward.

After No further discussion, the meeting was adjourned at 6:53 p.m.


Chairman

11/22/22
Date


Secretary

11/28/2022
Date