



COMMUNITY DEVELOPMENT DEPARTMENT

120 S. McKenzie St.

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

May 18, 2023

Mayor and City Council
City of Foley
407 East Laurel Avenue
Foley, Alabama 36535

RE: Zoning Ordinance Amendments Recommendation

Dear Mayor Hellmich and City Council Members:

The City of Foley Planning Commission held a regular meeting on May 17, 2023 and the following action was taken:

Zoning Ordinance Amendments

Commissioner Hinesley made a motion to recommend the Zoning Ordinance amendments to the Mayor and Council. Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to recommend the Zoning Ordinance amendments to the Mayor and Council passes.

Please let me know if you have any questions or concerns.

Respectfully,

Melissa Ringler

Melissa Ringler
Planning & Zoning Coordinator
mringle@cityoffoley.org

MAYOR: Ralph Hellmich

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Kathryn Taylor

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaïtes; Richard Dayton; Cecil R. Blackwell; Charles Ebert III

Zoning Ordinance Proposed Amendment

21.5.1-PDD – PLANNED DEVELOPMENT DISTRICT

A. Purpose: The purpose of the Planned Development District is to achieve more flexibility and orderly ~~commercial~~ mixed use developments in a unified ~~grouping development~~ than would be possible through the strict application of the existing business and commercial zoning districts. This district is intended to encourage innovative development that is integrated with adjacent land uses through the zoning approval process.

B. The PDD should be located to assure maximum compatibility with neighboring developments. It is the intent of the regulations to encourage a ~~cluster of commercial activities~~ mixed use development approach in appropriate locations identified in the Comprehensive Plan. A mixture of uses should be functionally and physically integrated with a pedestrian scale and orientation and the economical provision of utilities with open space preservation objectives, through the utilization of an overall planned design.

Planned Development Districts should be located to minimize traffic impacts; therefore its use is intended for large lot developments and locations along or near thoroughfares that are capable of handling the proposed traffic.

C. Requirements: Prior to the rezoning or initial zoning of an area to a PDD district, a ~~conceptual~~ master plan with supporting plans and narrative for the entire proposed development, including all phases, must be submitted to the Planning Commission and then to the City Council. PDDs should conform to the City of Foley Comprehensive Zoning Plan and should be located in primarily non-residential zones.

D. The applicant for any type of PDD shall provide a ~~drawing and site plan, architectural elevations of proposed structures, land use plan, open space plan, landscape plan, lighting plan, vehicular and pedestrian circulation plan with street cross sections,~~ accompanied by a written narrative specifically calling out all zoning relaxations that are being requested through the PDD. These may include reduced right-of-way width, clustering of units, reduced lot size and setbacks, use considerations, building height variances, design considerations, etc., and shall also identify the benefits of the PDD, including but not limited to:

1. Public Benefits - Traffic and utility improvements, regional and local bicycle / pedestrian improvements, buffering from adjacent sites, aesthetic improvements, dedication of school or park sites, enhancement of property values, sign enhancements, preservation of natural areas and views, creating public access to water or other popular sites.
2. Private Benefits - Amenities for site users, open space and recreation, clustering of uses, creation of neighborhoods, landscaping, traffic circulation, multi-modal circulation, private

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space for units, parking, tree preservation, preserving unique views and natural areas in common areas for the use and enjoyment of all residents/guests, enhanced architecture and site layout.

E. A Site Plan shall also be submitted to the Planning Commission for each development phase. The proposed development may provide, through an agreeable design, deviations from development standards otherwise applicable under regular zoning district requirements. Minimum setbacks, lot sizes, and height restrictions may be waived, provided that the intent of this article is complied with in the plan.

The Planning Commission / City Council may establish certain restrictions and prohibitions for a particular development when it determines that such is required to preserve the purpose and intent of the Zoning Ordinance.

F. A Master Signage Plan meeting the criteria of Article XXII, Section 22.7.

G. There shall be a minimum of at least ~~fifteen~~ twenty percent of the gross lot area (~~15~~20%) designated open space in a PDD exclusive of all drives, walkways, parking areas and required drainage. Access roads and drainage infrastructure, water, sewer, electricity, telephone and other utilities shall be provided to serve the development at the completion of construction of each development phase. Performance bonds may not be posted for drainage and sewer work.

21.5.1 PDD – PLANNED DEVELOPMENT DISTRICT Development Standards

A. Uses / Structures Permitted: Hotel, motel, conference center, theater, indoor or outdoor entertainment center, recreation facility, museum, community center, restaurant, night club, bar, shopping center, retail store, retail service, personal service, craft studio, bank, professional office, business office, and other similar tourist related entertainment, recreation, service or commercial uses, class 4 clubs or lodges, churches; daycares and high density residential.

B. Uses / Structures Permitted on Appeal: Automobile filling stations; and amusement parks.

C. Uses / Structures Prohibited: Any use or structure not specifically permitted or permitted on appeal in this section or in Section 13.1.1 or 13.1.2 of Article XIII, including any residential, commercial, industrial, or agricultural use or structure not specifically permitted by the City Council when zoning an area as a PDD; major automobile repairs; manufacturing; outdoor storage, heavy commercial, industry, adult entertainment, building materials, pawn shops, tattoo parlors, auto body shops, auto sales, parts and services, towing company storage yards and junkyards.

D. Requirements:

Minimum District Area 5 Acres

Minimum Buffer on all Project Area Boundaries 30 feet

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~~Minimum Buffer Between Different Uses 30 feet~~

Maximum Building Area (% of Gross Project Area) 20%

Maximum Building Height (feet): 85 feet

Maximum Building Height (stories): 6 Stories

Maximum Residential Density per Acre 20 units**

Off – Street Parking (commercial): See Article X, Section 10.1

Off-Street Parking (Residential) 2 per family unit

Off - Street Loading See Article X, Section 10.1.4

~~*The residential portion of a PDD shall not exceed~~ A minimum of 25% of the total project cumulative floor area must be mixed use. The use, building type, ratio of density and intensity and design characteristics of a mixed use project shall be determined through guidance contained in Comprehensive Plan and with consideration of adjoining development patterns.

Unless a specific integration method of building type and use deemed compatible with adjacent development is specifically approved by the Planning Commission, Where a Multi-family is when-located adjacent to single family residential, the minimum setbacks shall be a minimum of fifty (50') feet for 1 story. An additional 50' of setback will be required per story. A maximum of 2 stories can be built adjacent to single family residential. Planning Commission may require additional height and location restrictions adjacent to single family residential including but not limited to a berm & fence. Buffer areas cannot be clear cut without written approval from our Environmental Department (see Environmental regulations for landscaping). A landscape plan will be required as well.

E. Landscape Regulations: In addition to the landscape section contained in the Zoning Ordinance, Nnative vegetation shall be preserved and incorporated into the development, ensuring the preservation of environmentally sensitive areas. ~~A landscaped buffer is required between different uses. It shall be at least 30 feet wide and planted with native materials or trees in groups, to create a visual barrier. This is to be maintained by the developer and/or owner.~~

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