

06/21/2024

To: Foley City Council  
From: Foley Main Street

Dear Council President Traewick, and Council Members,

Foley Main Street is requesting that the Foley City Council approve an amendment to the Foley Main Street borders. The request will expand our borders to more closely align with the existing City of Foley Downtown Overlay District (FDOD).

This request began as a discussion in the Economic Vitality and Design Committees of the Foley Main Street organization. The move would be beneficial threefold:

- Future Main Street economic development grants that can be awarded will apply to a larger area; and
- Less confusion of existing districts; and
- The goals of the FDOD align with the goals of the Foley Main Street District.

The definition of the Foley Downtown Overlay District (FDOD) - 25.6 in the City of Foley Zoning Ordinance dated May 2022 is as follows:

*The FDOD focuses on the preservation and rehabilitation of historic buildings and/or new structures and their elements. The goal for alterations to non-contributing buildings and new construction in the FDOD is to ensure compatibility with existing and new development. The intent is to foster a strong viable downtown as a walkable commercial, civic, residential, and cultural art center with its own unique identity.*

We have attached the correspondence between Foley Main Street and Main Street Alabama, along with the a map with:

1. Existing Foley Main Street District in red
2. Foley Downtown Overlay District in blue
3. The proposed new Foley Main Street District shaded in yellow stripes

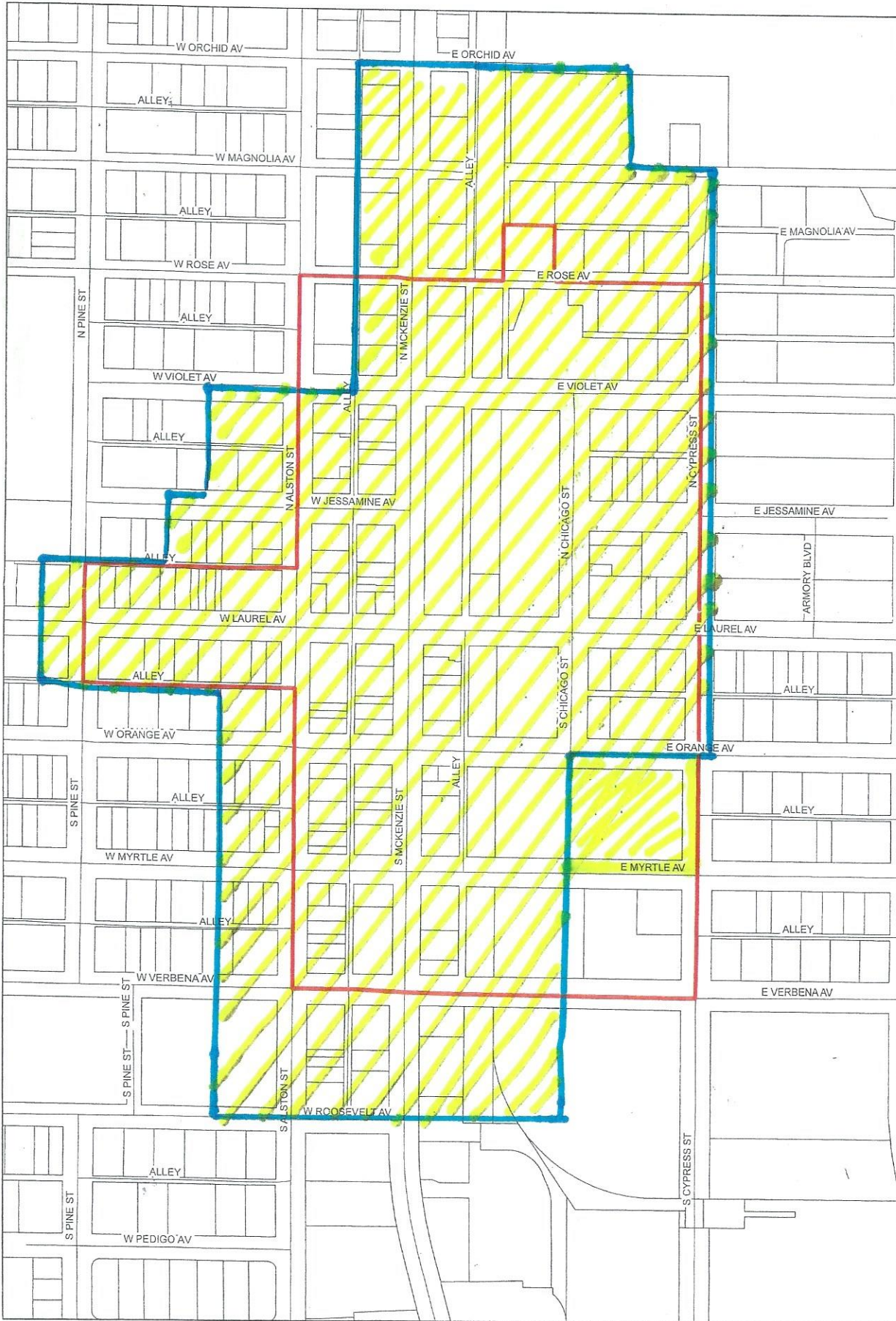
Respectfully yours,

Chad Watkins    Drew Rambo    Wes Abrams    Darrelyn Dunmore  
President    Chair Economic Vitality    Chair Design Committee    Executive Director

*Where Opportunity Begins!*

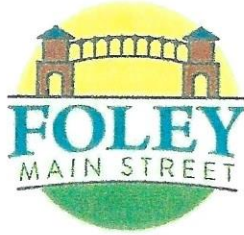


# MAIN STREET BOUNDARY



- | Existing M.S. District
- | Downtown Overlay District
- | New M.S. District





07/21/2023

Mary Helmer  
Main Street Alabama

Dear Mary,

Foley Main Street Board of Directors and the Foley Main Street Design Committee respectfully requests your permission to expand Foley Main Streets borders to more closely align with the already in place City of Foley Downtown Overlay District(FDOD). I have attached the City of Foley Zoning Ordinance definition, regulations, and criteria. This move will help us as we grow and define our downtown. I have attached a map of our existing downtown, the existing Foley Downtown Overlay District and a map that shows the current Foley Main Street district in red, FDOD in yellow and the proposed borders in purple.

If Main Street Alabama approves of this move, we need this in the form of a letter so we can submit an entire package to the city council. This has already been discussed with Mayor Ralph Hellmich, City Councilman Charlie Ebert, and Executive Director of Planning and Infrastructure Wayne Dyess. They are in support of this adjustment.

Please call me with any questions you may have. Thank you in advance for your consideration.

Respectfully yours,

  
Darrelyn Dunmore  
Executive Director

*Where Opportunity Begins!*



September 8, 2023

Foley Main Street  
Board of Directors  
120 S. McKenzie Street  
Foley, AL 36535

**Regarding District Expansion**

Darrellyn Dunmore and I discussed the possible district expansion for the Foley Main Street Program in August 2023. The intent is to match the Foley Main Street District with the official Downtown Foley District. After discussion and viewing the map of the district, Main Street Alabama is in agreement with the board decision. See attached map.

At the August 24, 2023, Board Meeting for Foley Main Street the board voted to expand the district:  
*Action Item: "The motion was made to adjust the Foley Main Street district to match the official Downtown Foley District, map motion passed by a majority. The minutes were sent to Main Street Alabama and the district expansion has been approved.*

Main Street Alabama is in receipt of the board minutes and proposed map of the extended district which we will file in the Foley Main Street folder. We will also update the district map for Foley Main Street with Main Street America.

Sincerely,

**Mary M. Wirth**

Mary M. Wirth, CMSM  
President/State Coordinator  
Main Street Alabama

## ARTICLE XXV - OVERLAY DISTRICTS

### 25.1 "HISTORIC OVERLAY DISTRICT"

#### 25.1.1 DEFINITIONS

- A. Historic District shall mean the Foley Downtown Area Historic District.
- B. Historic District Overlay shall mean the site development regulations and criteria applicable within the Historic District Overlay Boundaries.
- C. Historic District Overlay Boundaries shall mean all property located within the Foley Downtown Area Historic District.

#### 25.1.2 PURPOSE

The purpose of the Historic District Overlay is to establish flexible land development requirements that preserve and maintain the existing character of historically significant areas by formulating site development regulations and criteria that allow compatible or similar development within the Foley Downtown Area Historic District.

#### 25.1.3 APPLICABILITY

The regulations and criteria of the Historic District Overlay are applicable to the geographic area within the Historic District Overlay Boundaries. The underlying zoning standards regulating the use of land within the Historic District Overlay Boundaries remain applicable. Properties within the Historic District Overlay Boundaries shall comply with the Historic District Overlay in addition to the existing regulations of the underlying zoning classification(s).

#### 25.1.4 REGULATIONS AND CRITERIA

The Historic District Overlay shall be subject to the following regulations and criteria:

- A. Shall be determined by the underlying zoning classification(s).
- B. All new construction and all alterations and demolition to existing structures and buildings and any material changes in the exterior appearance of a property, building, structure, site, object or work of art within the Historic District Overlay Boundaries, in addition to compliance with the above district requirements (as set forth in the underlying zoning district), and other adopted ordinances.



**25.2 FOLEY ZONING MAP**

The Foley Zoning Map shall be amended and shall reflect the designation of the Historic District Overlay according to the Historic District Overlay Boundaries and the letter H added as a suffix to the underlying zoning district(s).

**25.3 REPEALER**

All ordinances and laws of the City of Foley, Alabama, or parts thereof, which are in conflict with the provisions of this ordinance, are hereby repealed.

**25.4 SEVERABILITY**

In the event any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or held invalid or unconstitutional by any court of competent jurisdiction, such holding shall in no manner affect the other sections, subsections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect, as if the section, subsection, sentence, clause or phrase so declared or held invalid or unconstitutional were not originally a part thereof.

**25.5 EFFECTIVE DATE**

This ordinance shall become effective immediately upon its adoption and publication.

**25.6 "FOLEY DOWNTOWN OVERLAY DISTRICT (FDOD)"**

The FDOD focuses on the preservation and rehabilitation of historic buildings and/or new structures and their elements. The goal for alterations to non-contributing buildings and new construction in the FDOD is to ensure compatibility with existing and new development. The intent is to foster a strong viable downtown as a walkable commercial, civic, residential and cultural art center with its own unique identity.

**25.7 APPLICABILITY**

The FDOD is established to serve as an overlay to the established base zoning district. Base districts within the FDOD include B1 (Central Business District) and B1A (Extended Business District). Except as modified by the FDOD, the provisions of the base district shall apply to all development within the boundary. In the event the regulations conflict, the applicable FDOD regulations shall apply.

**25.8 ESTABLISHMENT OF FDOD BOUNDARIES**

A map of the FDOD overlay boundary is included in the Zoning Ordinance. The Foley Zoning Map shall reflect the designation of the Foley Downtown Overlay District according

to the Foley Downtown Overlay District Boundaries and the letters FDOD added as a suffix to the underlying zoning district(s).

#### **25.9 LAND USES**

- A. Uses / Structures Permitted: Stores selling food; restaurants; general merchandise such as apparel, furniture, housewares and household wares, drugs and sundries, jewelry, gift items, flowers, sporting goods, and similar types; small dry cleaning and laundry pick-up stations; barber and beauty shops; shoe repair shops; pet grooming; offices; banks; post offices and similar services; any retail business not specifically restricted herein; hotels / motels; joint residential and commercial use.
- B. Uses / Structures Permitted on Appeal: Manufacturing incidental to a retail business where articles are sold at retail on the premises; and pet stores.
- 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 kennels; pawn shops; tattoo and body art shops; towing company storage yards; industrial uses not specifically permitted herein; mobile / manufactured dwellings; RV's; and wholesale business.

#### **25.10 SIGNS**

Sandwich-type board signs are allowed on the sidewalk / right-of-way but shall not be an impediment to pedestrian traffic or block required ingress / egress paths of existing businesses. The signs are only allowed during the hours the business is open to the public and must be placed in front of the store front. The signs cannot exceed six (6) square feet.

#### **25.11 DISPLAYS**

Merchandise may be allowed on the sidewalk / right-of-way but shall not be an impediment to pedestrian traffic or block required ingress / egress paths of existing businesses. Only merchandise permitted to be sold on the premises may be displayed outdoors. Merchandise is only allowed during the hours the business is open to the public and must be placed directly at the store front.

#### **25.12 OUTDOOR DINING**

Sidewalk dining areas, extending from existing restaurants, on the public right-of-way must be approved by City staff. If City staff has any concerns with the request, it may be forwarded to City Council for a decision. The areas cannot be an impediment to pedestrian traffic or block required ingress/egress paths of existing businesses. The number of allowable outdoor seats shall be no greater than thirty (30%) percent of the total permitted occupancy inside the restaurant. This use may require temporary buffers for the safety of the diners.



**25.13 MOBILE MERCHANDISE VENDORS**

Temporary approval may be granted on the sidewalk / right-of-way but must be approved by City Council. The vendors cannot be an impediment to pedestrian traffic or block required ingress / egress paths of existing businesses. Vendors must have proper licenses to operate including but not limited to a City of Foley business license.

**25.14 MOBILE FOOD / SIDEWALK / STREET VENDORS**

Temporary approval may be granted on the sidewalk / right-of-way but must be approved by City Council. The vendors cannot be an impediment to pedestrian traffic or block required ingress / egress paths of existing businesses. Vendors must have proper licenses to operate including but not limited to a City of Foley business license.

**25.15 "FOLEY BEACH EXPRESS OVERLAY DISTRICT (FBEOD)"**

The FBEOD focuses on providing good traffic flow by incorporating limited access along the roadway and easy ingress/egress to developments. The FBEOD establishes a defined corridor for appropriate consideration of annexation, zoning, and overall consistency of architectural and streetscape elements. The Future Land Use map recommends the following land uses: Mixed Use: Commercial / Residential; Retail Commercial Nodes at Major Intersections; Greenspace/Greenway as Civic or Public Benefit; and Industrial Parks. The intent is to foster an atmosphere of creative development allowing the Foley Beach Express to become a destination for living, recreation and working.

**25.16 APPLICABILITY**

The FBEOD is established to serve as an overlay to the established base zoning district. Except as modified by the FBEOD, the provisions of the base district shall apply to all development within the boundary. In the event the regulations conflict, the applicable FBEOD regulations shall apply.

**25.17 ESTABLISHMENT OF FBEOD BOUNDARIES**

A map of the FBEOD overlay boundary is included in the Zoning Ordinance.

**25.18 LAND USES**

- A. Uses / Structure Permitted based on individual zoning districts including: Stores selling food; restaurants / drive-in eating places; general merchandise such as apparel, furniture, housewares and household wares, drugs and sundries, jewelry, gift items, flowers, sporting goods, and similar types; small dry cleaning and laundry pick-up stations; barber and beauty shops; shoe repair shops; offices; banks; post offices and similar services; automobile filling stations; auto repair, minor; major automobile dealerships with incidental repair services; any retail business not specifically restricted herein; places of amusement and assembly; hotels/motels;



- joint residential and commercial use; any residential use not prohibited; office / warehouses; professional offices; mixed uses based on approved PUD and PDD.
- B. Uses / Structures Permitted on Appeal: Manufacturing incidental to a retail business where articles are sold at retail on the premises.
  - 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 kennels; pawn shops; tattoo and body art shops; towing company storage yards; automobile repair, major; industrial uses not specifically permitted herein; and mobile / manufactured dwellings.

### **25.19 SITE LAYOUT**

Proposed development must submit to the Planning Commission for approval a detailed site layout plan or master plan. Each development should have an individualized layout and street grid pattern supporting internal traffic circulation with limited access to the Foley Beach Express and alternative access to feeder roads and adjacent residential areas.

Site Plan Contents:

- A. Most recent survey showing all property boundaries and easements.
- B. All bordering streets, avenues, roadways, or other public ways.
- C. Parking lots, ingress and egress, proposed and existing landscaping.
- D. Placement and dimensions of proposed and existing structures.
- E. Proposed colors and facades of structures.
- F. Locations and types of signage.
- G. Use / Occupancy type of the property and structures.
- H. Tax parcel number of lot or lots proposed for use.
- I. The site plan shall be of a scale not to be greater than one (1) inch equals twenty (20) feet nor less than one (1) inch equals one hundred (100) feet and of such accuracy that can readily interpret the site plan, and shall include more than one drawing where required for clarity.

### **25.20 BUILDING SCALE**

Building heights including parapets and other architectural embellishments should be varied reflecting the individualized character of retail architecture. All street level units should serve a retail or commercial purpose; upper stores may serve additional retail, commercial, professional office space or residential uses.

**25.21 BUILDING ORIENTATION**

No matter which way a structure faces, buildings adjacent to the Foley Beach Express should present an architectural façade, or use landscaping areas, on the Foley Beach Express side of the structure for aesthetic appeal. In some developments it may be appropriate to incorporate service alleys for facilitating development of multiple-sided street frontages. However, other parts of a development may benefit from holding street activity to one side, while the back side may incorporate a parking deck or other parking facilities as well as service accommodations.

**25.22 ACCESS AND ENTRY POINTS**

While primary entry points would relate to major intersections along the Foley Beach Express, site development patterns should facilitate internal traffic circulation and incorporate multiple options for gaining access to and from the development. This reduces the need for local traffic on the Foley Beach Express by ensuring connection to the surrounding neighborhoods. Entry points should address the Foley Beach Express with Gateways. Entry streets should contain building facades oriented in a manner to provide interest to the Foley Beach Express travelers.

**25.23 ARCHITECTURAL STYLE AND EXTERIOR FINISHES**

All exterior finishes should reflect local or regional design, consistent within the development. As with building heights, materials, size and placement of windows and doors, awnings, overhangs and paint selections should be varied throughout the development. The plan would discourage the City from approval of architectural specifications which contain repetitive features often referred to as "cookie cutter" design schemes.

**25.24 PARKING DESIGN WITH TREE CANOPY AND GREEN BUFFERS**

Traditional street front parking should be incorporated for purposes of convenience and in keeping with the typical and desirable look of an active, populated, and vibrant town center. Additional parking should be buffered with landscape and vegetated material in accordance with City landscape standards.

**25.25 WALKABILITY, BIKING AND OTHER ALTERNATIVE MODES OF TRANSPORTATION**

The City encourages sidewalks, bicycle accommodations and other methods of alternative transportation. Sidewalks should be of comfortable width (in no case less than five (5') feet) and may have varied surfaces ranging from concrete to brick and stone. Sidewalks and bike lanes should connect throughout any development and adjacent neighborhoods. Attractive bicycle racks should be incorporated throughout the development. The adopted Bicycle and Pedestrian Plan should be used as a guideline.



**25.26 PROPOSED GREENWAYS**

If applicable, each site review should include connection to the proposed greenway system adopted as part of the City of Foley Comprehensive Plan.

**25.27 SIGNS**

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**25.32 ALABAMA COASTAL CONNECTION SCENIC BYWAY**

The purpose of the Alabama Coastal Connection Scenic Byway is "to identify, preserve, protect and enhance scenic, historic, natural, recreational, cultural and archeological resources; enhance recreation; and, promote economic development through tourism and education in the history, culture and natural beauty of the City of Foley and coastal Alabama." A map of the Byway can be found at [www.alabamascoastalconnection.com](http://www.alabamascoastalconnection.com).