

MINUTES OF A REGULAR MEETING OF THE SCOTTSBORO CITY PLANNING COMMISSION

February 7, 2012

The Scottsboro City Planning Commission convened a regular meeting Tuesday, February 7, 2012, at 5:30 p.m. at the City Hall in the City of Scottsboro, Alabama.

ROLL CALL

Present: Chairman Mr. Jim Olyniec
Councilman Mr. Keith Smith
Ms. Pam Ayers
Mr. Johnny Blizzard
Mr. Bill Capley
Mr. Ronnie Dolberry
Mr. Jim Flowers
Mr. John Parsons
Mr. James D. Stevens

Also present at the meeting were Mr. Charles King, City Engineer and Mr. Jason Fondren, KPS Group.

The Chairman called for a motion regarding the minutes from the June 23, 2011 meeting. Mr. Capley made a motion that the minutes be approved as written. Mr. Stevens seconded the motion. **Upon a vote being taken, all voted aye.**

The Chairman called for a motion regarding the minutes from the July 28, 2011 meeting. Mr. Blizzard made a motion that the minutes be approved as written. Mr. Stevens seconded the motion. **Upon a vote being taken, all voted aye.**

The Chairman called for a motion regarding the minutes from the September 6, 2011 meeting. Mr. Stevens made a motion that the minutes be approved as written. Mr. Capley seconded the motion. **Upon a vote being taken, all voted aye.**

The Chairman called for a motion regarding the minutes from the September 22, 2011 meeting. Mr. Blizzard made a motion that the minutes be approved as written. Ms. Ayers seconded the motion. **Upon a vote being taken, all voted aye.**

The Chairman called for a motion regarding the minutes from the October 13, 2011 meeting. Mr. Dolberry made a motion that the minutes be approved as written. Mr. Blizzard seconded the motion. **Upon a vote being taken, all voted aye.**

The Chairman called for a motion regarding the minutes from the November 1, 2011 meeting. Mr. Stevens made a motion that the minutes be approved as written. Mr. Capley seconded the motion. **Upon a vote being taken, all voted aye.**

The Chairman called for a motion regarding the minutes from the November 15, 2011 meeting. Mr. Stevens made a motion that the minutes be approved as written. Mr. Capley seconded the motion. **Upon a vote being taken, all voted aye.**

The Chairman called for a motion regarding the minutes from the December 6, 2011 meeting. Mr. Blizzard made a motion that the minutes be approved as written. Mr. Parsons seconded the motion. **Upon a vote being taken, all voted aye.**

The Chairman called for a motion regarding the minutes from the January 3, 2012 meeting. Mr. Stevens made a motion that the minutes be approved as written. Mr. Flowers seconded the motion. **Upon a vote being taken, all voted aye.**

The Chairman called for a motion regarding the minutes from the January 24, 2012 meeting. Mr. Capley made a motion that the minutes be approved as written. Mr. Blizzard seconded the motion. **Upon a vote being taken, all voted aye.**

Mr. Fondren of KPS Group made a review of items that have been modified in the proposed Subdivision Regulations since the last draft was discussed at the January 3, 2012 meeting. He addressed three items:

- Addition of drainage design criteria table
- Utilities
- Sale or subdivision of property excluded in the regulations

The first two items had been discussed in previous open meetings.

Discussion was held about the wording of exclusions to the Subdivision Regulations. The Commissioners were provided a document by Mr. Blizzard stating, "The Attorney General of Alabama ruled that a subdivision is created when a person divides a tract of land into two or more lots with the intent to convey, either presently or in the future, more than one of the lots. However, the opinion pointed out that a subdivision is not created by a person who sells or offers to sell only one lot which is part of a larger tract owned by him. If the owner intends to convey both lots, a subdivision would be created." The same document also had excerpts from the Code of Alabama defining subdivisions. The Commissioners discussed putting in specific exclusions in the Subdivision Regulations, but based on the Attorney General's opinion and the further discussion that was held it was concluded that the Subdivision Regulations should state the following in Article 1.2:

"These regulations are applicable to subdivisions as defined in Section 11-52-1 Code of Alabama 1975."

Discussion was held concerning approval of the Subdivision Regulations. Mr. King explained the process of setting a public hearing on the adoption of proposed regulations. The public hearing must be held before the Commission can consider voting. An advertisement must run for two weeks in the newspaper at least 15 days prior

to the public hearing. Three copies of the final draft will be made available in the City Clerk's office, and it will also be made available on the City's web site. The decision was made to publish the final draft of the Regulations within one week and the Commission will take one week to review the final draft and make comments to Mr. King. If Mr. King has received no comments by February 16, 2012, then he will proceed with advertising a public hearing to be held on April 3, 2012.

POST MEETING NOTE: In an email dated February 10, 2012, Mr. King stated he would accept comments from Commissioners until February 20, 2012.

Mr. King presented the required resolution for a public meeting. The Chairman called for a motion approving Resolution 2012-01-PC with a revised date of April 3, 2012 as the date for a public hearing. Mr. Parson made a motion that the Resolution be approved with the revised date. Mr. Blizzard seconded the motion. **Upon a vote being taken, all voted aye.**

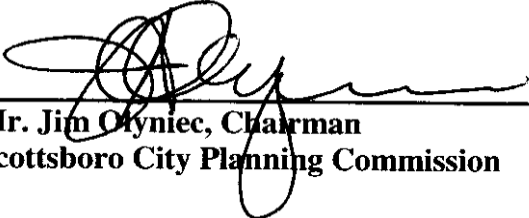
The Chairman noted that the election of officers would proceed, and he called for nominations for the position of Chairman. Mr. Blizzard nominated Mr. Olyniec. No other nominations were made. **Upon a roll call vote being taken, all voted yes.**

The Chairman called for nominations for the position of Vice-Chairman. Mr. Parsons nominated Mr. Blizzard. No other nominations were made. **Upon a roll call vote being taken, all voted yes.**

The Chairman called for nominations for the position of Secretary. Mr. Smith nominated Ms. Ayers. Ms. Ayers declined the nomination. Ms. Ayers nominated Mr. Flowers. No other nominations were made. **Upon a roll call vote being taken, all voted aye.**


With no additional business to discuss Chairman Olyniec adjourned the meeting at 7:30 p.m.

Minutes Approved:



Mr. Jim Olyniec, Chairman
Scottsboro City Planning Commission

Attest:



Mr. Jim Flowers, Secretary

RESOLUTION 2012-01-PC

**A RESOLUTION SETTING A PUBLIC HEARING
ON THE ADOPTION OF THE PROPOSED
SUBDIVISION AND SITE PLAN REGULATIONS OF THE
CITY OF SCOTTSBORO, ALABAMA AND PROVIDING
FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING**

WHEREAS, the City of Scottsboro Planning Commission (the "Planning Commission") proposes to enact a resolution adopting by reference thereto the rules and regulations which have been printed in book or pamphlet form entitled Subdivision and Site Plan Regulations of the City of Scottsboro, Alabama, 2012 edition (the "Regulations"), and

WHEREAS, it is the judgment and opinion of the Planning Commission that consideration should be given to the adoption of such proposed Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SCOTTSBORO, ALABAMA, as follows:

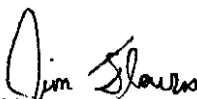
1. That the Planning Commission shall hold a public hearing on the adoption of such proposed Regulations and such public hearing shall be held at the City Hall in the City of Scottsboro, Alabama, on the 3rd day of April, 2012, beginning at 5:30 P.M.
2. That the proposed Regulations shall be considered by the Planning Commission at such time and place, and at such time and place all persons who desire shall have an opportunity of being heard in the opposition to or in favor of such proposed Regulations.
3. That this resolution shall be published in a newspaper of general circulation published within the City of Scottsboro once a week for two successive weeks, and both newspaper publications shall be at least fifteen days in advance of the passage of said proposed Regulations.
4. That at least three (3) copies of said proposed Regulations shall be filed for not less than fifteen days prior to the holding of such public hearing in the office of the City Clerk for use and examination by the public.
5. That said proposed Regulations are posted on the website of the City of Scottsboro at www.cityofscottsboro.org for use and examination by the public.

Adopted and approved on this the 7th day of February, 2012.



Chairman, Scottsboro Planning Commission

Attest:



Secretary, Scottsboro Planning Commission