



SMALL TOWN, BIG BEACH™

TO: Mayor Craft & Members of the City Council

FROM: Andy Bauer, Director of Planning & Zoning

SUBJECT: ZA2015-08 – Zoning Text Amendment – Governmental Uses

DATE: January 4, 2016

ISSUE: The City of Gulf Shores seeks to amend Articles 4 and 11 to add regulations which will allow any City of Gulf Shores, county, state, or federal government use by Right in all zoning districts.

BACKGROUND: Currently governmental uses are not specifically defined and are classified as either Essential Service Facilities or Institutional Uses by the Zoning Ordinance. Depending on the type of governmental use and zoning district these uses are allowed by “Right” or by “Conditional Use Permit”. At times in the past the current Zoning Ordinance regulations have been in conflict with the siting of new governmental uses.

PLANNING COMMISSION: At their November 24, 2015 meeting the Commission voted (4-1) to recommend approval of this zoning text amendment to the City Council.

RECOMMENDATION: Staff recommends the City Council approve the Zoning Text Amendment.

ATTACHMENTS: Staff Report & Proposed Zoning Text Amendment



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TO: Mayor Robert Craft and
Members of the City Council

DATE: January 4, 2016

FROM: Andy Bauer , AICP
Director of Planning & Zoning

SUBJECT: ZA2015-08 – Zoning Text Amendment – Governmental Use

OVERVIEW: The City of Gulf Shores seeks to amend Articles 4 and 11 to add regulations which will allow any City of Gulf Shores, county, state, or federal government use by Right in all zoning districts. The purpose of government is to provide, promote and facilitate public services and functions, to improve the public health, safety, convenience, order, prosperity, and general welfare of the residents.

BACKGROUND: Currently governmental uses are not specifically defined and are classified as either Essential Service Facilities or Institutional Uses by the Zoning Ordinance. Depending on the type of governmental use and zoning district these uses are allowed by “Right” or by “Conditional Use Permit”. At times in the past the Zoning Ordinance regulations have caused conflict with the siting of new governmental uses.

Planning Commission: At their November 24, 2015 meeting the Commission voted (4-1) to recommend approval of this zoning text amendment to the City Council.

ANALYSIS: The proposed amendment will define governmental uses and because of their essential nature allow governmental uses by “Right” in all zoning districts and add a Section 11-20 Governmental Uses. Some small changes are also proposed to the definitions of Essential Service Facilities and Institutional Uses, and Article 11-19 Essential Service Facilities.

ATTACHMENTS: Attached is the proposed zoning text amendment. Proposed deletions are in red and ~~struck through~~ and proposed insertions are underlined in red.

RECOMMENDATION: Staff recommends the City Council adopt the Governmental Use zoning text amendment.

Governmental Use Zoning Amendment - Proposed deletions are in red and struck through and proposed insertions are underlined in red.

Article 4 Definitions

Essential Services Facilities: A Building, Structure, or site utilized or operated for generation, processing, treatment, transmission, personnel or equipment support, or system control in connection with the provision of utilities or services, whether publicly or privately owned, but excluding any Essential Services Installation as defined below. Examples of Essential Services Facilities include, without limitation, waste treatment facilities, water storage tanks, public water system wells, ~~police and fire stations~~, electrical, gas, telephone, and cable television transmission stations and substations, landfills and solid waste disposal sites, utility and public service supply and equipment storage facilities, and public transportation depots and stations. The characterization of Building, Structure, or site as an Essential Services Facility does not exempt such Building, Structure, or site from any regulations and requirements otherwise applicable under the Zoning Ordinance based on the particular physical character of the Building, Structure, or site. As an example, any Essential Services Facility incorporating a tower Structure must conform to all regulations and restrictions otherwise applicable to towers.

Governmental/Public Use: ~~The use of any land or structure by the City of Gulf Shores, an incorporated instrumentality of the City of Gulf Shores, Baldwin County, the State of Alabama or the United States Government to provide or facilitate any public service or governmental function, including, without limitation, for the purposes of police services, fire protection services, paramedic services, sanitation services, road maintenance services, beach maintenance and patrol services, trash and refuse recycling or disposal services, passive or active recreation, public administration services, public libraries, public education, and any other service or function within the legal authority of any of such governmental entities.~~

Comment [AB1]: Added definition of Governmental/public use.

Institution or Institutional Use. A Structure or land occupied by a group, cooperative, or other Entity created for non-profit purposes or ~~for Public Use or~~ services; but excluding those of an industrial nature such as garages, repair or storage Yards, warehouses, and correctional Institutions; and as categorized in the table below.

Low Intensity Institutional Uses

- civic, service, and fraternal organizations; cultural facilities
- places of assembly up to 250 seats
- day care centers; dormitories; group homes with more than ten (10) residents
- nursing homes, rest homes, and other homes for the aged up to 12,500 sf

Medium Intensity Institutional Uses

- ~~government buildings up to 12,500 sf~~
- health institutions up to 50,000 sf
- ~~private schools, universities, colleges, other institutions up to 50,000 sf elementary and junior high/middle schools~~
- places of assembly up to 750 seats
- stadiums and arenas up to 5,000 seats

Comment [AB2]: Changed to private schools and universities and colleges

- other institutions up to 50,000 sf

High Intensity Institutional Uses

- ~~government buildings greater than 12,500 sf~~
- health institutions greater than 50,000 sf
- places of assembly greater than 750 seats
- ~~high-private~~ schools, universities, colleges, ~~junior colleges~~; other institutions greater than 50,000 sf
- stadiums and arenas greater than 5,000 seats
- institutions greater than 50,000 sf

~~Public Uses: Buildings, Structures and uses of land by a unit of government, including but not restricted to government administration, water treatment facilities, Thoroughfares, libraries, Public Schools, parks, playgrounds, recreation centers and fire stations.~~

Comment [AB3]: Delete definition of Public Use

Article 11

§11-19. Essential Services Facilities.

- General Provisions. Essential Services Facilities shall only be approved by Conditional Use Permit.
- Location. Essential Services Facilities shall be situated on the site so as to minimize visibility from Adjacent businesses and Dwellings through the use of existing topography and vegetation and further situated to maximize distance between any Buildings on adjoining Lots. ~~The facility and its perimeter Screening shall be set back no less than fifty (50) ft from any Mixed use or Non-residential Building and no less than 100 ft from any Dwelling.~~
- Landscaping Buffer and Screening.
 1. A Landscaped Buffer or Screen shall effectively obscure views of the facility in accord with [§12-2 Screening](#) and/or [§12-3 Buffers](#).
 2. For sites within 1,000 ft of a Single-family or Duplex Dwelling, Screening shall include a decay-resistant, solid wood fence, brick or masonry walls, or a combination thereof.
 3. All fencing and Landscaping shall be maintained by the owner.
 4. In locations where the visual impact of the facility would be minimal, such as remote, agricultural or rural locations, or developed Heavy Industrial areas, the Landscaping requirements may be reduced or waived by the Council.
 5. Existing mature tree growth on the site shall be preserved to the maximum extent possible. In some cases, such as facilities located on large, wooded Lots, preservation of substantial natural growth around the property perimeter may be a sufficient Buffer.
- Access. Driveways and parking shall be provided, as deemed necessary on a case-by-case basis, to assure access to the facility for maintenance or emergency services. In some cases, parking/access may be from an adjoining Alley or Off-street Parking area.

Comment [AB4]: Removed required 50ft setback requirement. Essential service facilities are only allowed by CUP which allows the city to required additional setbacks on a case by case basis

