SMALL TOWN, BIG BEACH™

TO: Mayor Craft & Members of the City Council

FROM: Andy Bauer, Director of Planning & Zoning

SUBJECT: ZA2015-07 – Zoning Text Amendment – Article 11-11 Cottage Subdivision

DATE: March 7, 2016

ISSUE: The City of Gulf Shores proposes to amend Article 11-11 Cottage Subdivisions to modify the regulations to make cottage subdivision projects a more viable development option in the BT zoning districts.

RECOMMENDATION: Staff recommends the City Council approve the proposed changes to Article 11 Cottage Subdivisions.

BACKGROUND: The regulations for Cottage Subdivisions have been in the Zoning Ordinance since December of 2009 when the ordinance was completely re-written and re-adopted. Although some single family and duplex cottage projects have been developed in Gulf Shores all of these projects were processed and approved as multi-family condominium developments with each individual house constituting a condominium unit. Because of some of the specific requirements within the existing Cottage Subdivision regulations development of individual single family lots in accordance with these regulations has not been feasible. The proposed regulations will make it possible to subdivide a parcel into individual cottage lots and also apply to condominium cottage developments.

PLANNING COMMISSION: At their February 23, 2016 meeting the Planning Commission voted 8-0 to recommend approval of this zoning text amendment to the City Council with the following changes:

1. Delete requirement for processing as a CUP and allow Cottage Subdivisions/Developments by right.
2. Setbacks between buildings shall be as required by the Fire and Building Codes.
3. Require five foot setbacks from all exterior subdivision parcel lines.

PREVIOUS COUNCIL ACTION: Not Applicable

BUDGET IMPLICATIONS: Not Applicable

RELATED ISSUES: Not Applicable

ATTACHMENTS: Cottage Subdivision Staff Report

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TO: Mayor Robert Craft and
Members of the City Council

DATE: March 7, 2016

FROM: Andy Bauer , AICP
Director of Planning & Zoning

SUBJECT: ZA2015-07 – Zoning Text Amendment – Article 11-11 Cottage Subdivision

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OVERVIEW: The City of Gulf Shores proposes to amend Article 11-11 Cottage Subdivisions to modify the regulations to make cottage subdivision projects a more viable development option in the BT zoning districts. Currently, because of some of the specific regulations imposed by Article 11-11, no developments have been proposed in accordance with these regulations.

BACKGROUND: The regulations for Cottage Subdivisions have been in the Zoning Ordinance since December of 2009 when the ordinance was completely re-written and re-adopted. Although some single family and duplex cottage projects have been developed in Gulf Shores all of these projects were processed and approved as multi-family condominium developments with each individual house constituting a condominium unit. Because of some of the specific requirements within the existing Cottage Subdivision regulations development in accordance with these regulations has not feasible. For example the current Cottage Subdivision regulations require the following:

- A minimum of 4 homes but not more than 12 homes;
- A total floor area between 800 – 1000 square feet for one story houses and between 1,200 to 1,400 for two story houses;
- A requirement that each house have a covered porch with at least 60 square feet; and
- A minimum setback of at least 20 feet from an exterior property line.

Additionally, although the Article 11-11 promotes the subdivision of land for cottage development this section does not provide any minimum lot size standards.

PLANNING COMMISSION: At their February 23, 2016 meeting the Planning Commission voted 8-0 to recommend approval of this zoning text amendment to the City Council with the following changes:

1. Delete requirement for processing as a CUP and allow Cottage Subdivisions/Developments by right.
2. Setbacks between buildings shall be as required by the Fire and Building Codes.
3. Require five foot setbacks from all exterior subdivision parcel lines.

ANALYSIS: The recent trend of developing BT zoned property with single family and duplex cottage development is a trend the city embraces and would like to promote. The BT zoning districts allow the most density and building height of all of the zoning districts; between 10.5 –

44 dwelling units per acre and 5 – 22 stories of building height. BT zoning is located along the beach and the blocks north of the beach from the Gulf State Park in the east westward to West 11th Street and another pocket of BT zoning on both sides of the Lagoon Pass. While the beachfront is primarily developed with high rise, high density condominiums, much of the BT zoned land north of the beach front remains developed with older single family cottages. Development of the non-beachfront BT zoned areas with Cottage developments is much more compatible with the current scale and density of development, creates less impact, and maintains the character of these existing neighborhoods. Some of the proposed changes to Article 11-11 Cottage Subdivisions are as follows:

- Applies to both small lot subdivision cottage and condominium cottage developments.
- Establishes minimum "parcel", individual "lot" sizes and widths for cottage subdivisions.
- Requires a minimum 5 foot setback from all exterior parcel lines and the minimum spacing between buildings is controlled by the Building and Fire Codes.
- Allows a maximum 2 habitable stories instead of 3 as allowed in other single family and duplex zoning districts.
- Allows cottage developments by "right" only in the BT zoning district.

ATTACHMENTS: Attached is the proposed zoning text amendment.

RECOMMENDATION: Staff recommends the City Council approve the proposed changes to Article 11 Cottage Subdivisions.

§11-11. Cottage Subdivisions and Developments

A. Intent. To promote the development of multiple single family and duplex dwellings in the BT zoning districts whose impacts are equivalent or substantially less than the impacts of conventional multi-family development and which reinforce and support the human scale, pedestrian orientation and character of the existing single family and duplex development located in Gulf Shores.

B. Applicability. Cottage Subdivisions / Developments are permitted by Right in all BT zoning districts. As used in this Section, "Subdivision Parcel" shall mean the entirety of the land occupied by the Cottage Subdivision/Development and "Cottage Lot" shall mean an individual buildable lot within the Cottage Subdivision.

C. Maximum Number of Cottage Lots in a Cottage Subdivision . The maximum number of Cottage Lots and/or units shall be determined by the maximum density allowed in the Applicable District.

D. Frontage Conditions. Lots within Cottage Subdivisions are exempt from the frontage requirement of §6-2B Street Access and §6-2E Required Lot Width and Lot Frontage.

E. Area and Dimensional Requirements.

1. Minimum Subdivision Parcel Size: 10,000sf
2. Minimum Cottage Lot Size: 1,000sf
3. Minimum Cottage Lot Width: 20ft
4. Setbacks. The minimum building setbacks from the exterior property lines of the subdivision parcel shall be 5 feet;
5. Minimum Spacing Between Buildings: Minimum building spacing shall be as required by §6-2D Buildings per Lot.
6. Minimum Common Open Space: 20% of the Subdivision Parcel.
7. Maximum Height: two (2) Habitable Stories
8. Buffering. Cottage Subdivisions are classified as a multi-family use and are required to have buffering in accordance with Buffer Class A in Table 12-3 Minimum Buffer Requirements by Use.

F. Parking & Driveways. A Cottage Lot or unit must have One (1) private dedicated parking space for each Bedroom contained or to be contained in any dwelling constructed or to be constructed on the Cottage Lot and demonstration that this condition is met shall be a condition precedent to the issuance of a building permit with respect to the Cottage Lot or unit. Parking shall be accessed by a common Driveway or Alley of a width sufficient to accommodate turning into parking spaces and emergency vehicle access. All driveways and alleys shall be private and insure access to all units and/or lots from a public right-of-way. Cottage developments may request permeable paving surfaces for driveways and parking spaces so long as an all-weather surface is provided. Parking spaces shall:

1. be clustered together , be provided individually at the rear of each home, or underneath each structure, or a combination thereof;
2. be Screened from Thoroughfares and Adjacent residential uses by Landscaping, wall or architectural screen.

G. Pedestrian Connectivity. Pedestrian access ways shall link all buildings to the public right-of-way, common open space, and parking areas.

H. Architecture. Cottage Subdivisions/Developments may contain only single family and duplex dwellings and shall establish a consistent building design by incorporating similar building styles, architectural

features, colors and site design elements as approved by the City. Documents requiring consistency of design under covenants running with ownership of a Cottage Lot or unit shall be approved by the City and recorded with the Cottage Subdivision Plat instrument in the probate records of Baldwin County.

I. Ownership, Management and Maintenance of Cottage Subdivisions. Cottage Subdivisions and Developments may be structured so as to characterize the land constituting the Cottage Lots it contains simply as lots conveyable and owned in fee simple or as land conveyable and owned as a private element in a condominium. Each structure to be constructed on a Cottage Lot must be structurally independent with no shared foundations or common walls, with the exception of duplexes, and must conform to all requirements of the Building Code applicable to single family and duplex dwellings. Ownership and maintenance of the Common Open Space and any facilities thereon and common driveways and common parking areas shall be as provided for in §6-14 Ownership and Management of Common Open Spaces. Documents associated with the ownership and management of common spaces, facilities, and improvements shall be approved by the City and recorded with the Cottage Subdivision Plat instrument in the probate records of Baldwin County.

J. Process For Approval And Construction of Cottage Subdivision. Approval of a Cottage Subdivision/Development shall require Site Plan Review by the Planning Commission. Upon approval of the Cottage Subdivision and completion and City approval of all common area improvements and infrastructure, a Cottage Subdivision Plat Instrument shall be executed by the developer and may thereafter be recorded in the probate records of Baldwin County. Following such recordation Cottage Lots in the Cottage Subdivision may be conveyed. No Building Permit for the construction of any structure on any Cottage Lot in the Cottage Subdivision shall be issued until all common area improvements and infrastructure have been completed and approved and the Cottage Subdivision Plat Instrument has been recorded.

K. Modification of Standards. Deviations from strict compliance with these regulations may be allowed after review and approval of the approving authority if such deviations are found to comply with the general purpose and standards of the Cottage Subdivision and Development regulations.

Table of Permitted Uses – Remove the Cottage Subdivision Use from the R-1-5, R-2, R-3, R-4, BN, ICW-S, and ICW-N zoning districts and only allow the use by "Right" in the BT 1-5 zoning districts.

USE REGULATIONS FOR NON-RESIDENTIAL DISTRICTS													
USES / DISTRICTS:	AG	BN	BG	BG-1 FM	BG-2 FM	BA	BT 1-5	ICW -N	ICW-S	ATP	IND	OS	ED
Cottage Subdivision, §11-11							R						