



# City of Bay Minette

## Planning & Development Services

301 D'Olive Street · Bay Minette, Alabama 36507 · Phone (251) 580-1650

### NOTICE OF PUBLIC HEARING

**Case No. RA-2102**

**Proposed Subdivision Regulation Amendment  
related to Sections 5, 7, 8 & 11**

Notice is hereby given that the City of Bay Minette Planning Commission will conduct a public hearing concerning RA-2102, Proposed Subdivision Regulation Amendment for the following Sections: 5.26- Definitions, 7.2.2 – Filing and Advertising Fees, 7.2.9- Preliminary/Final Plat Content: Minor Subdivisions, 7.4.4- Final Plat Content, 8- Subdivisions and Resubdivisions not subject to the provisions of these regulations, and 11.2.1- L and Subject to Flooding.

The public hearing will be conducted during the next regularly scheduled meeting of the City of Bay Minette Planning Commission which is scheduled for **Tuesday, October 19, 2021** beginning at 8:00 a.m. in the Council Chambers at Bay Minette City Hall located at 301 D'Olive Street, Bay Minette, AL 36507.

The proposed amendment materials are available for public review at Bay Minette City Hall or on the City of Bay Minette's website [Planning & Development Services Department \(cityofbayminette.org\)](http://cityofbayminette.org). If you desire to speak with someone by telephone about this public hearing, please contact the Bay Minette Planning Department at (251) 580-1650. If you desire to submit written comments, please address your correspondence to:

City of Bay Minette Planning Commission  
301 D'Olive Street  
Bay Minette, AL 36507

You may email your comments to: [COBM\\_Planning@ci.bay-minette.al.us](mailto:COBM_Planning@ci.bay-minette.al.us). Please include the case number noted above in all correspondence. If you desire to address the Planning Commission in person about this application, please attend the public hearing at the time and location listed above.

Public participation is solicited without regard to race, color, national origin, sex, age, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or those requiring language translation services should contact the City of Bay Minette Planning & Zoning Department at 251-580-1650.

Posted September 21, 2021

# RA-2102 Proposed Regulation Amendment related to Sections 5, 7, 8 & 11

## Subdivision Regulations of the City of Bay Minette

Adopted  
February 14, 2006

Amended  
July 10, 2012  
January 9, 2020  
October 14, 2021

5.26 Minor Subdivision: A subdivision that creates not more than 5 lots, each lot fronting on an existing, paved public road and does not involve any new street or drainage improvements.

### 7.2.2 Filing and Advertising Fees

In order to defray the City's costs in the course of review and approval and costs of revisions to maps and regulations, there shall be paid to the City upon submission of application the following **sums**:

7.2.2.1 Minor Subdivisions: The applicant for a Minor Subdivision shall be required to pay an application and advertising fee according to the current schedule of fees established by the City Council of Bay Minette.

~~a) The sum of one hundred and fifty dollars plus ten dollars per lot (\$150.00 + \$10.00 per lot) shall accompany the preliminary/final plat to cover the administrative cost of the Planning Commission.~~

~~b) The total of all postage for certified letters (\$10.00 each) to adjacent property owners.~~

### 7.2.2.2 Major Subdivisions

~~a) The sum of two hundred dollars plus ten dollars per lot (\$200.00 + \$10.00 per lot) shall accompany the preliminary plat to cover the administrative cost of the Planning Commission.~~

~~b) The total of all postage for certified letters (\$10.00 each) to adjacent property owners.~~

a) The applicant for a Major Subdivision shall be required to pay an application and advertising fee according to the current schedule of fees established by the City Council of Bay Minette.

~~e) b)~~ In the case that the planning and zoning administrator determines that the plat should be reviewed by the City's Contracted Engineer, the applicant will be required to cover the cost of the review.

~~d) The sum of one hundred dollars shall accompany the Final Plat to cover administrative cost of the Planning Commission.~~

7.2.2.3 Fees are not subject to refund or adjustment, irrespective of the final outcome of the application.

7.2.2.4 Applicants are responsible for recording their Approved Final Plat at the Baldwin County Probate and the cost that it incurs.

7.2.9 Preliminary/Final Plat Content: Minor Subdivisions  
(...)

12. Certifications showing:

- a. Notarized proof of ownership of the land.
- b. Surveyor's attest to the accuracy of the survey.
- c. Compliance with applicable Board of Health Codes and Ordinances.
- d. Granting of all easements included in the plat.
- e. ~~Space on the plat for approval of~~ Signatory block for approval by the City of Bay Minette Planning Commission.
- f. Provide lot restrictions or restrictive covenants when applicable.
- g. Signatory block for approval by E-911 GIS/Addressing

7.4.4 Final Plat Content.  
(...)

20. Certifications showing:

- a. Notarized proof of ownership of the land.
- b. Surveyor's attest to the accuracy of the survey.
- c. Lot restrictions, trusteeships and/or protective covenants.
- d. Dedication of streets, rights-of-way and other sites.
- e. Compliance with applicable Board of Health Codes and Ordinances.
- f. Granting of all easements included in the plat.
- g. Engineer's attest that all improvements have been installed in accordance with the requirements of the subdivision regulations or that a bond in sufficient amount to assure

the proper installation of such improvements has been accepted by the City of Bay Minette.

- h. ~~Space on the plat for approval of~~ Signatory block for approval by the City of Bay Minette Planning Commission and authorization for the recording of said plat by the judge of probate.

i.) Signatory block for approval by E-911 GIS/Addressing.

## Sec. 8. - Subdivisions and resubdivisions not subject to the provisions of these regulations.

8.1 – Exempt Subdivisions. Except as set forth in this Section 8, the provisions of these regulations shall not otherwise apply to the following exempt subdivisions:

a) The resubdivision of land into ~~six (6)~~ three (3) or less lots, tracts, or parcels where each of the lots, tracts, or parcels established by the resubdivision fronts on an existing, paved public road.

b) Subdivisions of land into five (5) or less lots, tracts or parcels wherein the size of each and every resulting lot equals or exceeds ten (10) acres including existing public rights-of-way. Each parcel shall have frontage on publicly maintained road.

c) The subdivision of property into five (5) or less lots, tracts or parcels for the limited purpose of sale, deed or transfer of land by the owner to a person or persons, all of whom are members of the owner's immediate family. Each parcel which is subdivided pursuant to this subparagraph shall have deeded ingress/egress and utility access or easement that runs with the land of not less than 30 feet in width. A qualifying division hereunder is limited to a division among the following designated legally related immediate family members: spouse, children, siblings, parents, grandparents, grandchildren, nieces, nephews, or step-related individuals of the same status.

(...)

8.2 – Administrative Subdivisions. Except as set forth in this Section 8, the provisions of these regulations shall not otherwise apply to the following administrative subdivisions:

(...)

b) Subdivision s of land into five (5) or less lots, tracts or parcels wherein the size of each and every resulting lot equals or exceeds twenty (20) acres including existing public rights-of-way. Each parcel shall have access from an ingress/egress and utility easement of a minimum of thirty (30) feet in width.

8.3 ~~No exempt or administrative subdivision shall consist of more than six five lots; contain any public improvements; or require the expenditure of any public funds.~~

All exempt and administrative subdivisions shall meet the following eligibility criteria:

a) Consist of five or less lots

b) Shall not contain any public improvements, nor require the expenditure of any public funds.

c) Shall apply to residential uses only.

8.5 Exemption from the requirement for approval to subdivide does not constitute exemption from the requirements of other applicable regulations including but not limited to state law, zoning regulations, other municipal ordinances, Health Department requirements or, ~~if located within the planning police jurisdiction of the City,~~ where applicable, the regulations of Baldwin County Planning Department or Highway Department.

11.2.1 To ~~insure~~ ensure proper development in flood-prone areas, the commission shall require the subdivider to provide elevation and flood profiles sufficient to demonstrate that the sites will be free from the danger of flooding.