

RESOLUTION 2024-01

RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF MAGNOLIA SPRINGS, ALABAMA, DATED APRIL 17, 2024, ADOPTING A MORATORIUM ON NEW MAJOR RESIDENTIAL SUBDIVISION APPLICATIONS OR APPROVALS THROUGH DECEMBER 31, 2024

Whereas, the Planning Commission (“Commission”) of the Town of Magnolia Springs, Alabama (“Town”), is in the process of preparing a new Comprehensive Plan (“New Plan”) to guide the Town’s future growth and development, to promote the public safety and the health and welfare of the Town’s residents and of those residing in the Town’s extended territorial jurisdiction, and to preserve the unique natural environment and resources of the Town and of the Magnolia River (“River”), an Outstanding Alabama Waterway that flows through the Town; and

Whereas, based on surveys, town hall meetings, and other communications and input received from residents and property owners of the Town and the Town’s extended territorial jurisdiction, the Commission is currently working on the draft of the New Plan, which will incorporate substantial substantive updates and revisions to the present Comprehensive Plan dated and adopted in or about the year 2010; and

Whereas, the New Plan will include additional or revised visions, goals, recommendations, and measures to safeguard River quality, to guard against and control flooding of the streets, roads, parks, and private property located in the Town and the Town’s extended territorial jurisdiction, to prevent or minimize water runoff and siltation of the River from storms and other weather events, to preserve the existing rural and friendly nature of the Town and its community, to encourage creation of appropriate parks, open spaces, and tree-lined streets and roadways, to minimize high-density, uniform, and unimaginative subdivisions, to prohibit or limit trailer parks, RV parks, and certain other types of residential uses or developments, to prohibit or limit industrial and certain types of commercial uses or developments, and to promote responsible small-scale retail and commercial development; and

Whereas, the Commission understands the Town is considering the adoption or revision of the Town’s existing zoning ordinances based on and to achieve the goals and vision of the New Plan; and

Whereas, the Commission is considering the adoption or revision of the Town's existing subdivision regulations based on and to achieve the goals and vision of the New Plan; and

Whereas, the Commission and the Town Clerk have confirmed there are no pending applications for "major subdivision(s)" within the Town or the Town's extended territorial jurisdiction as of April 17, 2024 when the vote evidenced by this Resolution was taken; and

Whereas, the Commission's intent in adopting this resolution and moratorium is to exempt "family division(s)," "minor subdivisions(s)," and "nonresidential subdivision(s)" as defined in the Town of Magnolia Springs Subdivision Regulations and to enact the moratorium solely as to "major subdivisions" of five (5) or more lots, as defined in said Regulations, whose intended use is residential; and

Whereas, the Commission has met on April 17, 2024, and after full discussion, the Commission has determined that it is in the best interest of the Town, the achievement of the goals and vision of the New Comprehensive Plan, the interests of public safety and the health and welfare of the Town's residents and of those living within the Town's extended territorial jurisdiction, that the Town adopt this moratorium on new major subdivision applications and approvals for residential uses for a period through and including December 31, 2024, while the New Plan is finalized, drafted, and adopted by the Commission and while the revisions and amendments to the Town's existing subdivision regulations are considered and made based on information received as described above during the process of considering and adopting a new Comprehensive Plan, and on advice of the Town's legal counsel;

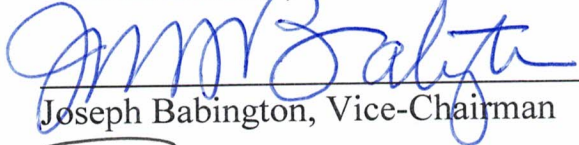
Now, therefore, for the reasons stated above and upon motion duly seconded, it is hereby resolved that the Planning Commission of the Town of Magnolia Springs, Alabama, adopts a moratorium on applications for and/or approvals of new residential "major subdivision(s)," as defined in the Town of Magnolia Springs Subdivision Regulations, through and including December 31, 2024, with this moratorium effective immediately. This moratorium is not intended to cover or prohibit "family division(s)," "minor

subdivisions(s),” and “nonresidential subdivision(s)” as defined in the Town of Magnolia Springs Subdivision Regulations.


Dated and adopted, this 17th day of April, 2024, at 3:42PM.

Mark Mattox, Chairman

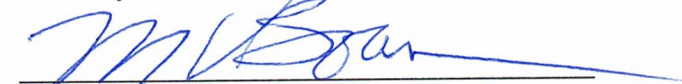
Hannah Driskell, Town Clerk



Joseph Babington, Vice-Chairman



Rodney Hubble, Member




Mike Boan, Member

Steve Mobley, Member



Grant Weeks, Member



Nick Klarman, Member



Ross Houser, Member

