

MEETING SUMMARY | Lakes Subcommittee Committee Meeting 3

March 21, 2019

The following is a summary of the third meeting of the Lakes Subcommittee for Tuscaloosa's Comprehensive Plan and Zoning Code Update process. Attached to this summary are the meeting attendance sheet and agenda.

Welcome

Ms. Crites introduced guests: Al Cabaniss (Cabaniss Engineering), Jimmy Duncan (McGiffert Associates), Andy McCartney (TTL), and Hansel King. In meeting two, the subcommittee requested that those individuals and groups be invited to discuss private development on Lake Tuscaloosa.

Current Regulations

Mr. Milligan provided an overview of the existing regulations for seawalls, docks, and septic tanks. He indicated that seawalls are typically built from lot line to lot line, and showed photos of seawalls around the Lake. The subcommittee asked what the City does when it learns of a failing seawall. Mr. Milligan also showed images of dock photos, including a recent example that required a Council variance from the height. The subcommittee asked about having a chart in the City Code that would allow different boat dock heights based on the slope of the adjacent land – steeper slopes could allow a taller structure because it would not block a neighbor's view.

Ms. Crites provided an overview of the existing subdivision regulations that pertain to Lake Tuscaloosa. Capped sewer variances happen often at the Planning Commission level, and the code re-writes could, and should, allow for criteria about where capped sewer should be constructed and when staff could approve the request without the need for Planning Commission.

Observed Realities

Ms. Crites reviewed current realities on and around Lake Tuscaloosa, including home sales from 2008-July 2018, subdivisions north of the river since 2016, the developable lands map (noting that steep slopes have not typically dissuaded

private development), and the utility service map (noting that the City's ability to serve all parts of the Lake is limited).

Ms. Crites also reviewed subdivisions on Lake Tuscaloosa that had been approved since 2015: Summer Ridge, Rising Tide, Edgewater, Maison du Lac, and Waterfall. Many subdivisions on Lake Tuscaloosa ask for variances from typical street cross-sections for ribbon curb, which allows sheet flow of drainage into the Lake (as opposed to point discharge that happens with curb and gutter). Sidewalks are also required in new subdivisions for cul-de-sacs, but it means that water will flow over the sidewalk if curb and gutter is not constructed.

Ms. Crites showed images of existing conditions and realities on Lake Tuscaloosa. Wooded sloughs are abundant, and docks cannot currently project more than 1/3 of the distance to the other shoreline.

The subcommittee discussed clear cutting in detail. Jimbo Woodson, Office of the City Attorney, noted that there would be ways to preserve trees if that was the desire. The group noted that there were two ways of looking at trees: erosion control or aesthetics. The subcommittee asked if there were landscaping requirements currently – while there are not today, it may be something to look for in future code amendments.

Previous Studies

Ms. Crites reviewed the previous studies that had been done – approximately \$1 million in studies since 1976. In 40 years, Lake Tuscaloosa has seen a 1,680% increase in the number of structures on and within the one mile buffer. The 2001 Watershed Protection Plan noted that the "Comprehensive Master Plan can address issues such as open space, maximum impervious surface limitations for new developments, and required buffer zones."

Desired Outcomes

At Meeting 1, the group discussed three major desired outcomes: Lake protection, commercial uses, and private property considerations.

Lake protection:

1. Possibility of incentivizing development that disturbs less of the natural environment.
2. Steven Rumsey introduced the idea that lot width should have an impact on the pier/dock/boat house that can be constructed. Safety was also discussed with the size and spacing of accessory structures, as people often play and swim near their structures in sloughs.

3. Allowing structures with varying heights based on the slope of the land – a reviewable and approvable item by staff.
4. Allowing homes in a subdivision to share green space and dock for the neighborhood in a fashion similar to Legacy Point. While some may prefer to have a private dock, the price point would drive choices.
5. Enforcement of failing structures on the lake was discussed. Increasing fees for structures on the lake to as little as \$1 per square foot could generate around \$1 million per year. This could be a one time fee or yearly. The subcommittee did note that the construction permit and other permit fees are too low. Staff noted that we would have to make provisions to generate resources for enforcement for whatever restrictions are put in place.
6. Consider provisions for dealing with septic lots and extensions of the sewer system, as well as mechanisms to prevent septic lots from being converted to residential lots in the future if sewer becomes available.
7. Siltation (dirt, etc. running into Lake Tuscaloosa) needs to be addressed.

The subcommittee noted that blanket provisions could result in unfair outcomes, and that different parts of the Lake could necessitate different regulations.

The group discussed a possible Lake Frontage Zoning type. Brock Corder noted that clear expectations make development easier, even if a minimum lot size or similar is proposed.

Other desired outcomes:

1. Structures on and adjacent to the Lake – design standards? Resilient materials and construction, possibly.
2. Vegetative buffers – varying topography should be considered in what is recommended.
3. Lots – different provisions for dock sizes dependent on the amount of lake frontage present. Additionally, a way to allow lots to be used to offer lake access for homes without lake frontage. A minimum setback off the lake that is blanketed is not desired – different areas may warrant different setbacks.

Commercial uses:

1. There was some consensus that there was a desire to see small commercial uses that would serve Lake purposes – a marina, restaurant, and possibly boat rentals. These would need to locate in areas with good land access and access from the water.

Next Steps

The subcommittee will meet again in mid-May at a date to be determined to discuss Recreation. The group asked for Doug Phillips and UA Recreation to attend the next meeting.

For consideration, staff asked the subcommittee to email thoughts and ideas about the information presented. Mr. Rumsey asked for a poll about the dock size idea that was discussed.