



**CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
MONDAY, JUNE 15, 2026 at 6:00 PM**

1. CALL TO ORDER

A. ROLL CALL

B. INVOCATION by Reverend Thack Dyson, St. Paul's Episcopal Church

C. PLEDGE OF ALLEGIANCE

2. PROCLAMATIONS/RECOGNITIONS/PUBLIC HEARINGS

A. CERTIFICATE OF APPRECIATION to Herb Cole for his service on the Board of Zoning Adjustments

B. PROCLAMATION recognizing Dr. John McMahon, Medical Control Physician, for 20 years of service to the citizens of Daphne and the Daphne Fire Rescue

C. PROCLAMATION recognizing Houston Sanders for his service with the Daphne Police Department

D. PUBLIC HEARING: Ordinance Ratifying, Confirming, and Reaffirming the Annexation of Property Contiguous to the Corporate Limits of the City of Daphne - Northwest of County Road 64 and Alabama Highway 181 - Joseph A. Allegri Jr Properties I, LLC; Joseph A. Allegri Jr Properties II, LLC; Jerry and Louise Volovecky Sr. Family Limited Partnership

3. APPROVE MINUTES

A. June 1, 2026, regular meeting

4. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE - Conaway

B. BUILDINGS & PROPERTY COMMITTEE- Messinger
Review the May new Construction and Building Report.
Certificates of Occupancy: 17
Permits Issued: 178
New Residential Home Permits: 10
Total Fees: \$66,512.50

i. Review the minutes from the May 11, 2026, meeting

C. PUBLIC SAFETY COMMITTEE - Green

- i. Review the minutes from the May 11, 2026, meeting

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Roberts

E. PUBLIC WORKS COMMITTEE - Coleman

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS

A. BOARD OF ZONING ADJUSTMENTS - Adrienne Jones

B. DAPHNE PUBLIC SCHOOL COMMISSION - Messinger

C. DOWNTOWN REDEVELOPMENT AUTHORITY - Olen

D. INDUSTRIAL DEVELOPMENT BOARD - Coleman

E. LIBRARY BOARD - Olen

F. PLANNING COMMISSION - Olen

- i. Review of the minutes from the regular meeting of April 23, 2026, the report of the regular meeting of May 28, 2026, and recommendations.

G. RECREATION BOARD - Green

H. UTILITY BOARD - Coleman

- i. Review the minutes from the April 29, 2026, meeting

6. PUBLIC PARTICIPATION

7. MAYOR'S REPORT

8. CITY ATTORNEY REPORT

9. DEPARTMENT HEAD REPORTS

10. CITY CLERK'S REPORT

A. MOTION to approve the publication and set a public hearing on July 20, 2026 for the James A. Conaway and Barbara Conaway Trust dated June 17, 2010 Pre-Zoning Amendment located northeast of the intersection of County Road 54 and Centipede Drive.

B. MOTION to approve the publication and set a public hearing on July 20, 2026 for the James A. Conaway and Barbara Conaway Trust dated June 17, 2010 Annexation Petition located northeast of the intersection of County Road 54 and Centipede Drive.

- C. **MOTION** to approve the publication and set a public hearing on July 20, 2026 for DAK Investments, LLC Zoning Amendment located at 805 Randall Avenue, northeast of the intersection of Randall Avenue and Main Street.
- D. **MOTION** to approve the Ballin' on Belrose Run/Walk Challenge on May 15, 2027, from 6:30am - 1:00pm with a road closure of Belrose Avenue.

11. RESOLUTIONS

12. 2nd READ ORDINANCES

- A. **2026-17** - Zoning District Map - Revisions to the City of Daphne Land Use and Development Ordinance
- B. **2026-18** - Ordinance Ratifying, Confirming, and Reaffirming the Annexation of Property Contiguous to the Corporate Limits of the City of Daphne — Northwest of County Road 64 and Alabama Highway 181 - Joseph A. Allegri Jr Properties I, LLC; Joseph A. Allegri Jr Properties II, LLC; Jerry and Loukse Volovecky Sr. Family Limited Partnership

13. 1st READ ORDINANCES

- A. **2026-19** - Ordinance Amending the City of Daphne's Garbage Collection Ordinance No. 2017-59, as Codified in Chapter 12, Article III, Daphne Code of Ordinances
- B. **2026-20** - Ordinance Establishing a Temporary Moratorium on the Acceptance and Processing of Certain Applications for Multi-Family, Garden Apartment Development Pending Comprehensive Revisions to the City's Land Use and Development Ordinance
- C. **2026-21** - Ordinance to Repeal Ordinance No. 2019-33 and Adopt the 2024 International Fire Code with Amendments Thereto for the City of Daphne, Alabama
- D. **2026-22** - Ordinance Amending Ordinance No 2019-25, as Previously Amended by Ordinance No. 2021-51, Relating to the Adoption of Certain Technical Codes by Reference

14. COUNCIL COMMENTS

15. ADJOURN

CITY OF
DAPHNE, ALABAMA

Appreciation

Be it here known that the City of Daphne recognizes

HERB COLE

for his

TEN YEARS OF VOLUNTEER SERVICE
AS A VALUED MEMBER

of the

DAPHNE BOARD OF ZONING ADJUSTMENTS

I, Robin LeJeune, as the Mayor of the City of Daphne, Alabama,
along with the Daphne City Council, do hereby deem it an honor and pleasure to
extend this Certificate of Appreciation on this 15th day of June 2026.



Robin LeJeune, Mayor

CITY OF
DAPHNE, ALABAMA
*P*roclamation

WHEREAS, Dr. John McMahon began his career in emergency medical services while serving in the military during the Vietnam War, completing Emergency Medical Technician training in San Antonio, Texas, and serving three years in Germany providing medical care to fellow service members; and

WHEREAS, following his military service, Dr. McMahon completed Physician Assistant training before pursuing a medical degree at the University of Alabama at Birmingham (1975 – 1979), residency training in South Carolina (1979 – 1981) and becoming a board-certified physician in 1983; and

WHEREAS, Dr. McMahon was among the first two physicians trained and certified in Emergency Medicine in the State of Alabama, helping establish and advance the specialty during its formative years and was issued Medical Control License Number 0001 by the State of Alabama; and

WHEREAS, in 1994, Dr. McMahon co-authored a bill in Alabama legislation allowing paramedics greater autonomy in the delivery of lifesaving care without requiring direct physician orders for every emergency response; and

WHEREAS, he has faithfully served as the Medical Control Physician for the Mobile Fire Rescue Department since 1992 and for the Daphne Fire Department since 2006; and

WHEREAS, Dr. McMahon has worked on the front lines of public safety during Mardi Gras celebrations since 1992, and has served as a physician with the Disaster Medical Assistance Team since 1996; and

WHEREAS, he concluded his final shift as an Emergency Room Physician at University Medical Center in Mobile in December 2020, concluding a distinguished clinical career while continuing his service to emergency responders and the citizens they protect.

NOW, THEREFORE, I, Robin LeJeune, as the Mayor of the City of Daphne, together with the Daphne City Council, do hereby recognize and honor Dr. John McMahon for his extraordinary contributions to emergency medicine, emergency medical services, disaster response, and public safety, and proclaim appreciation for his enduring commitment to the health, safety, and well-being of our community.



Robin LeJeune, Mayor

Cindy Beaudreau, City Clerk

CITY OF

DAPHNE, ALABAMA

Proclamation

WHEREAS; Houston Sanders began his career in law enforcement in 1999 working for the City of Mobile where he received the Commanders Citation in November 2020; and

WHEREAS; he previously served in the United States Air Force from 1986-1993 completing his service ranked as a Sergeant; and

WHEREAS; Officer Sanders began his career as a Daphne Police Officer in June 2004 serving many roles in his years here; and

WHEREAS; he began as a Patrol Officer, where he earned the awards for most felony arrests in 2005 and 2006 as well as the most misdemeanor arrests in 2012; and

WHEREAS; Officer Sanders served as a Detective from 2016-2018, became the Warrants/Sex Offender Registration and Notification Act (SORNA) officer in 2018, then joined patrol again in 2021; and

WHEREAS; through his career, he has served as a Field Training Officer from 2006-2026 and a member of SWAT from 2006-2009; and

WHEREAS; he ends his career with the Daphne Police Department as a member of the Special Assignments Unit where he continues to serve in the position as the Warrants/SORNA Officer; and

WHEREAS; during his time with Daphne, Officer Sanders has received the Officer of the Quarter award 3 times: 2011, 2022, and 2026 and the Life Saving Award in 2022.

NOW,
THEREFORE;

I, Robin LeJeune, as the Mayor of the City of Daphne, Alabama, together with the Daphne City Council, do hereby proclaim appreciation to Officer Houston Sanders for his tireless efforts and twenty-two years of service to the City of Daphne, and wish him success and happiness in his retirement.



Robin LeJeune

Robin LeJeune, Mayor

ATTEST: *Cindy Beaudreau*

Cindy Beaudreau, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2026 - 18**

**ORDINANCE RATIFYING, CONFIRMING, AND REAFFIRMING
THE ANNEXATION OF PROPERTY CONTIGUOUS TO THE
CORPORATE LIMITS OF THE CITY OF DAPHNE**

**Northwest of County Road 64 and Alabama Highway 181
Joseph A. Allegri Jr Properties I, LLC; Joseph A. Allegri Jr Properties II, LLC; Jerry
and Louise Volovecky Sr. Family Limited Partnership
*(Confirmation and Ratification of Prior Annexation)***

WHEREAS, on the 18th day of November, 2025, Joseph A. Allegri Jr Properties II, LLC, Jerry and Louise Volovecky Sr. Family Limited Partnership as the owners of certain real property hereinafter described, did file with the City Clerk a petition requesting that said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama (the “City”); and

WHEREAS, said petition did contain an accurate description of the property to be annexed together with a map of the said territory showing its relationship to the corporate limits of the City of Daphne, Alabama, and the signatures of the owners of the property described; and

WHEREAS, on April 6, 2026, the City Council considered and adopted Ordinance 2026-08 to annex the Property, which was recorded in the Office of the Judge of Probate of Baldwin County at Instrument Number 2252834; and

WHEREAS, subsequent to the filing of said petition, an additional record owner of a portion of the property, Joseph A. Allegri Jr Properties I, LLC, has executed a Joinder and Ratification of the petition for annexation, which is on file with the City Clerk; and

WHEREAS, the City Council finds that Ordinance 2026-08 effectively annexed the Property into the corporate limits of the City and that the Joinder and Ratification executed by Joseph A. Allegri Jr Properties I, LLC confirms the consent of all record owners to such annexation;

WHEREAS, the City Council desires to ratify, confirm, and reaffirm the annexation approved by Ordinance 2026-08 and to incorporate the Joinder and Ratification executed by Joseph A. Allegri Jr Properties I, LLC into the record of such annexation; and

WHEREAS, after proper publication, a public hearing was held by the City Council on June 15, 2026, concerning the petition for annexation.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, AS FOLLOWS:

SECTION ONE: RATIFICATION, CONFIRMATION, AND REAFFIRMATION OF PRIOR ANNEXATION

The City Council of the City of Daphne finds and declares as the legislative body of the City that it is in the best interest of the citizens of the City and the citizens of the affected area to ratify, confirm, and reaffirm the annexation of the property described in Section Three, which property was previously annexed into the corporate limits of the City pursuant to Ordinance 2026-08. The Joinder and Ratification executed by Joseph A. Allegri Jr Properties I, LLC is incorporated herein by reference and made a part of the record of this annexation. The City Council hereby ratifies, confirms, and reaffirms the annexation approved by Ordinance 2026-08 and finds that the Joinder and Ratification executed by Joseph A. Allegri Jr Properties I, LLC cures any deficiency arising from the omission of that entity from the original petition.

SECTION TWO: ZONING

At its April 6, 2026 meeting, the City Council adopted Ordinance 2026-07 pre-zoning the property described herein as PUD (Planned Unit Development).

SECTION THREE: DESCRIPTION OF TERRITORY

The City Council hereby ratifies and confirms the annexation of the territory described below, which territory was previously annexed into the corporate limits of the City pursuant to Ordinance 2026-08:

Legal Description:

A parcel of land situated in the South one-half of the Southeast one-quarter of Section 15, Township 5 South, Range 2 East, Baldwin County, Alabama being more particularly described as follows:

BEGIN at a found 1/2 inch rebar marking the Southeast corner of Lot 1-B according to the Replat of Lot 1 Volovecky Split Subdivision as recorded in Slide 0003046-C in the Office of the Judge of Probate, Baldwin County, Alabama and lying on the West right-of-way of State Highway 181; thence leaving said Lot 1-B run South 00 degrees 21 minutes 12 seconds East along said right-of-way for a distance of 509.93 feet to a found concrete monument lying on said right-of-way; thence run South 15 degrees 48 minutes 33 seconds East along said right-of-way for a distance of 54.74 feet to a found concrete monument lying on said right-of-way; thence leaving said right-of-way run North 88 degrees 54 minutes 29 seconds West for a distance of 187.99 feet to a found capped rebar stamped Fairhope; thence run South 00 degrees 04 minutes 35 seconds West for a distance of 224.97 feet to a found capped rebar lying on the North right-of-way of County Road 64; thence run North 89 degrees 36 minutes 46 seconds West along said right-of-way for a distance of 1396.57 feet to a set 5/8 inch capped rebar stamped CA-560LS lying on said right-of-way; thence leaving said right-of-way run North 00 degrees 23 minutes 14 seconds East for a distance of 785.49 feet to a set 5/8 inch capped rebar stamped CA-560LS lying on the South line of said Lot 1-A of the aforementioned subdivision; thence run South 89 degrees 36 minutes 02 seconds East along said the South line of said Lot 1-A for a distance of 663.67 feet to a set 5/8 inch capped rebar stamped CA-560LS marking a corner on the South line of said Lot 1-A and marking the

Southwest corner of said Lot 1-B; thence leaving said Lot 1-A continue along the previously described call and the South line of said Lot 1-B for a distance of 904.08 feet to the POINT OF BEGINNING. Said parcel contains 1,193,213 square feet or 27.39 acres, more or less.

Lot 1-B, Replat of Volovecky Split Subdivision, according to the plat thereof, as recorded on Slide 0003046-C in the Office of the Judge of Probate of Baldwin County, Alabama.

SECTION FOUR: REFERENCE TO PREVIOUSLY RECORDED ANNEXATION MAP

The map depicting the territory annexed by Ordinance 2026-08 is incorporated herein by reference. Said map was attached to and recorded with Ordinance 2026-08 in the Office of the Judge of Probate of Baldwin County, Alabama, at Instrument Number 2252834.

SECTION FIVE: RATIFICATION OF PRIOR ORDINANCE

Ordinance 2026-08, recorded in the Office of the Judge of Probate of Baldwin County, Alabama, at Instrument Number 2252834, is hereby ratified, confirmed, and reaffirmed in all respects. The City Council finds that the territory described therein was properly annexed into the corporate limits of the City and that the Joinder and Ratification executed by Joseph A. Allegri Jr Properties I, LLC confirms the consent of all record owners to such annexation. Nothing herein shall be construed as rescinding, replacing, or nullifying Ordinance 2026-08.

SECTION SIX: EFFECTIVE DATE AND PUBLICATION

This Ordinance shall become effective upon publication as required by law and shall serve to ratify, confirm, and reaffirm the annexation previously approved by Ordinance 2026-08. A certified copy of this Ordinance shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS 15TH DAY OF JUNE, 2026.

Robin LeJeune, Mayor

ATTEST:

Cindy Beaudreau, City Clerk

**June 1, 2026
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:00 P.M.**

1. CALL TO ORDER:

There being a quorum present Council President Benjamin Hughes called the meeting to order at 6:02pm.

ROLL CALL:

COUNCIL MEMBERS PRESENT: Tommie Conaway, Steve Olen, Joel Coleman, Oliver Roberts, Stephanie Messinger, Benjamin Hughes and Jennifer Green

Also Present: Patrick Dungan, City Attorney; Mayor LeJeune; Chief Gulsby, Police; Chief Tacon, Fire; Troy Strunk, City Development; Andy Bobe, City Engineer; Charlie McDavid, Recreation; Bobby Purvis, Public Works; Kelli Reid, Finance; Ange Baggett, Marketing; Emmie Powell, Library; Adrienne Jones, Planning; Vickie Hinman, Human Resources; and Cindy Beaudreau, City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation was given by Dr. Barry Carpenter, Resurrection Church.

2. PROCLAMATIONS/RECOGNITIONS/PUBLIC HEARING:

RECOGNITION: Chief Tacon recognized and introduced the individuals responsible for decorating the DFD fire hydrant. Captain David Saraceno, Apparatus Engineer Thomas Elliot, Firefighter Jason Moore and Firefighter Justin Whaley began painting a donated fire hydrant in front of Fire Station #2. The hydrant even has its own Instagram page at DFD Holiday Hydrant.

PUBLIC HEARING: Adrienne Jones presented the Official City of Daphne Zoning Map Update.

Public hearing opened at 6:07pm, with no one present to speak, the public hearing closed at 6:07pm.

3. APPROVE THE MINUTES:

The minutes from the May 18, 2026 Regular Meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilwoman Conaway said the minutes from the May meeting are in the packet and gave the treasurer's report for April 2026: unrestricted fund balance - \$33,262,956; total cash balance - \$57,527,042; sales tax for March 2026 - \$2,597,524.66; lodging tax for March 2026 - \$196,651.42; debt summary for April 2026: warrants - \$26,292,087; capital leases: general fund - \$590,746; enterprise fund - \$1,001,938. She said the next meeting is June 15th at 4:30pm.

**MOTION by Councilwoman Conaway to authorize the Mayor to enter into an agreement with Daupler for the Response Management System AI Agenda 24/7. No second was needed.
MOTION CARRIED UNANIMOUSLY.**

B. BUILDINGS & PROPERTY COMMITTEE

Councilwoman Messinger said the next meeting is June 8th at 5:15pm.

C. PUBLIC SAFETY COMMITTEE

Councilwoman Green said the next meeting is June 8th at 4:30pm.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilman Roberts said the next meeting is July 6th at 4:30pm and the May 4th minutes are in the packet for review.

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E. PUBLIC WORKS COMMITTEE

Councilman Coleman said the next meeting is July 6th at 5:15pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Mrs. Jones said there is no meeting in June.

B. Daphne Public School Commission

Councilwoman Messinger said the next meeting is August 24th at 5:30pm in the Jubilee Conference Room.

C. Downtown Redevelopment Authority

Councilman Olen said the next meeting is June 25th at 5:30pm.

D. Industrial Development Board

Councilman Coleman said the next meeting is June 16th at 4:30pm.

E. Library Board

Councilman Olen said the next meeting is June 11th at 4:30pm.

F. Planning Commission

Councilman Olen said the next meeting is June 25th at 5:00pm.

G. Recreation Board

Councilwoman Green said the next meeting is July 15th at 6:00pm.

H. Utility Board

Councilman Coleman said the next meeting is June 24th at 5:00pm

6. PUBLIC PARTICIPATION:

Public participation opened at 6:15pm.

Curt Fonger, 1443 Randall Avenue, shared that the new City website had been launched last week and recognized the employees for their hard work.

Public participation was closed at 6:17pm.

7. MAYOR'S REPORT:

Mayor LeJeune recognized the staff who worked on the website and shared some special functions and invited everyone to "Coffee with the Mayor" on June 2nd at 9am in the Senior Center.

8. CITY ATTORNEY REPORT:

City Attorney had no report.

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9. DEPARTMENT HEAD COMMENTS:

Chief Gulsby, Police, shared that three officers are progressing through the Police Academy. He is interviewing to fill the Code Enforcement and Corrections positions. Chief Gulsby also recognized his SROs for a recent award.

Ange Baggett, Marketing and Tourism, thanked Kara Wilbourn and Caroline Elliot for their work on the website and invited everyone to the American 250 Celebration on June 26th from 4pm-8pm at the Civic Center.

Emmie Power shared that the Library is getting ready for the Sumer Reading Program and that there will be 60 programs this month.

Vickie Hinman, Human Resources, stated that Chase Daniels will be on the Employee Spotlight and that the Benefits Fair will be held on August 4th and 5th.

Bobby Purvis, Public Works, discussed recent rain events and trees down. Public Works was selected as Employer of the Year by the Council on Organizations Serving Deaf Alabamians.

Charlie McDavid, Recreation, shared that there are softball and pickleball tournaments going on and the youth football registration is open now.

Kelli Reid, Finance, shared that it is now budget season.

10. CITY CLERK'S REPORT:

**MOTION by Councilman Roberts to approve the Special Events Retail to Mancis Antique LLC located at 704 Belrose Avenue and authorize the Mayor to execute a Special Events Right of Way Use Agreement. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Roberts to approve the SEEDS Crawfish for the Classroom on April 3, 2027 from 4:00pm – 7:00pm on the front law of City Hall located at 1705 Main Street, Daphne, Alabama. Seconded by Councilwoman Green.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Roberts to approve the 160 – Special Retain, More than 30 days to American Multi Cinema Inc dba Jubilee Square 12 located at 6898 Highway 90, Daphne, Alabama. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

11. RESOLUTIONS:

- A. 2026 - 36 - 2026-J-Fourth of July Fireworks Presentation**
- B. 2026 - 37 - Appropriation - Consulting Services for Bayfront Amphitheatre - DM Presents, LLC in the amount of \$30,000 from the General Fund**
- C. 2026 - 38 - Resolution Declaring Certain Personal Property Surplus and Authorizing the Mayor to Dispose of Such Property - PD Evidence Locker to Robertsdale Police Department**

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- D. 2026 - 39 - Resolution Declaring Certain Personal Property Surplus and Authorizing the Mayor to Dispose of Such Property - 2015 Chevy Tahoe to Creola Police Department**
- E. 2026 - 40 - Resolution Declaring Certain Personal Property Surplus and Authorizing the Mayor to Dispose of Such Property - 5 Chevy Tahoes**

**MOTION by Councilman Coleman to waive the reading of Resolutions 2026-36, 2026-37, 2026-38, 2026-39 and 2026-40. Seconded by Councilwoman Green.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Coleman to adopt Resolution 2026-36. Seconded by Councilwoman Green.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Coleman to adopt Resolution 2026-37. Seconded by Councilwoman Green.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Coleman to adopt Resolution 2026-38. Seconded by Councilman Roberts.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Coleman to adopt Resolution 2026-39. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Coleman to adopt Resolution 2026-40. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

12. 2ND READ ORDINANCES:

- A. 2026-12 - Ordinance to Amend the Text of the East Fish River PUD Narrative for Property Located Five Hundred Feet Northeast of the Intersection of County Road 64 and Dixon Lane**
- B. 2026-13 - Ordinance to Amend The Italian Village of Daphne PUD Narrative for Property Located Northwest of the Intersection of County Road 64 and Alabama Highway 181**
- C. 2026-14 - Ordinance to Pre-Zone Property Located Northwest of County Road 64 and Alabama Highway 181**
- D. 2026-15 - Ordinance to Annex Property Contiguous to the Corporate Limits of the City of Daphne**
- E. 2026-16 - Ordinance Amending Chapter 15 of the Code of Ordinances of the City of Daphne Relating to Daphne City Park Rules and Regulations**

MOTION by Councilman Coleman to waive the reading of Ordinances 2026-12, 2026-13, 2026-14, 2026-15 and 2026-16. Seconded by Councilwoman Green.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Olen to adopt Ordinance 2026-12. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Olen to adopt Ordinance 2026-13. Seconded by Councilman Roberts.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Olen to adopt Ordinance 2026-14. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Olen to adopt Ordinance 2026-15. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Olen to adopt Ordinance 2026-16. Seconded by Councilwoman Green.

MOTION CARRIED UNANIMOUSLY.

13. 1st READ ORDINANCES:

- A. 2026-17 - Zoning District Map - Revisions to the City of Daphne Land Use and Development Ordinance**
- B. 2026-18 - Ordinance to Annex Property Contiguous to the Corporate Limits of the City of Daphne — Northwest of County Road 64 and Alabama Highway 181 - Joseph A. Allegri Jr Properties I, LLC; Joseph A. Allegri Jr Properties II, LLC; Jerry and Louise Volovecky Sr. Family Limited Partnership**
- C. 2026-19 - Ordinance Amending the City of Daphne's Garbage Collection Ordinance No. 2017-59, as Codified in Chapter 12, Article III, Daphne Code of Ordinances**

14. COUNCIL COMMENTS

Councilwoman Conaway thanked Chief Tacon and recognized Fire Rescue and Public Works for their work.

Councilman Olen congratulated Public Works on their award and thanks Fire Rescue.

Councilman Coleman echoed the previous comments and thanked Dr. Carpenter for his message.

Councilman Roberts echoed the previous comments.

Councilman Green echoes the previous comments, thanked the fire hydrant decorating crew for helping the hydrant become part of the community, thanked the SROs and the website workers.

Mayor LeJeune thanked the fire crew for the work on the hydrant, discussed the June 26th America 250 event and noted that the Alabama Nations Guard band will be giving a free concert on the history of music.

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Councilman Hughes highlighted the awesome events in Daphne.

15. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED AT 6:40PM.

Respectfully submitted by,

Certification of Presiding Officer,

Cindy Beaudreau, City Clerk

Benjamin Hughes, Council President

City of Daphne Building Department

2022 / 2023 / 2024 / 2025 / 2026 Comparison Report

	Fee's Collected					Permit's Issued					CO's Issued				
	2022	2023	2024	2025	2026	2022	2023	2024	2025	2026	2022	2023	2024	2025	2026
Oct	\$84,303.63	\$47,086.96	\$83,607.35	\$143,569.06	\$77,524.20	308	192	223	213	189	40	28	32	17	25
Nov	\$91,672.49	\$50,279.03	\$27,758.62	\$58,210.00	\$219,396.48	351	286	166	142	216	30	36	23	12	9
Dec	\$128,605.99	\$57,070.59	\$40,344.17	\$50,271.68	\$36,647.91	296	216	181	150	245	53	36	33	25	12
Jan	\$259,810.62	\$33,804.54	\$163,953.56	\$80,404.50	\$44,321.08	350	152	295	173	120	36	33	25	20	11
Feb	\$129,315.56	\$44,081.76	\$84,412.27	\$37,199.09	\$58,004.87	292	169	229	163	168	32	31	23	20	7
Mar	\$116,358.20	\$30,603.28	\$57,825.99	\$320,154.95	\$115,389.98	431	181	240	165	190	84	44	24	16	25
Apr	\$60,816.35	\$76,873.19	\$171,191.80	\$89,713.72	\$51,613.31	324	212	348	202	159	42	27	15	19	20
May	\$65,454.25	\$147,875.62	\$207,947.06	\$155,349.01	\$66,512.50	306	288	368	211	178	48	20	30	17	17
June	\$147,395.66	\$234,524.02	\$58,420.91	\$143,387.48		355	308	232	230		34	25	43	21	
July	\$87,733.72	\$100,809.42	\$69,318.38	\$78,117.48		305	267	273	185		23	13	33	15	
Aug	\$61,504.63	\$60,342.37	\$181,357.78	\$65,814.58		299	192	239	182		19	4	29	11	
Sept	\$140,065.18	\$108,322.22	\$189,261.78	\$106,073.70		328	277	344	147		40	34	20	15	
Total	\$1,373,036.28	\$991,673.00	\$1,335,399.67	\$1,328,265.25	\$669,410.33	3945	2740	3138	2,163	1,465	481	331	330	208	126
Percent +/-	N/A	-27.78%	34.66%	-0.53%		N/A	-30.54%	14.53%	-31.07%		N/A	-31.19%	-0.30%	-93.64%	

May FY2026 Building Inspections-

\$66512.50 Fee's Collected, 178 Permits issued, 17 Certificate Of Occupancies issued and 10 New Residential Homes permitted

Infirmary Health, The Croft, Aldi, and Daphne Amphitheater are in progress. Chase Bank has started.

BUILDINGS & PROPERTY COMMITTEE MEETING

May 11, 2026 5:15 p.m.

**City Hall, Jubilee Conference Room
1705 Main Street, Daphne, AL 36526**

MEETING MINUTES

MEMBERS PRESENT: Councilman Hughes, Councilwoman Messinger, Councilman Olen, Councilwoman Green, Councilman Coleman and Councilman Roberts

MEMBERS ABSENT: Councilwoman Conaway

ALSO PRESENT: Patrick Dungan, City Attorney; Troy Strunk, City Development; Mayor LeJeune; Andy Bobe, City Engineer; Kara Wilbourn, Marketing; Jennifer Rulon, Senior Center; Cindy Beaudreau, City Clerk; Bobby Purvis, Public Works; Charlie McDavid, Recreation; Emmie Powell, Library; and Ange Baggett, Marketing.

1) CALL MEETING TO ORDER / ROLL CALL

There being a quorum present Councilwoman Messinger called the meeting to order at 5:15p.m.

2) MINUTES

Councilman Messinger reviewed the minutes from the April 13, 2026 meeting.

3) PUBLIC PARTICIPATION

No public participation.

4) BUILDING INSPECTION REPORT

Troy Strunk shared that demolition has begun on 505 Van Avenue.

5) CIVIC CENTER & BAYFRONT PAVILION REPORT

Ange Baggett gave the Civic Center report and review of the March 9, 2026, Museum minutes.

6) RECREATION REPORT

Charlie McDavid gave the Recreation report and the Senior Center report. Mr. McDavid also shared that the alligator was removed from the Sports Complex.

7) LIBRARY REPORT

Emmie Powell gave the Library report.

8) FACILITIES REPORT

Bobby Purvis gave the Facilities Report.

9) OLD BUSINESS

10) NEW BUSINESS

Kara Wilbourn shared a presentation of the new City website that will launch on May 27, 2026.

11) ANY OTHER BUILDINGS AND PROPERTY BUSINESS

12) NEXT MEETING

The next meeting is scheduled for Monday, June 8, 2026 at 5:15 p.m.

13) ADJOURN

There being no further business to discuss, the Committee adjourned at 5:56pm.

May 11, 2026
PUBLIC SAFETY MEETING MINUTES
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.

1. **CALL TO ORDER:**

There being a quorum present, the meeting was called to order at 4:30 p.m. by Councilwoman Jennifer Green.

2. **ROLL CALL:**

COUNCIL MEMBERS PRESENT: Councilmen Oliver Roberts, Joel Coleman, Benjamin Hughes, Steve Olen and Councilwoman Stephanie Messenger.

ABSENT: Councilwoman Tommie Conaway.

Also Present: Mayor LeJeune, City Attorney; Patrick Dungan, Troy Strunk, Fire Department; Lamar Green, Police Department; Chief Gulsby, City Clerk; Cindy Beaudreau, Recording Secretary; Christina Brazell.

Junior City Council present: none

3. **PUBLIC PARTICIPATION:**

Mary Nelson: Resides at Sunset Bay Villas. Requested a traffic light at the intersection of US Hwy 98 and Yacht Club Dr. Safety Concerns. Mayor LeJeune advised her that this request will need to be forwarded to the state. He would reach out to ALDOT. She was welcomed to provide any supporting documents concerning her request. She provided council with a petition signed by her surrounding neighbors.

Sandy Robinson: 1500 Main St. She had a concern regarding individuals riding e-bikes on the Mayday Park Pier. Troy Strunk advised that the signs were completed and would be installed soon.

Kurt Fondler: Randall Ave. Wanted to know if the City could share the cost on the traffic light request on US Highway 90 & Yacht Club Dr.

Tom Walker wanted to wish everyone a Happy Mother's Day.

4. **APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Minutes from April 2026 Public Safety meeting approved as presented.

5. **POLICE DEPARTMENT – Chief Gulsby**

Old Business: None

New Business: (Stats provided)

Discussion regarding the brand-new interceptor that had a motor catch fire. It is currently getting a new engine installed.

Staffing Discussion: (Patrol opening), 8 individuals interviewed. 4 of the 8 are proceeding to the PT test.

Houston Sanders is set to retire this month, as well as one dispatcher has resigned.

40 Applications were received regarding the open position with Code Enforcement.

May 11, 2026
PUBLIC SAFETY MEETING MINUTES
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.

6. FIRE DEPARTMENT: - Chief Tacon

Old Business: None.

New Business: (Stats provided)

Chief Lamar Green advised that there were 3 mutual aid responses last month as well as 5 ride ins. April 26th, 2026 DFD received a call regarding stranded kayakers in the Bay. All individuals were brought back to safety. Chief Green wanted the Council to be aware that the Police and Fire Department staff on scene were able to set up a unified command that worked very well together and made this rescue possible.

Medstar Discussion: 95 % compliance as of last month, according to their records and reports. At this time, they are currently working with 8 trucks in our area.

7. OTHER BUSINESS: Barrington Lane Study

Chief Gulsby provided council with results of the study. In 4 weeks, 13,000 vehicles were recorded. 8 vehicles were documented speeding. Council agreed no further action needed.

Councilwoman Messenger wanted to address the timing on the light at State Highway 181 and Urgent Care Dr. She stated that the light does not allow more than 3 vehicles out before changing.

Adjournment 5:00 p.m.

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: June 8, 2026
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development *AJ*
SUBJECT: Planning Commission Minutes and Report

Attached please find a copy of the approved minutes for the City of Daphne Planning Commission regular meeting of the April 23, 2026 and the report of the regular meeting of May 28, 2026 for placement on the June 15, 2026 City Council agenda for review.

Should you have any questions or comments in this regard, please do not hesitate to call.

ADJ/jv

**The City of Daphne
Planning Commission Minutes
Regular Meeting of April 23, 2026
Council Chamber, City Hall - 5:00 P.M.**

Call to Order:

The Chairman called the regular meeting of the City of Daphne Planning Commission to order at 5:02 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Kevin Spriggs, Secretary
Bobby Purvis
Ida Ross Hicks
Andrew Prescott, Chairman
Lucy Watkins
Steve Olen
Nathan Jones

Staff Present:

Adrienne Jones, AICP, Director of Community Development
Jan Allen, Planning Coordinator
Patrick Dungan, Attorney
Troy Strunk, Executive Director, City Development
Andy Bohe, City Engineer
Jesi Ward, Environmental Programs Manager

Approval of Minutes:

The Chairman called for the first order of business: approval of minutes.

The Chairman asked for input regarding the March 26, 2026 regular meeting minutes presented by staff. There being none, minutes stand approved as submitted.

Public Participation:

The Chairman advised that The Sabal at Fish River, Phase 1 Preliminary Plat Review and The Retreat at Daphne Site Plan Review have been tabled at the request of the applicants to the regular meeting of May 28, 2026.

The Chairman called for the next order of business: public participation.

If a public hearing is required, please hold your comments until that agenda item is heard. Otherwise, please feel free to come forward and speak during public participation.

Glenda Pruitt questioned whether a public hearing will be held for Italian Village of Daphne.

Mr. Dungan clarified when we get to that item on the agenda there will be an opportunity for the public to comment. Public participation is only for any item or topic that does not have a public hearing tonight.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of April 23, 2026
Council Chamber, City Hall - 5:00 P.M.**

The Chairman closed public participation after no one came forward to speak.

New Business:

Chairman called for the next order of business: Italian Village of Daphne Master Plan Review, Site Plan Review and Preliminary/Final Plat Review.

An introductory presentation was given by the agent, Charlie Trotman. He provided a summary of the master plan as presented on the meeting agenda; he requested to table the Italian Village of Daphne site plan application to allow an opportunity for Baldwin County to review the traffic impact study and provide comments regarding traffic concerns relative to County Road 64.

The Chairman asked for questions and/or comments regarding the master plan.

Mr. Olen questioned whether the master plan should be considered independent of the resolution of the traffic issues. Mrs. Jones responded yes and any changes in that regard would simply require a revision to the master plan.

Mr. Strunk stated staff is confident that the site plan itself is not changing.

Mr. Olen commented that he is a proponent of resolving issues prior to approval and questioned whether there is a compelling reason to move forward.

Mr. Trotman responded that the unresolved issues are due to traffic concerns regarding signalization, deceleration lanes, and the roundabout design. He noted there will be no changes within the confines of the boundary of the subject property, but at County Road 64 and Alabama Highway 181 and requested approval so they could move forward with the closing on June 3, 2026.

Mr. Spriggs stated that is not a reason to hold up and/or delay action on the master plan. He stated the applicant can submit a master plan revision if something changes.

Hearing no further comments from the commissioners, the Chairman called for a motion.

A motion was made by Mr. Spriggs and seconded by Mr. Jones to approve the master plan for Italian Village of Daphne. There was no discussion on the motion. The motion carried unanimously.

Mr. Trotman said that the subdivision plat was revised to address comments presented by Mr. Johnson at the site preview meeting regarding easements.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of April 23, 2026
Council Chamber, City Hall - 5:00 P.M.**

An introductory presentation was given by the engineer, Mark Gonzalez. He summarized the preliminary/final subdivision as presented on the agenda. He stated this is a mixed-use planned development for residential, commercial, and service oriented uses consisting of eleven lots on approximately thirty-one point seven six acres located at the intersection of Alabama Highway 181 and County Road 64. The plan provides for a retail grocery store, future dedicated right-of-way, fueling center, multi-story apartment complex with a six-acre stormwater detention pond and other outparcels available for retail, mixed use and multi-story buildings which will have interior access within the subdivision. He noted that the subdivision plat revisions include: non-exclusive ingress/egress easements, utility easements, highway construction setback, notes regarding lots eleven through fifteen, and finished floor elevations.

The Chairman asked whether staff comments were addressed. Mrs. Jones stated yes.

The Chairman stated this agenda item requires a public hearing and opened the floor for public hearing.

Cindy McCardle, 25998 Argon Drive, spoke in opposition, expressing concerns about traffic, the inability to access County Road 64, the effect on property values, and questioned the notification of property owners.

Glenda Pruitt, 35933 Overton Drive, spoke in opposition, expressing concerns about traffic and about the existing residents and homeowners on County Road 64.

The Chairman closed the floor to the public hearing and offered the agent the opportunity for rebuttal.

The agent's traffic engineer, Ben Adams, stated additional signalization will provide for a safer and more efficient means of ingress/egress and will relieve traffic congestion.

The Chairman closed public participation.

Mrs. Jones stated fifty-six public hearing notices were mailed to the adjacent property owners and to Tealwood Property Owners Association, Overton Place Property Owners Association, and Bailey Place Property Owners Association. She clarified that the property owners who received certified mailings were contiguous or across the street; a sign was also posted on the property so the public who may be interested or have questions could contact the city.

Mr. Spriggs asked about the timing of the signalization at Alabama Highway 181 and County Road 64.

Mr. Bobe stated we will work with ALDOT to ensure that the traffic signals are integrated into their system and communicate with each other.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of April 23, 2026
Council Chamber, City Hall - 5:00 P.M.**

Hearing no further comments from the commissioners, the Chairman called for a motion.

A motion was made by Mr. Olen and seconded by Mr. Spriggs to approve Italian Village of Daphne preliminary/final subdivision plat. There was no discussion. The motion carried unanimously.

Mr. Olen questioned the mechanism by which the county can review and comment on this project. Mr. Strunk commented because the traffic signals will be interconnected, Baldwin County wants an opportunity to determine the impact on the eastern portion of County Road 64. He stated we have worked with them on another project similar to this one, in an effort to promote communication and coordination between our staff, planning and zoning, building inspection, and engineering as we expect them to coordinate with us.

The Chairman called for the next order of business: Hope Vineyard, Phase 2 Final Subdivision Plat Review and Street Acceptance.

An introductory presentation was given by the agent, Aaron Collins. He provided a summary of the final subdivision plat and petition for street acceptance as presented on the meeting agenda.

Mr. Collins responded that all outstanding deficiencies have been addressed to include the presentation of a letter outlining the timeline and a performance guarantee for wetland remediation and advised that the developer will continue to collaborate with staff through completion.

The Chairman asked for staff comments; none were provided.

Hearing no further comments from the commissioners, the Chairman called for a motion.

A motion was made by Mr. Purvis and seconded by Mr. Jones to approve Hope Vineyard, Phase 2 final subdivision plat. There was no discussion. The motion carried unanimously.

A motion was made by Mr. Jones and seconded by Mr. Prescott to set forth a favorable recommendation to the City Council to accept the streets in Hope Vineyard, Phase 2. There was no discussion. The motion carried unanimously.

The Chairman called for the next order of business: The Official Zoning Map and Official Street Map Update.

Mrs. Jones commented that amendments are made to the Official Zoning and Official Street Map twice a year. A handout has been provided that includes annexation petitions that have been accepted by the City Council or legislative annexation. She noted that the updates have been incorporated into each map and requested a recommendation to City Council to approve the revisions as presented.

Hearing no comments from the commissioners, the Chairman called for a motion.

The City of Daphne
Planning Commission Minutes
Regular Meeting of April 23, 2026
Council Chamber, City Hall - 5:00 P.M.

A motion was made by Mr. Olen and seconded by Mr. Prescott to set forth a favorable recommendation to City Council to approve the proposed map amendments. There was no discussion. The motion carried unanimously.

The Chairman called for the next order of business: attorney's report.

Mr. Dungan stated no report.

The Chairman called for the next order of business: commissioner's comments.

None presented.

The Chairman called for the next order of business: director's comments.

Director welcomed Adam Skeete, GIS Analyst, to Community Development.

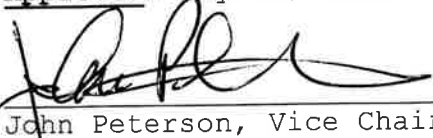
There being no further business, the meeting was adjourned at 5:40 p.m.

Respectfully submitted by:



Jan Allen, Planning Coordinator

Approved: May 28, 2026



John Peterson, Vice Chairman

**CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MAY 28, 2026
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.**

Report

1. **CALL TO ORDER:** 5:01 p.m.
2. **CALL OF ROLL:** John Peterson, Steve Olen, Kevin Spriggs, Bobby Purvis, Ida Ross Hicks and Richard Johnson
3. **APPROVAL OF MINUTES:** Review of minutes of the regular meeting of April 23, 2026. **(Approved)**
4. **PUBLIC PARTICIPATION:** None presented.
5. **OLD BUSINESS:**
 - A. **THE RETREAT AT DAPHNE SITE PLAN REVIEW (ROWAN OAK PUD, FORMERLY REFERRED TO AS THE SANCTUARY):**
 1. **File SP26-04: (Approved)**

Site: The Retreat at Daphne Multi-Family Apartments

Zoning: PUD, Planned Unit Development

Location: Northwest of the intersection of County Road 13 and Milton Jones Road Extension

Area: 17.96 ± Acres

Developer: East Wind, LLC and Berkley Hall Construction, LLC

Owner: Red Hill Creek, LLC - James Atchison

Engineer: Hagen Engineering - Nolan Franz
 - B. **ITALIAN VILLAGE OF DAPHNE SITE PLAN REVIEW:**
 1. **File SP26-06: (Approved contingent upon ALDOT permitting)**

Site: Italian Village of Daphne

Zoning(s): PUD, Planned Unit Development

Area: 34.55 Acres ±

Location: Northwest of the intersection of County Road 64 and Alabama Highway 181

Owner: Joseph A. Allegri Jr Properties I, LLC, Joseph A. Allegri Jr Properties II, LLC and Jerry and Louise Volovecky, Sr., Family Limited Partnership

Agent: The Trotman Company - Charlie Trotman

Engineer: Gonzalez-Strength - Mark Gonzalez
6. **NEW BUSINESS:**
 - A. **J H WRIGHT REQUEST FOR A WAIVER TO THE SIDEWALK REQUIREMENT AND SITE PLAN REVIEW:**
 1. **File AP26-09: Request for waiver to the sidewalk requirement. (Approved the relocation of 470 feet of sidewalk as directed by City)**
 2. **File SP26-07: (Approved)**

Site: J H Wright Warehouse

Zoning: C/I, Commercial/Industrial

Location: 27395 Pollard Road, northwest of the intersection of Whispering Pines and Pollard Roads, northeast of the intersection of World Court and American Way, Lot 25, Daphne Commercial Park, Phase One

Area: 6.47 ± Acres

Owner(s): MEW Properties, L.L.C. - Mark Wright

Engineer: Shumer Consulting - David Shumer

B. SABAL AT FISH RIVER MASTER PLAN REVISION, FISH RIVER II PRELIMINARY/FINAL PLAT, AND SABAL AT FISH RIVER, PHASE 1A PRELIMINARY PLAT REVIEW:

1. File MPA26-01: (Approved)

Presentation to be given by Austin Lutz, Engineering Design Group, requesting a master plan revision of Sabal at Fish River Subdivision.

2. File SDPF26-01: (Tabled until the regular meeting of June 25, 2026)

Subdivision: East Fish River II

Zoning: *PUD, Planned Unit Development*

Location: Five hundred feet northeast of the intersection of County Road 64 and Dixon Lane
Area: 510.16 Acres ±, (3) lots
Owner: East Fish River, LLC - Richard Inge
Developer: Gaskin Banks - Todd Malphrus
Surveyor: Engineering Design Group - Michael Johnson

3. File SDP26-04: (Tabled until the regular meeting of June 25, 2026)

Subdivision: Sabal at Fish River, Phase 1A

Zoning: *PUD, Planned Unit Development*

Location: Five hundred feet northeast of the intersection of County Road 64 and Dixon Lane
Area: 103 Acres ±, 94 lots
Owner: East Fish River, LLC - Richard Inge
Developer: Gaskin Banks - Todd Malphrus
Surveyor: Engineering Design Group - Craig Johnson
Engineer: Engineering Design Group - Austin Lutz

C. JAMES A. CONAWAY AND BARBARA CONAWAY TRUST DATED JUNE 17, 2010 PRE-ZONING AMENDMENT AND ANNEXATION PETITION:

1. File PZA26-04: Motion to set forth a favorable recommendation to City Council to pre-zone the subject property to R-6(G), Garden/Patio Home, failed due to lack of a super-majority vote: three affirmative votes and three dissentions.

Applicant: James A. Conaway and Barbara Conaway Trust Dated June 17, 2010

Present Zoning: *RSF-2, Residential Single-Family District, Baldwin County District 15*

Proposed Zoning: *R-6(G), Garden or Patio Home*

Area: 18.61 Acres ±
Location: Northeast of the intersection of County Road 54 West and Centipede Drive
Owner: James A. Conaway and Barbara Conaway Trust Dated June 17, 2010 - Langdon and Orlando Conaway
Agent: Flowers & White Engineering - Kenneth White

2. ANX26-03: (Set forth a favorable recommendation)

A presentation to be given by requesting annexation of an eighteen point six-one acre parcel owned by James A. Conaway and Barbara Conaway Trust Dated June 17, 2010 located northeast of the intersection of County Road 54 West and Centipede Drive. The subject property is currently zoned RSF-2, Residential Single-Family District, Baldwin County District 15.

D. DAK INVESTMENTS, LLC ZONING AMENDMENT:

1. **File ZA26-04: Motion to set forth a favorable recommendation to City Council to rezone the subject property from R-2, Medium Density Single-Family, to B-3, Professional Business, failed due to lack of a super-majority vote: five affirmative votes and one dissention.**

Applicant: DAK Investments, LLC

Present Zoning: *R-2, Medium Density Single Family Residential*

Proposed Zoning: *B-3, Professional Business*

Location: 805 Randall Avenue, northeast of the intersection of Main Street and Randall Avenue

Area: 0.38 Acres ±

Owner: DAK Investments, LLC - David Kahalley

E. WATER OAKS MASTER PLAN REVIEW:

1. **File MPR26-02: (Approved)**

Presentation to be given by Jason Wooten, Wooten Engineering, requesting master plan review of Water Oaks.

F. HAVEN AT DAPHNE MODIFICATON TO THE WETLAND BUFFER REQUIREMENT:

1. **File AP26-10: (Approved a motion to waive the provision of LUDO Section 18-3D and to allow a new constructed wetland with a 30-foot perimeter buffer)**

Presentation to be given by Cathy Barnette, Dewberry, requesting a modification to the wetland buffer requirement.

7. **ATTORNEY'S REPORT:** No report.

8. **COMMISSIONER'S COMMENTS:** None presented.

9. **DIRECTOR'S COMMENTS:** None presented.

10. **ADJOURNMENT:** 7:10 p.m.

COMMUNITY DEVELOPMENT



June 3, 2026

James A & Barbara Conaway Trust
129 Lake Pointe Circle
Huntsville, AL 35824

Subject: Pre-Zoning Request for James A & Barbara Conaway #PZA26-04 & Annexation Petition #ANX26-03

Dear James A & Barbara Conaway Trust,

On May 28, 2026, the Daphne Planning Commission motion to set forth a favorable recommendation to City Council to pre-zone the 18.61 subject property to R-6(G), Garden or Patio Home, failed due to the lack of a super majority vote of the Planning Commission. Six affirmative votes were needed, only 3 affirmative votes were cast of the 6 members present, and;

the Daphne Planning Commission motion to set forth a favorable recommendation to City Council to annex the 18.61 subject property passed unanimously.

Documentation of these recommendations will be sent to the City Clerk for further processing. If you have any questions, feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adrienne D. Jones", is written over the typed name and title.

Adrienne D. Jones, AICP
Community Development Director & Zoning Administrator

cc: City Clerk
Kenneth White - Email
File

COMMUNITY DEVELOPMENT



June 3, 2026

DAK Investments LLC
Attn.: David Kahalley
25878 State Hwy. 181
Daphne, AL 36526

Subject: Rezoning Request for DAK Investments #ZA26-04

Dear Mr. Kahalley,

On May 28, 2026, the Daphne Planning Commission motion to set forth a favorable recommendation to City Council to rezone the 0.38 subject property at 805 Randall Avenue from R-2, Medium Density Single Residential to B-3, Professional Business, failed due to the lack of a super majority vote of the Planning Commission. Six affirmative votes were needed, only 5 affirmative votes were cast of the 6 members present.

Documentation of this recommendation will be sent to the City Clerk for further processing. If you have any questions, feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adrienne D. Jones", is written over the typed name.

Adrienne D. Jones, AICP
Community Development Director & Zoning Administrator

cc: City Clerk
File

Accepted by:

Chairman, Daphne Utilities



APPROVED MINUTES

Utilities Board Meeting

Council Chambers, Daphne City Hall ♦ April 29, 2026 ♦ 5:00 p.m.

I. Call to Order

The regular April 2026 Board meeting for the Utilities Board of the City of Daphne was held on April 29, 2026, in the Council Chambers at Daphne City Hall and called to order at 5:00 pm by Chairwoman Selena Vaughn, followed by the Roll Call:

II. Roll Call

Members Present: Selena Vaughn, Chairwoman
Tim Patton, Vice Chairman
Billy Mayhand, Secretary/Treasurer
Councilman Joel Coleman, Board Member

Members Absent: Mayor Robin LeJeune, Board Member

Others Present: Scott Polk – CEO/General Manager
Alex Godfrey – Chief Operations Officer
Lexus Carlee – Chief Finance Officer
Kelly DeLaney – Customer Service Manager
Lori Wilson – Executive Assistant

Others Absent: Jerry Speegle – Board Attorney
Samantha Coppels – Chief Communications Officer

III. Pledge of Allegiance

The Chairwoman led the Board and meeting attendees in the Pledge of Allegiance.

IV. Approval of Minutes

Utilities Board Meeting Minutes March 25, 2026

The Chairwoman requested any additions, corrections, or deletions for the submitted minutes of the regular Daphne Utilities Board meeting of March 25, 2026.

With no additions, deletions or corrections, the Chairwoman declared that the submitted minutes of the regular Daphne Utilities Board meeting of March 25, 2026, would stand approved.

V. OLD BUSINESS –

A. None

VI. NEW BUSINESS –

A. None

VII. BOARD ATTORNEY’S REPORT

Mr. Speegle was not present at this meeting; nothing further to add to the submitted report.

VIII. FINANCIAL REPORT

Finance Manager Lexus Carlee highlighted for the Board that the financials may be slightly skewed due to an insurance payment on the vac-truck that was involved in a traffic mishap, advising that while it had been applied to miscellaneous, shopping for a replacement had been ongoing. She noted that the requisition paperwork would be submitted at next month’s board meeting for approval since the cost would be over \$100,000 and that all revenues hit target this month.

IX. GENERAL MANAGER’S REPORT

A. GM Report

CEO/GM Scott Polk reviewed his submitted Project Updates for the Board.

B. Operations Report

Chief Operations Officer Alex Godfrey had nothing further to his submitted report but advised the Board of an SSO the previous evening at the easement between Bass Pro Shop and the Daphne Utilities I-10 lift station caused by an equipment failure. He noted that the equipment was repaired as quickly as possible and the wastewater collections staff coordinated efforts were executed with impressive professionalism.

Chairwoman Vaughn commended on the effective use of photos as part of the board book. Vice Chairman Patton noted the net income from last year to present with higher expenses costs, he emphasized the absence of a rate increase’s effect on the net income. Chairwoman Vaughn commented that a rate discussion should take place in the coming months.

C. Engineering & Consulting Reports – nothing to add to the submitted reports.

X. PUBLIC PARTICIPATION – At 5:18pm, Chairwoman Vaughn opened and closed Public Participation noting that there was no participation.

XI. BOARD ACTION – None.

XII. BOARD COMMENTS –

Councilman Joel Coleman had no comment.

Mr. Billy Mayhand had no comment.

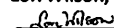
Mr. Tim Patton had no comment.

XII. ADJOURNMENT

With no additional comments, the Chairwoman Vaughn called for a motion to adjourn the meeting. Councilman Joel Coleman made the Motion to Adjourn. The meeting adjourned at 5:19 pm.


Preceding minutes submitted to the Daphne Utilities Board by:

Lori Wilson, Executive Assistant, Daphne Utilities





**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**

DATE: June 8, 2026
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development 
SUBJECT: James A. Conaway and Barbara Conaway Trust Dated June 17, 2010 Pre-Zoning Amendment

PRESENT ZONING: RSF-2, Residential Single Family District
PROPOSED PRE-ZONING: R-6(G), Garden/Patio Home
LOCATION: Northeast of the intersection of County Road 54 West and Centipede Drive

RECOMMENDATION: At the May 28, 2026 regular meeting of the City of Daphne Planning Commission, six members were present. The motion to set forth a favorable recommendation to the City Council to pre-zone the subject property to R-6(G), Garden or Patio Home, failed due the lack of a super majority vote of the Planning Commission. Six affirmative votes are needed, three affirmative votes were cast and three dissensions.

Attached please find the appropriate documentation and action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda to set a public hearing.

Thank you,
ADJ/ja



JAMES A. CONAWAY AND BARBARA CONAWAY TRUST DATED 6/17/10
 PREZONING REQUEST

Zoning Classification:

RSF-2, Residential Single Family

Surrounding Zonings:

- **North** – RA, Rural Agriculture
- **South** – RA, Rural Agriculture
- **East** - R-6(G), Garden or Patio Homes
- **West** - RSF-2, Residential Single Family

Existing Utility Service Providers: Riviera Utilities, AT&T, Baldwin County Sewer, Belforest Water

Affected City Service Providers: Fire Station 5, Police Beat 4

Proposed Zoning:

R-6(G) Garden or Patio Home

Development Concept:

Single Family Residential

Council District:

4

Existing Conditions:

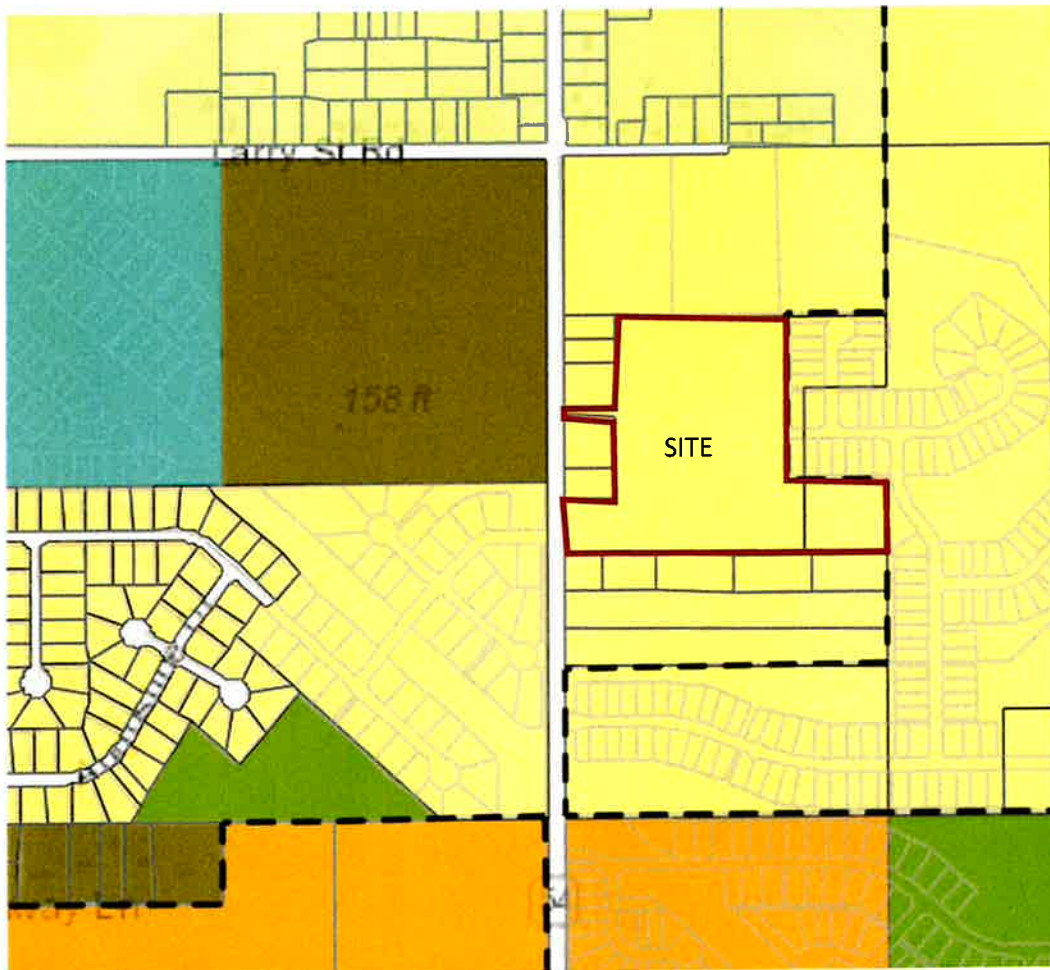
18.61 ac

PC Recommendation to Council:

Lack of supermajority vote to constitute a favorable recommendation

PROPOSAL:

The applicant proposes to pre-zone the subject property to develop a single family residential subdivision. The development will connect to the western boundary of Phase 3 of the Reserve at Daphne subdivision, which is also zoned R-6(G).



Envision Daphne 2042 Comprehensive Plan

This proposal is consistent with the existing Suburban Residential placetype identified in the Comprehensive plan.

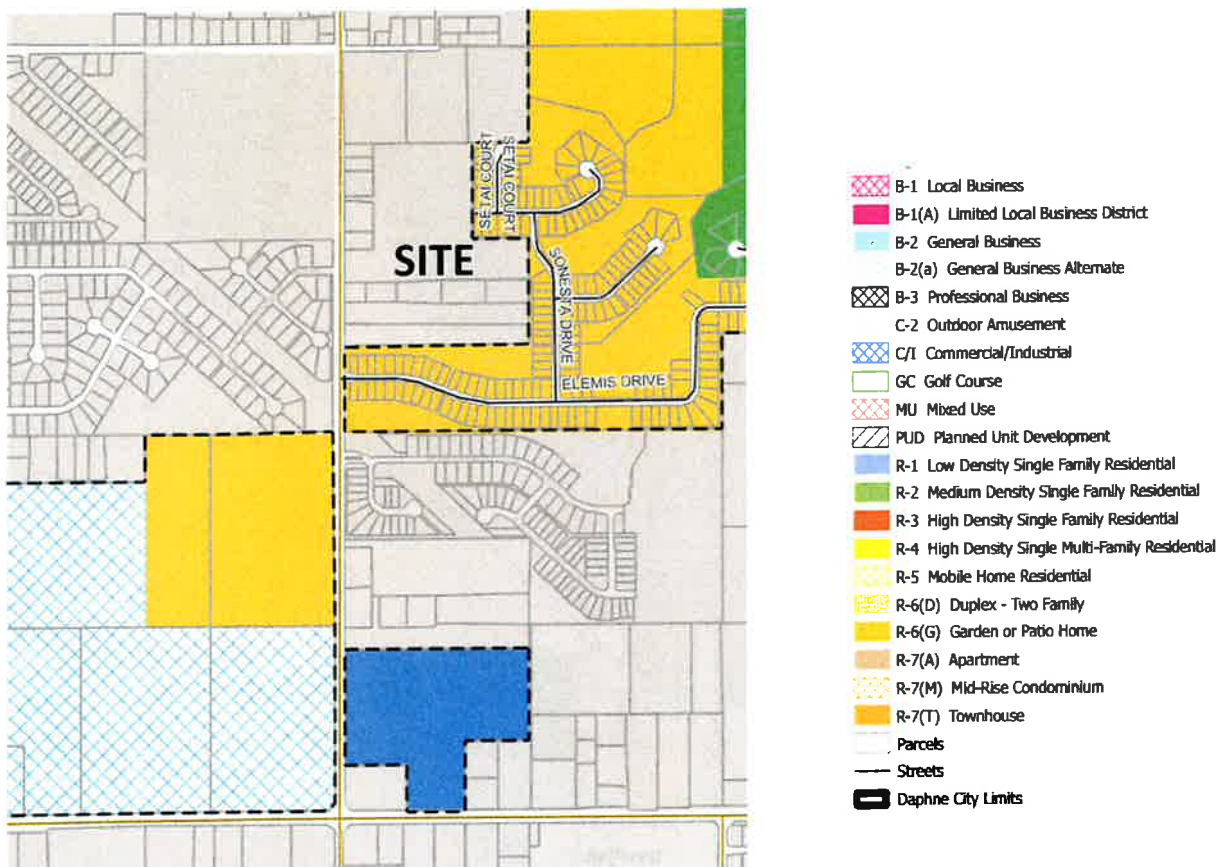
Pre-Zoning

The subject property is zoned Baldwin County's RSF-2 and proposed to be pre-zoned R-6(G). Land to the east was annexed into the City and is now the Reserve at Daphne (a single family development zoned R-6(G). Staff rendered to the Planning Commission a favorable recommendation because the proposed zoning is consistent with that of the Reserve at Daphne (approved master plan and subdivision plat are provided for reference) and the comprehensive plan designation.

Planning Commission Recommendation

A motion to set forth a favorable recommendation to rezone the property from R-2 to B-3 did not receive a supermajority vote. **The Planning Commission's** vote was 3 in favor and 3 opposed.

CITY ZONING MAP EXCERPT



13-4 - Requirements for lot area, width, coverage, density, height and other factors.

The following shall apply in districts as outlined, except planned unit developments or innovative design for single-family, and as provided below:

MINIMUM LOT REQUIREMENTS

	Minimum Lot Area Square feet (sq. ft.)	Minimum Lot Width at Setback Line (ft.)	Maximum Lot Coverage Percent (%) ^a	Maximum Density;sup\sup; (units/acre)	Maximum Height ^e (stories);eo; (ft.)
R-1, Low Density Single-Family	20,000	100	25	2.0	2.5 stories 35 ft.
R-2, Medium Density Residential	15,000	90	25	2.5	2.5 stories 35 ft.
R-3, High Density Single-Family	12,000	80	30	3.5	2.5 stories 35 ft.
R-4, High Density Single-Family— Multi-Family—	5,000 7,500 ^c	50 85	38 35	8.0 14.0	3 stories 50 ft.
R-5, Mobile Homes	See Articles XXV and XXVI for Details				
R-6(G) Garden/Patio Homes	5,000	50	38	8	2.5 stories 35 ft.

13-6 - Minimum zoning district setback requirements.

The following setback requirements shall apply in districts as outlined below, except in a Planned Unit Development, the Olde Towne Daphne District, the Village Overlay District, the Eastern Shore Park Overlay District, or the Jubilee Retail Overlay District, unless otherwise provided in said overlay district.

SETBACKS

Zoning District	Front Yard					Rear Yard	Side Yard	Corner Lot Side Yard		
	Arterial & Collector Streets	Local Streets & Service Roads	U.S. Highway 98 ^e	U.S., State or County Roads	Arterial & Collector Streets			Local Streets & Service Roads		
R-1	40	40	50	e	40	15	40	25		
R-2	35	35	50	e	35	10	35	20		
R-3	30	30	50	e	30	10	30	20		
R-4SF & R6(G)	25	25	50	e	25	6	30	20		
R-4 TF	30	30	50	e	30	a	30	20		
R-4 MF	30	30	50	e	30	a	30	20		
R-5	See Article XXV			e						
New MF Districts	See Section 13-9, Minimum district requirements			e						
Innovative Design SF	25	25	50	e	25	6	30	20		
ET SF*	30	30	50	e	30	10	30	20		
B-1	30	20	50	e	20	b, d	30	25		
B-1(a)	30	20	50	e	20	b, d	30	25		
B-2	30	20	50	e	b, d	b, d	30	25		
B-3	30	20	50	e	b, d	b, d	30	25		
C/I	50	30	50	e	c, d	c, d	30	20		
MU	30	30	n/a	n/a	30	a	30	25		

NOTES FOR PREVIOUS TABLE:

- (a) Side yards shall be ten (10) feet plus two (2) additional feet for each floor above two (2) stories, but not exceeding twenty (20) feet; when the dwelling unit faces the side yard, the dwelling unit shall be at least twenty-five (25) feet from the side lot line.



The Reserve at Daphne

Master Plan
Daphne, Alabama

(REVISED SEPTEMBER, 2021)

Development Summary

Current Zoning: PRD
 Streets: 15,820 LF.
 Total Acreage: 186.55 Ac.
 Density: 1.8 Units per Acre

Land Use:
 Active Open Space: 24.64 Ac. (11.7%)
 Passive Open Space: 30.96 Ac. (14.6%)
 Wetlands (J.D.): 20.93 Ac. (9.9%)
 TOTAL: 76.53 Ac. (36.2%)

Lot Summary

100' Lots — 76 (22.5%)
 52' Lots — 136 (40.2%)
 62' Lots — 126 (37.3%)
 TOTAL 338

Phasing Summary

PHASE	2	3	4	5	TOTAL
Acreage	73.31 Ac.	36.39 Ac.	46.28 Ac.	30.57 Ac.	186.55 Ac.
100' x 150'	26	0	9	41	76
62' x 135'	100	0	26	0	126
52' x 125' Min	8	88	40	0	136
TOTAL	134	88	75	41	338

Existing Phase One Summary

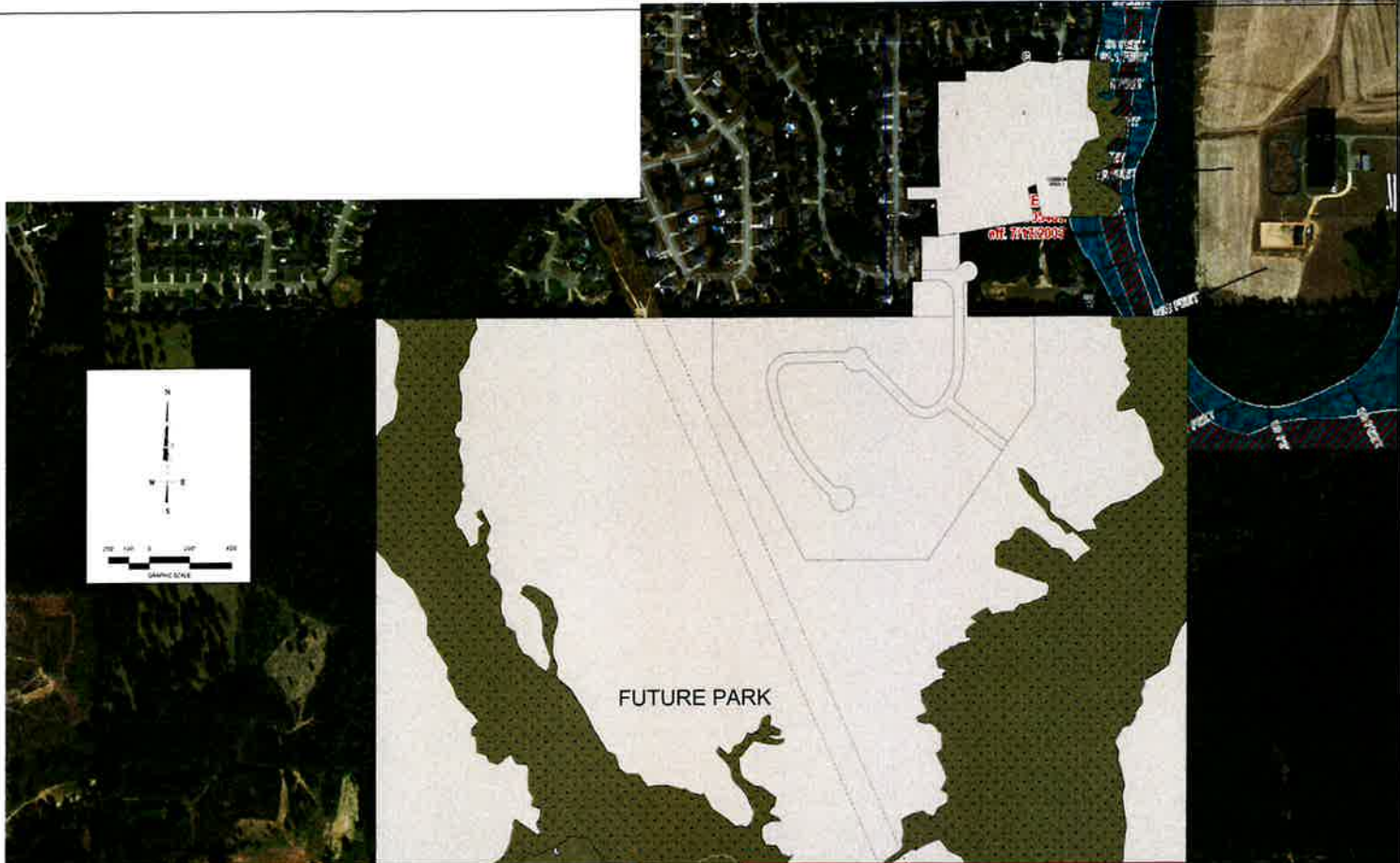
Number of Lots: 78
 Total Area: 81.1 AC



James & Barbara
 Conaway Trust 6-17-10
 shown above

- Original Master Plan -
 Map from City Archive
 Provided for Reference

Dewberry
 25353 Friendship Road
 Daphne, Alabama 36526
 251-990-9950



The Reserve at Daphne

Phases 4-7 Master Plan
Daphne, Alabama

Reserve at Daphne Development Summary
Current Zoning: UNZONED

Streets: 8,852 L.F.
Total Lots: 247
Total Acreage: 101.75 Ac.
Density: 2.43 Units per Acre

Land Use:
Active Open Space: 6.62 Ac. (6.5%)
Passive Open Space: 14.47 Ac. (14.2%)
Wetlands (I.D.): 10.12 Ac. (9.9%)
TOTAL: 31.21 Ac. (30.6%)

Reserve at Daphne Phasing Summary

PHASE	4	5	6	7	TOTAL
Acreage	46.28 Ac.	75.57 Ac.	11.74 Ac.	13.18 Ac.	107.75 Ac.
100' x 135'	24	24	9	8	55
120' x 135'	0	0	0	0	0
150' x 125'	0	0	0	0	0
120' x 125'	0	0	0	0	0
120' x 120'	0	0	0	0	0
TOTAL	24	24	9	8	55

Lot Detail



Parking Summary:
2 per dwelling = 224 spaces
Guest parking = 52 spaces
Total = 276 spaces



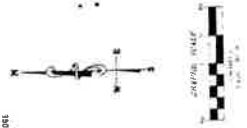
DECEMBER 21, 2023

Dewberry
25353 FRIENDSHIP ROAD
DAPHNE, ALABAMA 36526

- Amended Master Plan -

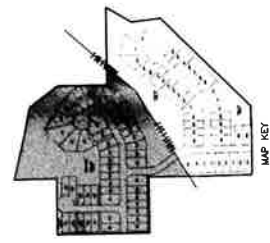
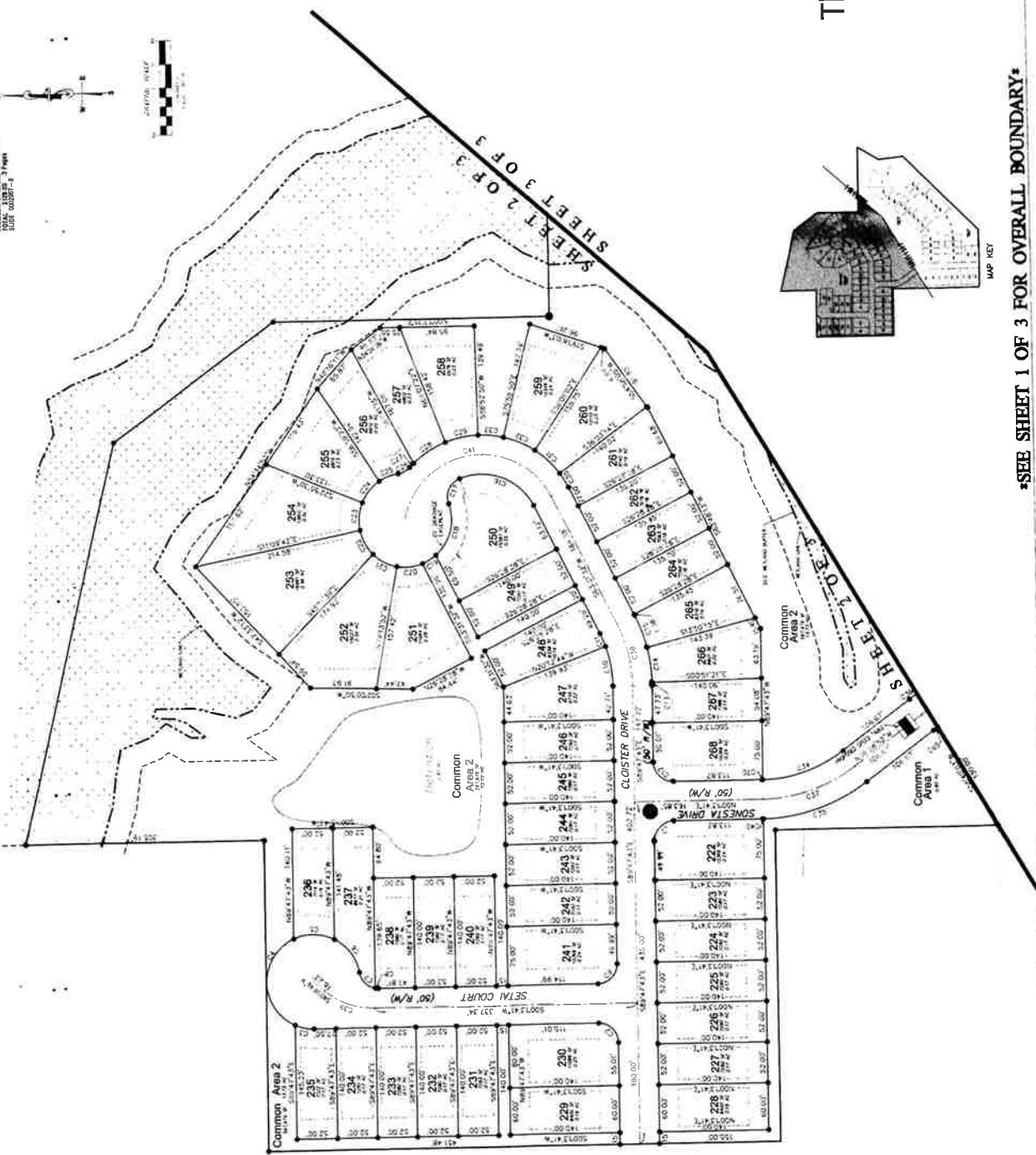
Map from City Archive
Provided for Reference

2134203
 BIRMINGHAM COUNTY, ALABAMA
 PLANNED RESIDENTIAL DEVELOPMENT
 SUBDIVISION MAP
 SUBDIVISION 7-3



LEGEND

1	Proposed Lots
2	Proposed Streets
3	Proposed Driveways
4	Proposed Easements
5	Proposed Utility Lines
6	Proposed Fences
7	Proposed Landscaping
8	Proposed Paved Areas
9	Proposed Unpaved Areas
10	Proposed Water Features
11	Proposed Other Features



The Reserve at Daphne
 Phase Three
 A Planned Residential Development
 FINAL PLAT
 JUNE 27, 2024 - SHEET 2 OF 3 SHEETS
 PLAT OF SUBDIVISION

DESIGN	BMA	DESIGN	MLG
ENG	JNE	PROJ MGR	JNE
		DRAWN	A.E.P.
		DRAWN	V.L.G.
		SCALE	1"=60'
		PROJ. NO	90130862
		FILE	90130862-PL3
		SHEET	2 OF 3

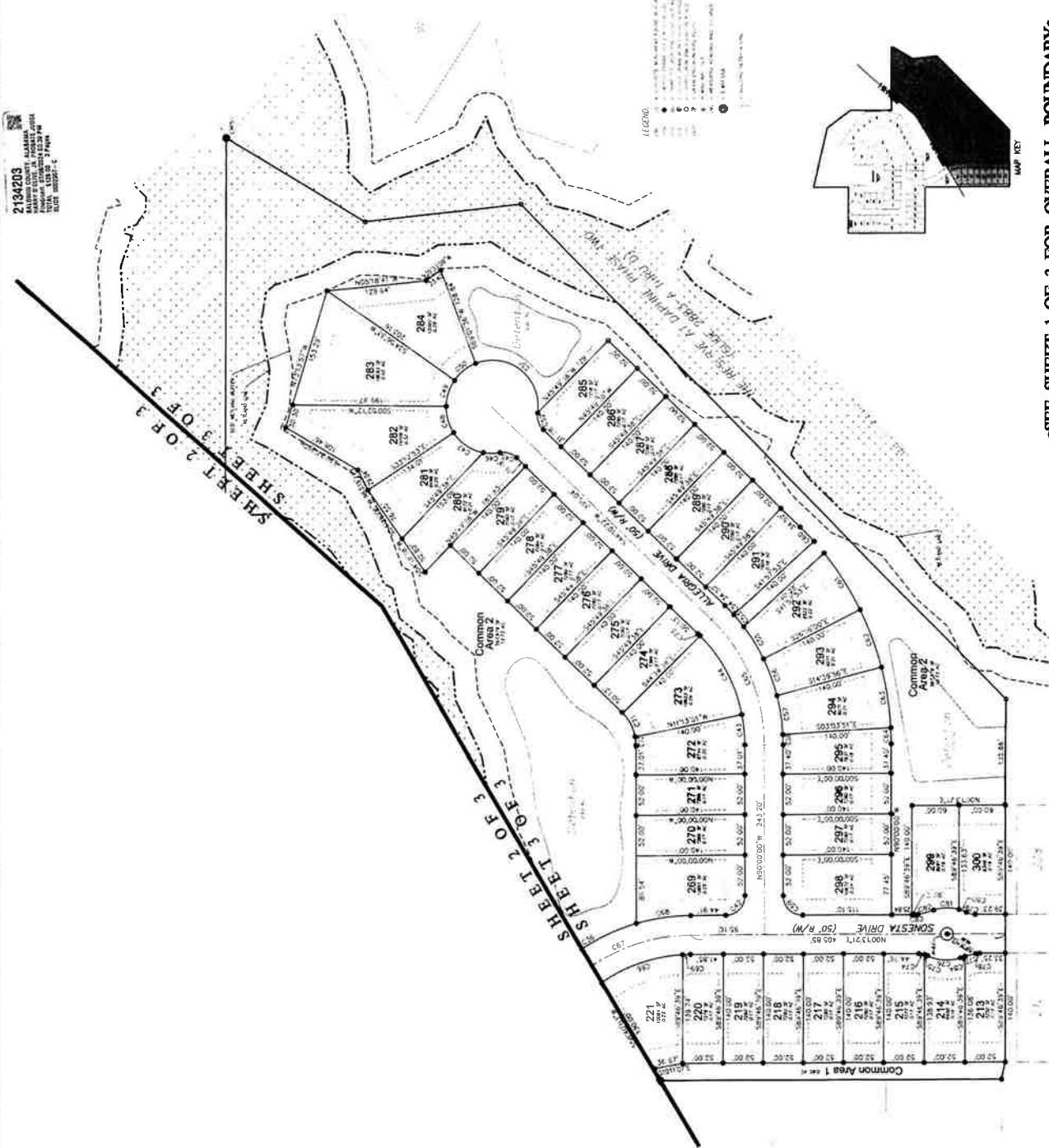


SEE SHEET 1 OF 3 FOR OVERALL BOUNDARY

* James & Barbara
 Conaway Trust
 Property
 Location

Map provided
 for reference

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**The Reserve at Daphne
 Phase Three**
 A Planned Residential Development
 FINAL PLAT - SHEET 3 OF 3 SHEETS
 JUNE 27, 2024 - SHEET 3 OF 3 SHEETS
 PLAT OF SUBDIVISION

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SEE SHEET 1 OF 3 FOR OVERALL BOUNDARY

COUNTY ZONING MAP (updates required to reflect Daphne's new corporate limits)



- County Zoning
- Rural District (RR)
- Rural Agricultural District (RA)
- Conservation Resource District (CR)
- Residential Single Family Estate District (RSF-E)
- Residential Single Family District (RSF-1)
- Residential Single Family District (RSF-2)
- Residential Single Family District (RSF-3)
- Residential Single Family District (RSF-4)
- Residential Single Family District (RSF-5)
- Residential Single Family District (RSF-6)
- Residential Two Family District (RTF-4)
- Residential Two Family District (RTF-6)
- Residential Multiple Family District (RMF-6)
- Residential Manufactured Housing Park District (RMH)
- Marine Recreation District (MR)
- Outdoor Recreation District (OR)
- Tourist Resort District (TR)
- Recreational Vehicle Park District (RV-1)
- Professional Business District (B-1)
- Neighborhood Business District (B-2)
- General Business District (B-3)
- Major Commercial District (B-4)
- Light Industrial District (I-1)
- General Industrial District (I-2)

Section 4.3 RSF-2, Single Family District

4.3.1 Generally. This zoning district is provided to afford the opportunity for the choice of a moderate density residential environment consisting of single family homes.

4.3.2 Permitted uses. Except as provided by Section 2.3: *Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) The following agricultural uses: Silviculture.
- (d) Single family dwellings including manufactured housing and mobile homes.
- (e) Accessory structures and uses.
- (f) The following institutional use: church or similar religious facility.
- (g) Agricultural uses, on RSF-2 zoned parcels that otherwise meet the minimum area and dimension requirements for Rural Agricultural District under Section 3.2.6 herein, agricultural uses shall be permitted uses, except that the minimum front yard for barns and other agricultural structures shall be 100 feet when constructed on an RSF-2 zoned parcel where no primary dwelling currently exists.

4.3.2 Conditional Use Commission Site Plan Approval. Except as provided by Section 2.3: *Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed by the site plan approval process:

- (a) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.
- (d) The following local commercial use: bed and breakfast or tourist home (see Section 13.10: *Bed and Breakfast Establishments*).

4.3.3 *Special exception.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception: Not Applicable

4.3.4 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.5: Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure	35-Feet
Maximum Height in Habitable Stories	2 ½
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	15,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Maximum Ground Coverage Ratio	.35

Section 4.4 RSF-3, Single Family District

4.4.1 *Generally.* This zoning district is provided to afford the opportunity for the choice of a moderate density residential environment consisting of single-family homes.

4.4.2 *Permitted uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) The following agricultural uses: Silviculture.
- (d) Single family dwellings including manufactured housing and mobile homes.
- (e) Accessory structures and uses.
- (f) The following institutional use: church or similar religious facility.

APPLICATION & SUPPLEMENTAL INFORMATION

APPLICATION & SUPPLEMENTAL INFORMATION



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816	Date Submitted --stamp: <u>April 28, 2026</u>
Application Number: ZA- or PZA- <u>26-04</u>	Planning Commission Public Hearing Date: <u>May 28, 2026</u>

Legibly print or type responses below. Indicate N/A or an "X" where item is not applicable.

SITE DATA

Site Location (Address or General Proximity to Nearest Intersection): <u>COUNTY RD 54W ACROSS FROM CENTIPEDE DR.</u>	PPIN#(s): <u>63341</u>
Gross Site Area (acreage): <u>18.61</u>	Requested Zoning or <u>Pre-Zoning</u> : <u>R26(G)</u>
Current Zoning Designation(s): <u>BALDWIN COUNTY RSF-2</u>	Amended Request: Initials: Date: <u>4/28/26</u>
Current Land Use: <u>VACANT</u>	Anticipated Land Use: <u>RESIDENTIAL SUBDIVISION</u>
Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]": <u>SEE ATTACHED</u>	

Specify other recently approved or pending requests related to the subject property. Circle the answer(s).

- Annexation
 Subdivision
 Site Plan
 Special Exception
 Variance
 Specify Other

APPLICANT & AGENT INFORMATION

*If an LLC or LLP or Corporation, provide name and signature of Registered Member or Agent and provide a copy of Articles of Incorporation. <u>JAMES A. CONAWAY AND BARBARA TRUST, DATED JUNE 17, 2010</u>	
Name of Current Owner: <u>JAMES & BARBARA CONAWAY TRUST</u>	Phone/Fax: <u>734 645 9969</u> E-mail: <u>orlandoat11@yahoo.com</u>
Mailing Address: <u>129 LAKE POINTE GRILLE HUNTSVILLE AL 35824</u>	
Name of Authorized Agent: <u>KENNETH WHITE FLOWERS & WHITE ENGINEERS</u>	Phone/Fax: <u>334 356 7600</u> E-mail: <u>kwhite@flowersandwhite.com</u>
Mailing Address: <u>PO Box 231286 MONTGOMERY AL 36123</u>	
Name of Developer*: <u>LYNN LEVY LAND COMPANY, LLC</u>	Phone/Fax: <u>225 337 0471</u> ^{com} E-mail: <u>brad@dorsongrp.com</u>
Other:	Phone/Fax: E-mail:

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Daphne to post a sign on the subject property notifying the general public of this request.

Applicant's Signature: <u>[Signature]</u>	Date <u>4/28/2026</u>
Agent's Signature: <u>[Signature]</u>	Date <u>4/28/26</u>

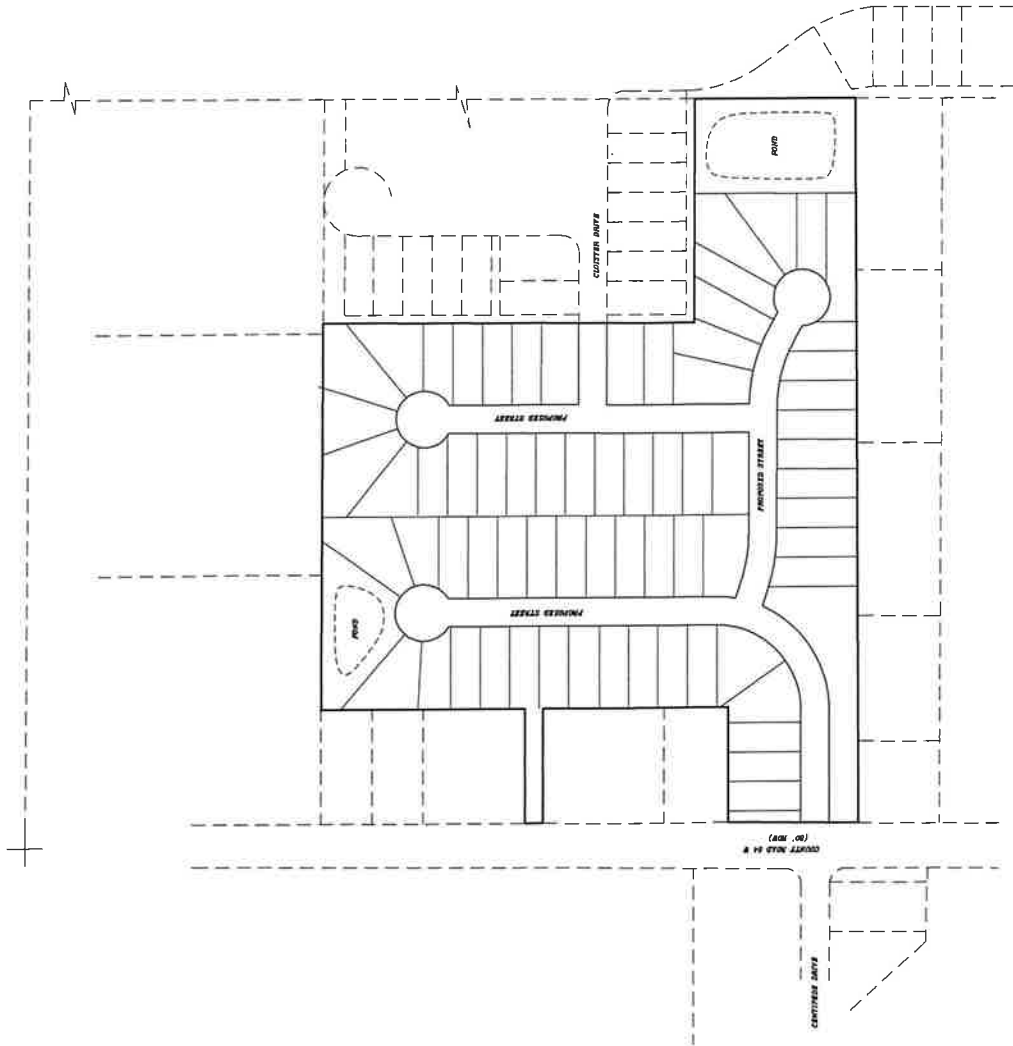
BEGIN AT AN IRON PIN LOCATED AT THE NORTHWEST CORNER OF THE COMMON AREA 2 OF THE RESERVE AT DAPHNE PHASE AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA ON SLIDE 2957-A-C; THENCE FROM SAID POINT OF BEGINNING, S00°12'34"W, 656.44 FEET TO AN IRON PIN; THENCE S89°47'51"E, 395.63 FEET TO AN IRON PIN; THENCE S00°11'09"W, 284.17 FEET TO AN IRON PIN; THENCE S89°48'40"W, 1279.44 FEET TO AN IRON PIN LOCATED ON THE EASTERN RIGHT OF WAY OF COUNTY ROAD 54 WEST (80' RIGHT OF WAY WIDTH); THENCE ALONG SAID RIGHT OF WAY N00°31'40"E, 230.90 FEET TO AN IRON PIN; THENCE LEAVING SAID RIGHT OF WAY S89°53'12"E, 202.80 FEET TO AN IRON PIN; THENCE N00°08'53"W, 327.02 FEET TO AN IRON PIN; THENCE N89°49'07"W, 201.54 FEET TO AN IRON PIN LOCATED ON SAID EASTERN RIGHT OF WAY; THENCE ALONG SAID RIGHT OF WAY, N00°16'14"W, 32.03 FEET TO AN IRON PIN; THENCE LEAVING SAID RIGHT OF WAY S89°48'39"E, 201.78 FEET TO AN IRON PIN; THENCE N00°03'37"E, 359.95 FEET TO AN IRON PIN; THENCE S89°43'43"E, 682.59 FEET TO THE POINT OF BEGINNING.

SAID PARCEL LYING IN SECTION 13, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA AND CONTAINS 18.61 ACRES MORE OR LESS.

EXHIBIT C CONCEPTUAL SITE LAYOUT

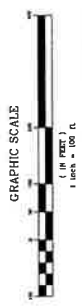


VICINITY MAP



LEGEND

PROPERTY LINE	BOUNDARY / DISTANCE
LOT	BOUNDARY / DISTANCE
PROPERTY LINE	BOUNDARY / DISTANCE
ADJACENT PROPERTY LINE	BOUNDARY / DISTANCE
ADJACENT PROPERTY LINE	BOUNDARY / DISTANCE



FLOWERS & WHITE
REGISTERED PROFESSIONAL ENGINEERS
1000 W. UNIVERSITY BLVD., SUITE 100
TUSCALOOSA, AL 35402
TEL: 205.542.1111 FAX: 205.542.1112

COMMUNITY DEVELOPMENT



May 15, 2026

Dear Sir/Ma'am,

NOTICE OF PUBLIC HEARING

A petition for PRE-ZONING will be considered by the Daphne Planning Commission for James A. Conaway and Barbara Conaway Trust Dated June 17, 2010 containing 18.61 acres +/-, located northeast of County Road 54 West and Centipede Drive to be pre-zoned as R-6(G), Garden or Patio Home. A petition to annex said property has also been submitted.

Said petition will also be considered by the Daphne City Council pursuant to Code of Alabama. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Wednesday, May 20, 2026 at 8:30 a.m. in the Council Chambers of City Hall. The public is invited to attend: limited participation may be allowed by the chairman.

The public hearing will be held by the Daphne Planning Commission on Thursday, May 28, 2026 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, send an email to ajones@daphneal.com, or by representation.

Sincerely,
Adrienne D. Jones, AICP,
Director of Community Development

James A. Conaway and Barbara Conaway Trust Dated June 17, 2010 Pre-Zoning Amendment

James A. Conaway and Barbara Conaway Zoning Amendment			
Clarissa Yelding Fuller	16589 County Road 9	Summerdale AL	36580
Gwendolyn Yelding Anderson	1017 Pelham Street	Montgomery AL	36104
Maxine Yelding Wilson	3113 W Main Street	Whistler AL	36612
Donald A Etux Theresa W Yelding	26674 County Road 54 W	Daphne AL	36526
Clarissa Y Etal Singleton , Jean Fuller	16589 County Road 9	Summerdale AL	36580
St Augustine Propety Owners Association and Inc	25366 Profit Drive	Daphne AL	36526
William E Awalt	26734 County Road 54 W	Daphne AL	36526
Bailey Etal Yelding, Elizabeth Yelding	PO Box 72	Daphne AL	36526
Clarice Lucious	903 Lincoln Road	Bellevue NE	68005
Elizabeth Bryant A/K/A Mcquit and Ery, Elizabeth McQuirtey	26844 County 54 West	Daphne AL	36526
Anthony Lazzari	12050 Lazzari Lane	Daphne AL	36526
May Lazzari	200 Parma Drive #1-2	Daphne AL	36526
Victor Lazzari III	5385 Rodger Road	Daphne AL	36526
The Reserve at Daphne Owners Association Inc.	22500 Town Center Avenue Suite 103	Spanish Fort AL	36527
Conaway, James A etal Conaway, Barbara A Trust Dated June 17 2010	129 Lakepointe Circle	Huntsville AL	35824

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: June 8, 2026
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development *AJ*
SUBJECT: James A. Conaway and Barbara Conaway Trust Dated June 17, 2010 Annexation Petition

PRESENT ZONING: RSF-2, Residential Single Family District

LOCATION: Northeast of the intersection of County Road 54 West and Centipede Drive

RECOMMENDATION: At the May 28, 2026 regular meeting of the City of Daphne Planning Commission, six members were present and the motion to set forth a favorable recommendation to the City Council to annex the subject property into the City limits carried unanimously.

Attached please find the appropriate documentation and action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda to set a public hearing.

Thank you,
ADJ/jv

JAMES A. CONAWAY AND BARBARA CONAWAY
TRUST DATED 6/17/10
ANNEXATION PETITION

Excerpt from Article 23-1 Procedure [for Annexation Requests]

The application shall be reviewed by the Planning Commission at its next regular meeting and said Commission shall have thirty (30) calendar days from said regular meeting within which to submit a recommendation to the City Council. If the Commission fails to submit a recommendation to the City Council within the thirty (30) calendar day period, it shall be deemed to have approved the proposed amendment...Before enacting any amendment to this Ordinance, a public hearing thereon shall be held by the City Council with proper notice as required by law. Said public hearing shall be held at the earliest possible time to consider the proposed annexation, and the Council shall take action on said proposed annexation within forty-five (45) calendar days from the date of the public hearing except in the case where the tentative action is not in accordance with the Planning Commission's certified recommendation.

23-2 PROCEDURE FOR ZONING NEWLY ANNEXED LAND

Any land annexed to the City of Daphne hereafter shall be classified as an R-1, Low Density Single Family Residential District unless otherwise recommended by the Planning Commission through the zoning amendment procedure provided in Article 22-1, Zoning Amendment Procedures. In such case, City Council may consider, after due process of publication and hearing as required by law, specific applications to zone newly annexed land into one or more existing or proposed new zoning classifications recommended by the Planning Commission.

**JAMES A. CONAWAY AND BARBARA CONAWAY TRUST DATED 6/17/10
ANNEXATION REQUEST**

The applicant proposes to annex the subject property into the corporate limits. The site meets the contiguity requirement because it abuts the Reserve at Daphne Subdivision which is already inside the city.

RECOMMENDATION

The Comprehensive Plan encourages expansion and annexation of land contiguous to the existing corporate limits. The subject property is located within Priority Expansion Area 1.

Staff recommended approval of the request to annex this site to the Planning Commission. The Planning Commission unanimously set forth a favorable recommendation to the City Council.

STATE OF ALABAMA
COUNTY OF BALDWIN

**PETITION FOR ANNEXATION OF CERTAIN PROPERTY
INTO THE CORPORATE LIMITS OF THE MUNICIPALITY
OF THE CITY OF DAPHNE, ALABAMA**

(JAMES A. CONAWAY AND BARBARA TRUST, DATED JUNE 17, 2010)

The undersigned, JAMES A. CONAWAY AND BARBARA TRUST, files this petition with the Clerk of the City of Daphne requesting the property hereafter described, commonly referred to as, CONAWAY TRACT, to be annexed into the City of Daphne, a municipal corporation incorporated under the laws of the State of Alabama, and submits the following in support of its petition:

1. **Description of Property:** The description of the property which the petitioner requests to be annexed into the City of Daphne is described in **Exhibit "A"** attached hereto and made a part of this petition as fully set out herein (the "Property").

2. **Map of Property:** Attached hereto as **Exhibit "B"** and made a part of this petition, is a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne.

3. **Owner:** The petitioner, JAMES A. CONAWAY AND BARBARA TRUST, DATED JUNE 17, 2010, is the owner of the property hereby sought to be annexed into the corporate limits of the City of Daphne.

4. **Specific Conditions:** This petition is conditioned upon the adoption of an ordinance, which shall specifically include the conditions requested below upon annexing the property into the corporate limits of the City of Daphne.

Requested zoning, if other than R-1: R-6 (G)

Any other conditions which may apply upon annexation:

5. **Code:** This Petition is filed pursuant to the provisions of Article 21, Chapter 42, Title 11, Code of Alabama, 1975, as amended.

DATED this 28 day of APRIL, 2026

Respectfully submitted by,

Trustee of James
Barbara Conway
Trust

Orlando Conway
Name of Owner (Print)

Orlando Conway
Name of Owner (Signature)

MICHIGAN JMM
STATE OF ALABAMA
COUNTY OF BALDWIN
WAYNE

I, JEFFREY M MITCHELL, the undersigned Notary Public in and for said county and state, hereby certify that ORLANDO CONWAY has signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 28 day of APRIL, 2026.

Jeffrey M Mitchell
Notary Public, State of MI
County of Oakland
My Commission Expires Oct. 25, 2028
Acting in the County of Wayne

[Signature]
NOTARY PUBLIC

My commission expires: 10/25/2028

Owner's Address

35643 Abbey Dr

Romulus, MI 48174

DATED this 27 day of April

Respectfully submitted by,

Name of Owner (Print) Langdon B. Conaway

Name of Owner (Signature) Langdon B. Conaway

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Noah Morgan Peak, the undersigned Notary Public in and for said county and state, hereby certify that Langdon B. Conaway has signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 27 day of April, 2026



NOTARY PUBLIC Noah Morgan Peak

My commission expires: Oct. 16, 2029

Owner's Address

ADDITIONAL INFORMATION

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file this written petition asking and requesting that our property as described be annexed to the City of Daphne, Alabama, under the authority of Section 11-42-20 through 11-42-24, Code of Alabama 1975. Initials: LBC

We further certify that said property is contiguous to the city limits of Daphne, Alabama. A map and written legal description of said property is hereto attached. Initials: LBC

We certify that the property is a single or multiple parcels under single or multiple ownership. Initials: LBC

We certify that we fully understand that upon annexation, the subject property shall be subject to all laws and codes administered by the City of Daphne, including, but not limited to, the zoning code, the subdivision regulations and the municipal code of the City of Daphne. Initials: LBC

Option# 1: We do hereby request pre-zoning of the subject property to the following zoning classification(s): R6(G), and certify that a petition for rezoning, associated fees and documents have been submitted prior to or concurrently with this petition. Initials: LBC

Or

Option# 2: We do hereby certify that we understand fully that upon annexation the subject property will be zoned R-1, Low Density Single Family Residential. Initials: ~~XXXXXXXXXX~~

We do hereby request that the Planning Commission and City Council give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the City of Daphne, Alabama shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this, the 27 day of April 2024

Legal Description Attached (Exhibit A)? Y Map or Survey Attached (Exhibit B)? Y
Recorded Subdivision Plat OR Preliminary/Final Subdivision plat approved by Planning Commission Attached (Exhibit C)? Y Acreage 18.61
Subdivision Name N/A Lot Number(s) N/A

Names and Signature of ALL property owners:

Signature: Langdon Conway Signature: Orlando Conway / Trustee for James A Barbara Conway Trust
Printed Name: Langdon B Conway Printed Name: Orlando Conway / Trustee for James A Barbara Conway Trust
Mailing Address: 129 Lake Pointe Cir SW Mailing Address: 35643 Abbey Dr
Huntsville, AL 35824 Romulus, MI 48174

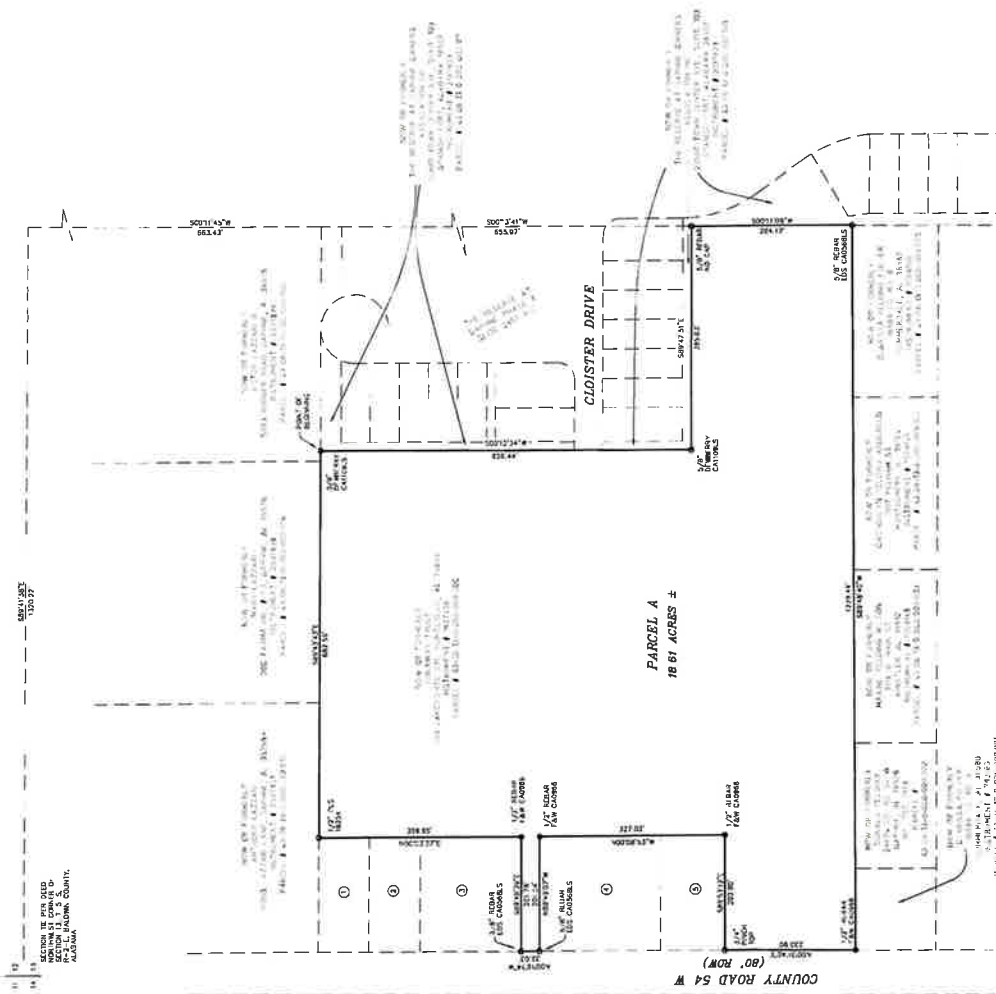
BEGIN AT AN IRON PIN LOCATED AT THE NORTHWEST CORNER OF THE COMMON AREA 2 OF THE RESERVE AT DAPHNE PHASE AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA ON SLIDE 2957-A-C; THENCE FROM SAID POINT OF BEGINNING, S00°12'34"W, 656.44 FEET TO AN IRON PIN; THENCE S89°47'51"E, 395.63 FEET TO AN IRON PIN; THENCE S00°11'09"W, 284.17 FEET TO AN IRON PIN; THENCE S89°48'40"W, 1279.44 FEET TO AN IRON PIN LOCATED ON THE EASTERN RIGHT OF WAY OF COUNTY ROAD 54 WEST (80' RIGHT OF WAY WIDTH); THENCE ALONG SAID RIGHT OF WAY N00°31'40"E, 230.90 FEET TO AN IRON PIN; THENCE LEAVING SAID RIGHT OF WAY S89°53'12"E, 202.80 FEET TO AN IRON PIN; THENCE N00°08'53"W, 327.02 FEET TO AN IRON PIN; THENCE N89°49'07"W, 201.54 FEET TO AN IRON PIN LOCATED ON SAID EASTERN RIGHT OF WAY; THENCE ALONG SAID RIGHT OF WAY, N00°16'14"W, 32.03 FEET TO AN IRON PIN; THENCE LEAVING SAID RIGHT OF WAY S89°48'39"E, 201.78 FEET TO AN IRON PIN; THENCE N00°03'37"E, 359.95 FEET TO AN IRON PIN; THENCE S89°43'43"E, 682.59 FEET TO THE POINT OF BEGINNING.

SAID PARCEL LYING IN SECTION 13, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA AND CONTAINS 18.61 ACRES MORE OR LESS.

EXHIBIT B BOUNDARY SURVEY



VICINITY MAP



SECTION 16, T19N, R10E, S10W
MIDDLEBURY TOWNSHIP
BALDWIN COUNTY, ALABAMA

- ADJACENT PROPERTY OWNERS**
- 1. [Owner Name]
 - 2. [Owner Name]
 - 3. [Owner Name]
 - 4. [Owner Name]
 - 5. [Owner Name]

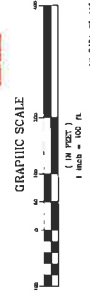
DESCRIPTION:
 THE SURVEY IS LOCATED AT THE
 SOUTHWEST CORNER OF THE COMMON AREA 2 OF
 THE 9TH 1/2 OF THE TOWNSHIP OF MIDDLEBURY
 COUNTY, ALABAMA, ON THE 10TH 1/2 OF THE 10TH
 RANGE, EAST OF THE 10TH MERIDIAN, T19N, R10E,
 S10W, ALABAMA. THE SURVEY IS A 18.61 ACRES
 PARCEL TO BE BOUND BY THE FOLLOWING BEARINGS
 AND DISTANCES: ...

STATE OF ALABAMA
 BALDWIN COUNTY

I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN
 EXAMINED AND FOUND TO BE ACCURATE AND CORRECT IN ACCORDANCE WITH THE
 REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT OF ALABAMA AND THE
 KNOWLEDGE, INFORMATION, AND BELIEF.

APPROVED TO ME BY MEASUREMENT THIS 27th DAY OF APRIL, 2024.

[Signature]
 REGISTERED PROFESSIONAL ENGINEER
 ALABAMA REG. NO. 11827




FLOWERS & WHITE
 ENGINEERING, L.L.C.
 1000 JEFFERSON UNIVERSITY BLVD
 MOBILE, AL 36688

- LEGEND**
- ADJACENT PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - ADJACENT PROPERTY LINE



**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**

DATE: June 8, 2026
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development 
SUBJECT: DAK Investments, LLC Zoning Amendment

PRESENT ZONING: R-2, Medium Density Single Family Residential

PROPOSED PRE-ZONING: B-3, Professional Business

LOCATION: 805 Randall Avenue, northeast of the intersection of Main Street and Randall Avenue

RECOMMENDATION: At the May 28, 2026 regular meeting of the City of Daphne Planning Commission. The motion to set forth a favorable recommendation to the City Council to the subject property from R-2, Medium Density Single Family Residential, to B-3, Professional Business, failed due the lack of a super majority vote of the Planning Commission. Six affirmative votes are needed, only five affirmative votes were cast of the six members present.

Attached please find the appropriate documentation and action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda to set a public hearing.

Thank you,
ADJ/ja

DAK INVESTMENTS, LLC
REZONING PETITION



DAK INVESTMENTS, LLC
Rezoning Amendment

Zoning Classification:
R-2, Medium Density Single Family Residential

Surrounding Zonings/Uses:

- **North** - B-2, General Business
- **South** - R-4, High Density Single Family
- **East** - R-2, Medium Density Single Family
- **West** - B-2, General Business

Existing Utility Service Providers: Riviera Utilities, AT&T, Daphne Utilities

Affected City Service Providers: Fire Station 1, Police Beat 1, Public Works

Proposed Zoning:
B-3, Professional Business

Development Concept:
Professional Office

Council District:
2

Existing Conditions:
0.38 ac

PC Recommendation to Council:
Lack of supermajority vote to constitute a favorable recommendation

Proposal The subject property is located at 805 Randall Avenue in the Olde Towne Daphne Overlay District (ordinance included for reference). It is a single family dwelling. The applicant proposes to rezone the subject property from single family residential to professional business.

Location This portion of Randall Avenue is between Main Street (Scenic 98) and U.S. Highway 98. It is unique in that each end of the street, with the exception of one house at the south east intersection of Randall Avenue and Main Street, is zoned and used for commercial purposes. The remaining areas between the two roads are zoned R-4, High Density Single Family Residential or R-2, Medium Density Single Family Residential, and used for single family dwellings.

The subject property abuts to the west and north two commercial parcels. Each fronts Main Street. Both are zoned B-2, General Business. To the east of 805 Randall Avenue are two parcels zoned R-2 (approximately 4.8 acres combined). It appears that each has a single family dwelling thereon. Fountain Square commercial center is located further east, at the northwest intersection of Randall Avenue and U. S. Highway 98. Blacksher Place, an 8-lot residential subdivision and Randall Place, a 2-lot residential subdivision (recorded plats are included for reference) are located to the south..

Envision Daphne 2042 Comprehensive Plan (Excerpt included for reference)

The subject property is located within the Olde Towne Core. The primary land uses are noted as mixed-use, commercial/office, single-family attached with upper floor residential and institutional uses. The Comprehensive Plan states that the Core is the traditional heart of Daphne and embodies the community symbolically, culturally, and historically. It is pedestrian oriented and within easy walking distance of surrounding neighborhoods [which] provides locations for people to shop, eat, and socialize. Infill development opportunities exist that would add to the traditional fabric of the city. Residential and office uses should be integrated to diversify the mix of development. Streetscape furnishings and pedestrian amenities are abundant and intended to reflect Daphne's history and culture. Vehicular traffic is secondary to the fundamental pedestrian and human scale of the area.
















This location may be suitable for professional business or mixed use due to its proximity to B-2, General Business zoning. It's noteworthy that businesses in operation on the adjacent properties are operating within the original buildings (houses). The practice of adaptive reuse (using the original structure to operate a business) preserves the character of the area. It should also be noted however that each adjacent commercial property, as well as the subject property, *if rezoned*, is entitled to construct new buildings to the maximum extent permitted by the zoning ordinance. Based upon the guidance of the Comprehensive Plan for the Olde Towne Core, staff rendered to the Planning Commission a favorable recommendation for B-3, Professional Business (excerpt included for reference).

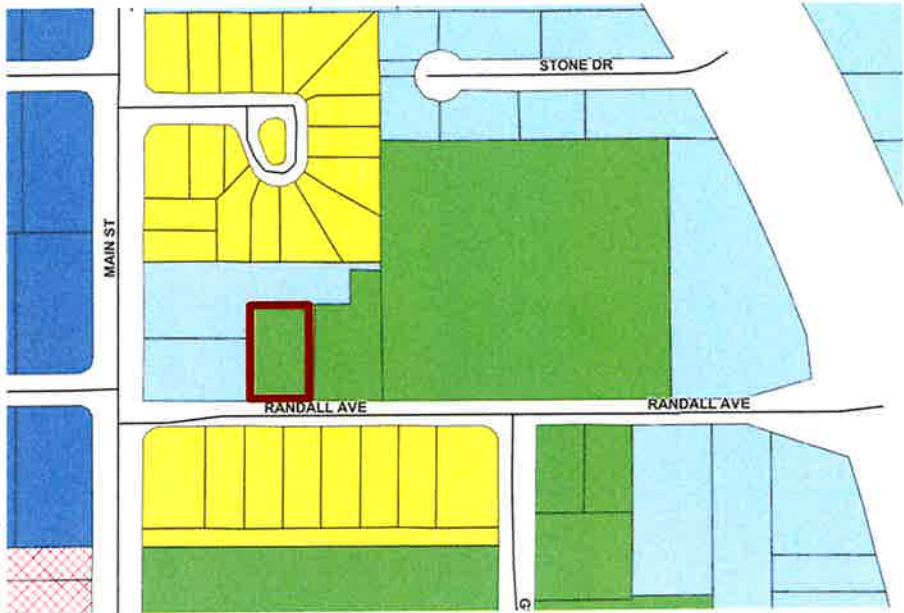
Planning Commission Recommendation

A motion to set forth a favorable recommendation to rezone the property from R-2 to B-3 did not receive a supermajority vote. **The Planning Commission's** vote was 5 in favor and 1 opposed.

CITY ZONING MAP EXCERPT

Zoning

-  B-1 Local Business
-  B-1(A) Limited Local Business District
-  B-2 General Business
-  B-2(a) General Business Alternate
-  B-3 Professional Business
-  C-2 Outdoor Amusement
-  C/I Commercial/Industrial
-  Golf Course
-  MU Mixed Use
-  Unincorporated Baldwin County
-  PUD Planned Unit Development
-  R-1 Low Density Single Family Residential
-  R-2 Medium Density Single Family Residential
-  R-3 High Density Single Family Residential
-  R-4 High Density Single Multi-Family Residential



DAPHNE B-3, PROFESSIONAL BUSINESS DISTRICT

B-3, Professional Business District

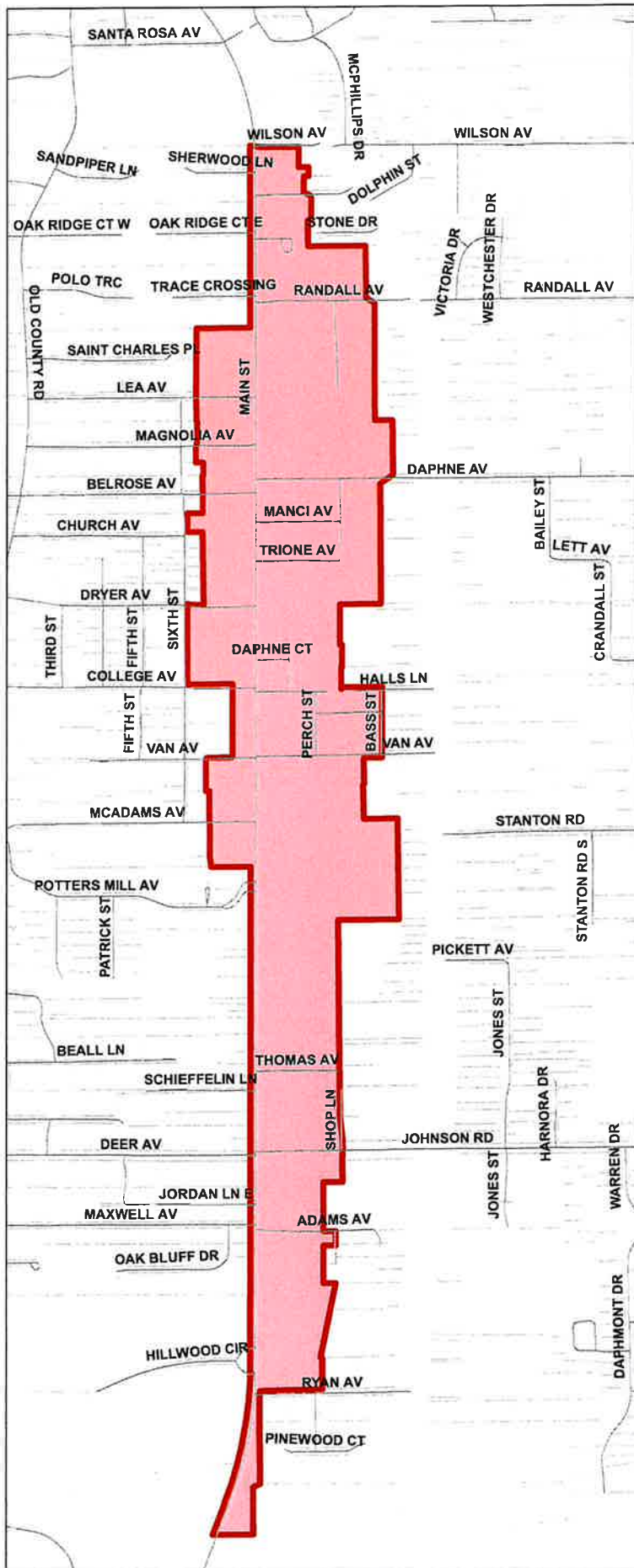
Excerpt from the Land Use & Development Ordinance, Section 35-3, Permitted Uses and Conditions Table

List of Uses and Conditions	B-3, Professional Business
Accessory buildings and uses, when located on the same lot or parcel as the principal structure or use and customarily incidental thereto, provided the requirements in all pertinent sections of this Ordinance are met	Right
Agriculture and related farming operations, including horticulture, plant nurseries market gardening, field crops, orchards, and home gardens	Right
Ambulance/EMS service	PC Approval (PCA)
Art gallery or museum	Special Ex (SE)
Bank, including drive-in bank	Right
Churches and related accessory buildings	Right
City Hall, police station, fire station, courthouse, federal office building and similar public building	Right
Clinic, dental, medical or psychiatric for humans	Right
Employee credit union office	Right
Home occupation	Right
Office buildings, professional	Right
Optician	Right
Printing, blueprinting, bookbinding, photostating, lithographing and publishing establishment.	Right
Radio and television antenna (amateur)	Right
Art sculptures, statues, monuments	PCA

List of Uses and Conditions	B-3, Professional Business
Business school or college	PCA
College or university, provided that they are located on a lot fronting on an arterial street or road and that no building is located within 100 feet of any property line	PCA
College sorority or fraternity house	PCA
Electric power substation; need not be enclosed within a structure, but must be secured by a chain link or similar fence, or raised above ground so as to be inaccessible to unauthorized persons; requires visual screen in most districts	PCA
Gas regulator station	PCA
Hospital, clinic, convalescent or nursing home, extended care facility or sanitarium for humans	PCA
Clinic, convalescent or nursing home, extended care facility or sanitarium for humans	PCA
Police substation, including Highway Patrol	PCA
Post office	PCA
Public utility substation with proper screening	PCA
Telephone exchange	PCA
Water storage; need not be enclosed within a structure	PCA
Water or sewage pumping station	PCA
Cemetery, subject to requirements of the Special Provisions	SE
Oil and gas exploration and production activities	SE
Schools, public and/or private, elementary and/or secondary meeting the requirements of the education laws of the State of Alabama	SE

OLDE TOWNE DAPHNE OVERLAY DISTRICT

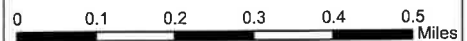
Olde Towne Daphne District Map



Land Use & Development Ordinance Appendix I,
Revisions as per Ordinance No. 2003-05, 2005-12,
2008-04, 2009-66, 2016-08, 2019-34, 2019-44

Legend

- Olde Towne Daphne District
- Parcels



ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, ON THE 22 DAY of October, 2019.

Dana Haygood
Dana Haygood, Mayor

ATTENT:
Charles C. Anderson
Charles C. Anderson, City Clerk

Maps are for graphical purposes only. They do not represent a legal survey. The information contained in the data distributed by the City of Daphne is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness and currency thereof are not guaranteed. The City of Daphne makes no warranties, expressed or implied as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of the information or data contained in or generated from the City Geographic Information System. Additionally, the City of Daphne or any agent, servant, or employee thereof assumes no liability associated with the use of the data, and assumes no responsibility to maintain it in any manner or form. Any questions regarding zoning or any data should be directed to the City of Daphne Department of Community Development at 251-620-1700.

ARTICLE XIV THE OLDE TOWNE DAPHNE DISTRICT

Revised 07/25/16: Add new B-1(a) zoning district per Ordinance #2016-39

Revised 01/23/17: Add menu-type signs per Ordinance #2017-04

Revised 01/10/20: Allow residential in B-1, B-2, B-3 districts per Ordinance #2020-02

Revised 03/01/22: Amended to clarify duties of the City Engineer per Ordinance #2022-14

Revised 09/15/22: Amended 14-2(b) Mixed Use and 14-10 Parking per Ordinance #2022-58

14-1 PURPOSE

The intent of this Article is to provide for the creation of the district in order to establish minimum standards and provisions for residential, business, or commercial development in the areas outlined in the map provided herein and to achieve a healthy, beautiful, and safe community by the following means:

- **Aesthetics:**
Improve the appearance of all areas through the incorporation of innovative landscaping and open space into development in ways that harmonize and enhance the natural beauty of the environment.
- **Land Values:**
Maintain and increase the value of land by incorporating innovative designs and criteria into development, thus becoming itself a valuable capital asset.
- **Human Values:**
Provide direct and important physical and psychological benefits to human beings through the use of landscaping and tree preservation as a buffer zone between residential and business development to reduce noise and glare, and to break up the monotony and soften the harsher aspects of urban development.
- **Improved Design:**
Promote innovative and cost conscious approach to the design and construction of the District.
- **Improved Administration and Enforcement:**
Establish procedures and standards for the administration and enforcement of this Article.

14-2 USES PERMITTED

(a) General

The following zoning districts provided herein established and most specifically defined in Article 12, Establishment of Districts: B-1, Local Business, B-1(a) Limited Local Business District; B-2, General Business, B-3, Professional Business, R-4, Single Family and Multi-Family Residential, and MU, Mixed Use. Article 35, the Table of Permitted Uses and Conditions, outlines the restrictions for each district, except with regard to mixed-uses as provided in the following subsections. (See also Article 12, Establishment of Districts).

The Planning Commission shall no longer consider zoning or rezoning amendments for B-2, General Business or R-4 zoning districts. All existing B-2, General Business and R-4, High Density Single and Multi-Family Residential Districts shall be developed in accordance with the standards provided herein. For any new request, the following districts shall be considered in lieu of R-4: R-6(G) for all garden/patio homes developments; and, R-6(D) for duplexes.

(b) Mixed-Use Developments in the Olde Towne Daphne District

It is the intent of the City to encourage mixed-use developments in the Olde Towne Daphne District. Zoning districts that will allow mixed-use developments by right include MU, Mixed Use; B-1, Local Business; B-2, General Business; and B-3, Professional Business. The residential density of any mixed use development shall not exceed 14 units per acre and shall require a minimum of 1.5 parking spaces per residential unit in addition to the minimum required number of parking spaces.

Said mixed-use development may have a vertical configuration, meaning the primary business is located on the ground floor and the secondary use is located on an upper floor, or may otherwise meet the provisions of an accessory dwelling unit as provided in section (c) below.

(c) Accessory Dwelling Units (ADU) in the Olde Towne Daphne District shall adhere to the following provisions.

1. Detached accessory dwelling is defined as a dwelling unit separate from the principal structure. The dwelling shall be clearly subordinate in size, height, and purpose to the principal structure, it shall be located on the same lot as the principal structure, but may be served by separate utility meter(s), and is detached from the principal structure if approved by the Building Official. A detached accessory dwelling may be an independent structure, a dwelling unit above a garage, or attached to a workshop or other accessory structure on the same lot as the principal structure.
2. It is the intent of this ordinance to allow, where deemed appropriate by the Planning Commission, accessory dwelling units that maintain an appropriate proportional relationship to the adjacent principal structure(s) on the same site.
3. The accessory dwelling unit may function as purely residential use or as a mixed use building that allows separate commercial and residential usage.
4. While these provisions apply to detached accessory dwelling units, the provisions do not supersede or override applicable life safety standards found in the applicable codes adopted by the city.
5. When deemed appropriate by the Planning Commission, in business and commercial districts located in the Olde Towne Daphne district, a detached accessory dwelling may be considered where such detached accessory dwelling complies with the following requirements:
 - a) A recreational vehicle (RV) shall not be considered as an ADU.
 - b) Shall not exceed 60% of the size (measured in square feet) of the principal building.

- c) Shall not be located on a lot by itself, nor be located in or extend into the front yard.
- d) Shall not be constructed to exceed more than two (2) stories.
- e) Shall not be constructed to exceed thirty (30) feet mean roof height; however, the accessory dwelling unit shall not exceed the height of the primary business or commercial building.
- f) Shall not encroach into any easement.
- g) Shall maintain a side yard setback and rear yard setback of not less than six (6) feet where abutting property zoned for business or commercial use.
- h) Where the adjacent property is zoned for residential use, the side yard and rear yard setback shall be no less than the standard zoning district setback requirement.
- i) Requests for variances to the provisions of this section shall be submitted to the Board of Zoning Adjustment.
- j) There shall be one (1) power meter to service both the primary business and the accessory structure, unless a second power meter is approved by the Building Official. The decision of the Building Official may be appealed to the Board of Zoning Adjustment in accordance with provisions established herein.
- k) Prefabricated accessory structures (such as utility sheds, conex storage boxes and the like) shall not be utilized for the purpose of habitation.
- l) No more than one detached accessory dwelling shall be permitted on a single lot in conjunction with the principal structure.

- m) The detached accessory dwelling may not be divided from the property ownership of the principal dwelling.
- n) The detached accessory dwelling shall be of similar style, design and material color as used for the principal structure and shall use similar architectural characteristics, including roof form and pitch, to the existing principal structure.

14-3 SPECIAL PROVISIONS

The following shall apply:

- (a) The provisions of this Article shall be required for all residential projects involving the construction of two (2) or more dwelling units including apartments, town homes, condominiums, planned unit developments, subdivisions, business, commercial, industrial, and/or institutional structures; all existing structures which increase the gross floor area by thirty (30) percent or more, except a single family residence; construction of a park, public way, open space, public building or structure; construction of a public utility whether publicly or privately owned; and other uses as required by the Planning Commission.
- (b) A site plan review for minor expansions of commercial or institutional uses, renovations or changes in use shall be subject to administrative review and approval by the Director of Community Development to determine compliance with the provisions of this Ordinance.
- (c) Whenever a major development is proposed the developer should informally consult with the Department of Community Development prior to site plan application to ensure compliance with the required regulations. No fee shall be charged for the review and no formal application shall be required.
- (d) Any development which is to be constructed in phases or units shall require a master plan of the site which shall be submitted to the Planning Commission for approval prior to submitting a site plan

application. The subdivider shall submit to the Department of Community Development, a written request for review and approval by the Planning Commission and a copy of said master plan. The master plan shall be of sufficient detail to show the proposed street and lot layout, drainage, utilities, detention, common, recreational, landscaped areas and maximum density (gross and net).

- (e) Size of properties reserved or laid out for business, or commercial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.
- (f) A site plan review shall be accomplished by the recommendation of the Director of Community Development and approval of the Planning Commission to assure compliance with the provisions of the Land Use and Development Ordinance in conformity with its purpose as stated in Article I, Purpose, Repeals, Enactment and Short Title, as well as, applicable Building and Fire Codes, latest edition.
 - (1) Site plan approval shall become void one (1) year from the date of Planning Commission approval if no site disturbance permit has been acquired for the project. The site disturbance permit and site plan shall both become void one (1) year from the issuance of the site disturbance permit if no substantial building or construction activity has occurred.
 - (2) Prior to expiration, a one (1) year extension of time may be granted for the approved site plan and the site disturbance permit by the Director of Community Development, upon written request of the applicant stating good reason.
 - (3) If no construction activity has occurred after the expiration of the extended time, an additional one (1) year extension of time may be considered by the Planning Commission. At no time shall any site plan and related site disturbance permit be granted an extension beyond this time. The site plan and site disturbance permit shall automatically be deemed null and void.

- (g) After site plan approval and before the issuance of a site disturbance permit, a pre-construction conference shall be held between the developer, contractors, the Departments of Community Development, the City Engineer, Environmental Programs, Building Inspections; Riviera Utilities, Daphne Utilities; any other applicable public or private utility company, local, state, and/or federal agency. At the pre-construction conference, involved parties will discuss issues related to permitting, construction safety, general expectations during construction, final inspection protocol, etc.
- (h) When all required improvements are installed in accordance with the site plans and specifications approved by the Planning Commission, the developer or owner shall request a final inspection by the design engineer and the registered landscape architect. Both shall forward compliance letters to the Director of Community Development. Upon receipt thereof the Director or his/her duly authorized representative shall inspect the site to determine if the required improvements are satisfactorily installed prior to signing the certificate of occupancy or final plat.

14-4 SITE PLAN APPLICATION

Prior to making any improvements, the developer/owner shall submit to the Planning Commission a site plan of the project for review in accordance with the following procedure. These items shall be received in the Department of Community Development not less than thirty (30) days prior to a regularly scheduled meeting of the Planning Commission at which meeting the site plan is to be formally submitted for review.

- (a) Developer's Responsibility - The developer shall submit to the Department of Community Development:
- (1) Completed application on prescribed forms signed by the property owner or authorized agent; an agent authorization letter—if applicable; a copy of the recorded warranty deed of the subject property (as proof of ownership); the Owner's Indemnification and Maintenance Agreement Form for Commercial Developments; drainage calculations; Certification of Engineering Design form; applicable State and/or Federal permit applications; in accordance with specifications provided in the Site Plan Supplemental

Documentation List in the Appendix; the site plan; documentation of all applicable utility companies' service availability and willingness to provide services; and, the filing fee as specifically enumerated in Article 34, Schedule of Fees.

- (2) The developer shall submit a site plan and utility sheets to each utility company for review. Paper and electronic copies shall be provided to the City Engineer, Bureau of Fire Prevention, Riviera Utilities, Daphne Utilities and Environmental Programs. The subdivider shall submit a site plan and applicable documents as may be necessary to any and all applicable utility companies, local, state and/or federal agencies for review. Sign details shall be submitted to the Code Enforcement Officer for review.

(a) Site Plan Content:

The site plan shall contain all information as reflected on the current Site Plan Supplemental Documentation List and the Site Plan Review checklist as provided in the Appendix. Either may be modified at the discretion of the Director of Community Development when applicable. However, any modifications to either the checklist or supplemental list shall be requested of the applicant and approved by the Director of Community Development during or as a result of a pre-application conference. Incomplete submissions shall not be accepted by the Department of Community Development.

Site plans shall be designed and certified by a professional design engineer. Landscape plans shall be designed and certified by a registered landscape architect. Site plans shall include the following sheets: boundary survey, existing conditions, tree survey, site plan, geometric plan, utility plan, water and sewer plan, grading and drainage plan, construction best management practices plan, applicable construction details and notes as may be applicable, an overall master plan, if applicable, landscape plan and irrigation plan, building elevations, floor plans, and sign details. Site plans shall be designed to meet all applicable provisions of this Ordinance.

(b) Posting Notice of Site Plan Review:

Applicant shall be responsible for posting a sign providing public notice of site plan review. Failure to post said sign fifteen (15) days prior to Planning Commission review, shall cause the application to be withdrawn from the meeting agenda. Said sign shall not be an advertisement sign for the proposed project, but an advertisement of the Planning Commission meeting dates and times in accordance with the standards established for such provided in the Supplemental Information.

14-5 WAIVER

The Director of Community Development may waive certain requirements contained in this Article if, in his/her opinion, the requirements are not essential to a proper decision on the project; or, he/she may supplement the list with other requirements deemed necessary to clarify the nature of the proposed development.

14-6 BOND REQUIREMENT FOR OFF-SITE IMPACTS

(a) Whenever a person, firm, corporation, developer or other entity proposes to develop a commercial, public, semi-public or multi-family, or mixed use project that, in the opinion of the Director of Community Development constitutes a land disturbing activity which may pose a risk of drainage and/or siltation damage outside the boundaries of the project, such person, firm, corporation, developer or other entity conducting the land disturbing activity shall be required to submit a non-cancelable performance bond in the name of the permittee, a letter of credit or cashier's check, to the City prior to the issuance of a site disturbance permit.

(b) At the time of the site plan approval, the bond shall become effective and shall extend for a period of at least two (2) years following the issuance of the certificate of occupancy by the City. The bond shall be in the amount of twenty percent (20%) of the total cost for the performance of all site work. Said bond shall cover drainage, erosion and siltation damage, if any.

- (c) The Director of Community Development or other administrative official as designated by the City Council shall determine the prescribed bond, as well as, the adequacy and the security thereon.

14-7 FEES & APPLICATION WITHDRAWAL PROCEDURES

An application for site plan review, site disturbance permit and extension requests shall be accompanied by the appropriate fee as specifically enumerated in Article 34, the Schedule of Fees. If, for any reason, an item scheduled for initial presentation before the Planning Commission is requested to be tabled or withdrawn within seven (7) calendar days of submission to the Department of Community Development, then the application fee and notification fee will be credited toward re-submittal of the application; however, beyond the seven (7) calendar day period, fees shall not be refunded nor credited toward subsequent submittals. The request to withdraw or table the item shall be submitted in writing to the Department of Community Development prior to the scheduled hearing date.

14-8 ISSUANCE OF SITE DISTURBANCE PERMIT

Each person, firm, corporation, utility, entity or agent thereof preparing to engage in any site preparation and/or construction activities shall acquire a site disturbance permit from the Department of Community Development prior to commencement of such activities as established pursuant to the provisions of this Article and no such activity shall commence prior to the approval of a site plan by the Planning Commission if required by Section 14-3(a) or administrative review by the Director of Community Development if required by Section 14-3(b). Fees for said permit and permit extension requests are enumerated in Article 34, Schedule of Fees.

14-9 ISSUANCE OF BUILDING PERMIT

Upon approval of the site plan either as submitted or with changes and/or special conditions required by the Planning Commission, the Building Official may issue a building permit for a portion or all of the proposed development provided that the application is in compliance with all applicable city, county, state and federal requirements.

14-10 PARKING REQUIREMENTS

Any mixed-use development in the Olde Towne district shall provide a minimum of one and one-half (1.5) parking space per residential unit in addition to the minimum required number of parking spaces. Any business development located within the Olde Towne Daphne District with a lot frontage of fifty (50) feet shall require a minimum of four (4) parking spaces, with a lot frontage of twenty-five feet shall require a minimum of two (2) parking spaces, and shall also comply with the minimum design and improvements standards as otherwise outlined in this Ordinance and ADA requirements.

Off-street parking for multi-use buildings or mixed use developments shall be located in the rear of the building(s) adjacent to the street unless an alternative location is approved by the Planning Commission.

For any use for which the above referenced parking requirement cannot be met due to the unique conditions of a particular parcel of property as documented on the site plan, off-street parking spaces of the public type may be considered toward the requirements necessary to comply with the Article upon determination of the Director of Community Development and approval of the Planning Commission.

14-11 SIGNAGE

The maximum allowable square footage established in each zoning designation and/or overlay district shall apply as provided in each district. Said allowable area shall not be exceeded. In the event that channel letters, as defined in Article 8, Definitions, are proposed, then the maximum allowable square footage shall be calculated at a rate of eighty percent (80%) in lieu of the standard rate of one hundred percent (100%).

(a) Nonconformance:

Any sign in existence on the date of the adoption of this Ordinance that is not in conformance shall be considered a nonconforming sign and shall be permitted to continue to exist, subject to the conditions and prohibitions set forth in the provisions of Article 33, Sign Provisions.

- (b) Single-Use Building (A commercial building with one commercial tenant):

Signs indicating the name of a business or retail use permitted in this District with a single-use building shall have one (1) sign not to exceed fifteen (15) square feet in area per face, five (5) feet in height, of the ground sign or pylon type, and have two (2) faces.

Each establishment of a business or retail use permitted in this District with a single-use building may acquire an additional permit for a wall-mounted sign of a size not to exceed ten percent (10%) of the surface frontal area of its building or portion of the building. Signs mounted on mansards, marquees, windows, and awnings are deemed to be wall signs.

- (c) Multi-Use Building (A commercial building which houses more than one commercial tenant):

Signs indicating the name of a business or retail use permitted in this District with a multi-use building shall have one (1) sign not to exceed thirty-two (32) square feet in area per face, ten (10) feet in height, of the ground sign or pylon type, and have two (2) faces.

Each establishment of a business or retail use permitted in this District within a multi-use building may acquire an additional permit for a wall-mounted sign of a size not to exceed ten percent (10%) of the surface frontal area of its building or portion of building. Signs mounted on mansards, marquees, windows, and awnings are deemed to be wall signs.

- (d) Menu Type Signs:

- (1) Drive-Thru Service:

One menu type sign shall be permitted not to exceed twenty-one (21) square feet in area, five (5) feet in height and two (2) faces.

- (2) Wall mounted menu for walk-up service:

One wall mounted menu board shall be permitted for walk-up service not to exceed twelve (12) square feet in area.

(e) Fees:

Signs permitted under this Article shall require a permit as more specifically enumerated in Article 33, Sign Provisions. Fees for each permitted sign are specifically enumerated in Article 34, Schedule of Fees.

14-12 SIDEWALKS

A sidewalk of a minimum six (6) feet in width shall be required to be located adjacent to the front property line and in the interior of multi-use developments.

14-13 LANDSCAPE STANDARDS

(a) General Requirements:

The developer of any use in this District shall suitably landscape at least five percent (5%) of the subject property and also comply with the requirements of Article 19, Landscape and Tree Protection.

If the landscape design is determined to be compatible with the character of the District, an innovative landscape design, to include planters and/or hanging plants, as well as, a "natural cluster of trees" may be approved if recommended by the Director of Community Development and given approval by the Planning Commission.

More stringent design and landscape standards may be required if it is determined that the design would be more compatible with the development and more beneficial to the aesthetics of the Olde Towne Daphne district.

(b) Off-Street Parking Landscape Requirements:

The design and appearance of parking areas are intended to be compatible with the character of the community. Toward this objective,

the following landscaping standards shall be observed in the construction of off-street parking areas:

- (1) Landscaped areas and perimeter areas shall be so graded as to receive a reasonable portion of the rainfall from the surrounding pavement. Protective curbing around landscaped areas will leave openings for the flow of water onto unpaved areas.
- (2) Landscaped areas shall be protected from vehicular encroachment by the use of curbing or wheel stops.
- (3) The owner, tenant, occupant and/or agent, if any, shall be jointly and severally responsible for watering and maintaining all landscaping in a healthy, neat and orderly condition, replacing it when necessary, and keeping it free of refuse and debris.
- (4) Adjacent residential property owners may jointly agree on the establishment of a common landscaped or fenced area between their properties which meets the requirements of this Article.

(c) Buffer Zone Requirements:

Where a business district abuts any part of a residential district, a buffer zone ten (10) feet in width shall be required. The buffer shall run the entire length of the abutting lot line(s). Under no circumstances shall this buffer impair vehicular flow and shall be part of the yard requirements. Said protection buffer shall be maintained in such a manner to accomplish its purpose continuously.

This District shall comply with the following minimum standards and said buffer zone shall be constructed of at least one of the following three (3) designs or a combination thereof as determined by the Director of Community Development and approved by the Planning Commission:

(1) Wall or Fence

If a wall or fence of solid appearance is provided as a protection buffer, it shall be at least six (6) feet in height and of a construction and a design approved by the Planning Commission.

(2) Screen Planting Strip

A staggered double row of Evergreen plantings at least ten (10) feet in width which will grow to at least ten (10) feet in height and spaced in a manner in which after three (3) years it will provide an impervious visual barrier.

(3) Natural Forest

A natural, undisturbed forest which provides a nearly impervious visual barrier due to the dense nature of the plants and/or trees. If this option is chosen, the width of the buffer zone shall be ten (10) feet in width and shall be included on the landscape plan.

The Director of Community Development shall determine whether the barrier is satisfactory via site inspection prior to approval.

14-14 SUPERVISION

The landscape architect shall be responsible for the supervision of all plantings. After completion, the landscape architect shall certify in writing to the City of Daphne that the submitted, approved landscape plan has been implemented and complies with the requirements of this Article.

14-15 CERTIFICATE OF OCCUPANCY

A certificate of occupancy shall not be issued until the submitted, approved landscape plan has been implemented or cash or cashier's check has been submitted in an amount equal to one hundred and fifty percent (150%) of the actual landscape cost which shall be certified by a professional landscape architect with a signed/sealed cost estimate for incomplete work.

14-16 PENALTIES

The Code Enforcement Officer of the City of Daphne shall serve the owner of said property, each person, firm or corporation engaged in the activities regulated hereunder in which the activities are being conducted in violation of any provision of this Article with a Summons and Complaint citation.

The person(s) shall be fined upon conviction, not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) and costs of the court for each offense.

14-17 SETBACKS

MINIMUM DISTRICT REQUIREMENTS ^d				
Zoning Districts	Front Yard	Rear Yard	Side Yard	Corner Lot Side Yard
R-4 ^e , Single Family R-6(D or G), Duplex or Garden or Patio Home	15	20	6	25
R-4 ^e , Multi-Family	15	20	a	25
B-1, Local Business B-1(a), Limited Local Business	10	b	b	25
B-2, General Business	10	b	b	25
B-3, Professional Business	10	b	b	25
MU, Mixed Use	15	e	b	25

- (a) When dwelling unit faces side yard, the dwelling unit shall not be less than twenty-five (25) feet from the side lot line.
- (b) None. If there is a rear alley, the setback shall be twenty-five (25) feet. When abutting a residential district it shall be not less than ten (10) feet. (See Buffer Requirements, Section 14-13, Landscape Standards).
- (c) The Planning Commission shall no longer consider zoning or rezoning amendments to an R-4 zoning district. All existing R-4, High Density Single and Multi-Family Residential Districts shall be developed in accordance with the standards provided herein. For all new requests, the following districts shall be considered in lieu of R-4: R-6(G) for all garden/patio homes

developments; R-6(D) for duplexes; R-7(A) for apartments; and R-7(T) for townhouses and R-7(M) for mid-rise condominiums.

- (d) Minimum district requirements for any zoning district not specifically listed in this table shall meet the minimum standards as established in Requirement for lot area, width and setbacks in Section 13-4, Requirements For Lot Area, Width, Coverage, Density, Height and Other Factors and 13-6, Minimum Zoning District Setback Requirements, herein.
- (e) None. If there is an alley, the setback shall be twenty-five (25) feet. When abutting a residential district it shall be not less than fifteen (15) feet. (See Buffer Requirements, Section 14-13, Landscape Standards).

14-18 MAXIMUM BUILDING HEIGHT

Except as otherwise provided herein, no structure shall exceed thirty-five (35) feet in height in any R-4, Single Family and Multi-Family Residential, district or more than 50 (fifty) feet in height in any Business or Mixed Use District. Structures of more than fifty (50) feet shall not be permitted. (See Definition of Building Height in Article 8, Definition of Terms).

14-19 DRAINAGE

Any use in this District shall comply with Article 18, Drainage and Storm Water Management Facilities and Erosion/Sediment Control.

14-20 DISTRICT MAP

The Olde Towne District Map, Exhibit B, is hereby adopted and as a part of this Ordinance. (See Appendix I, Table of Contents).

DAPHNE COMPREHENSIVE PLAN EXCERPT

STRATEGIC FOCUS AREAS

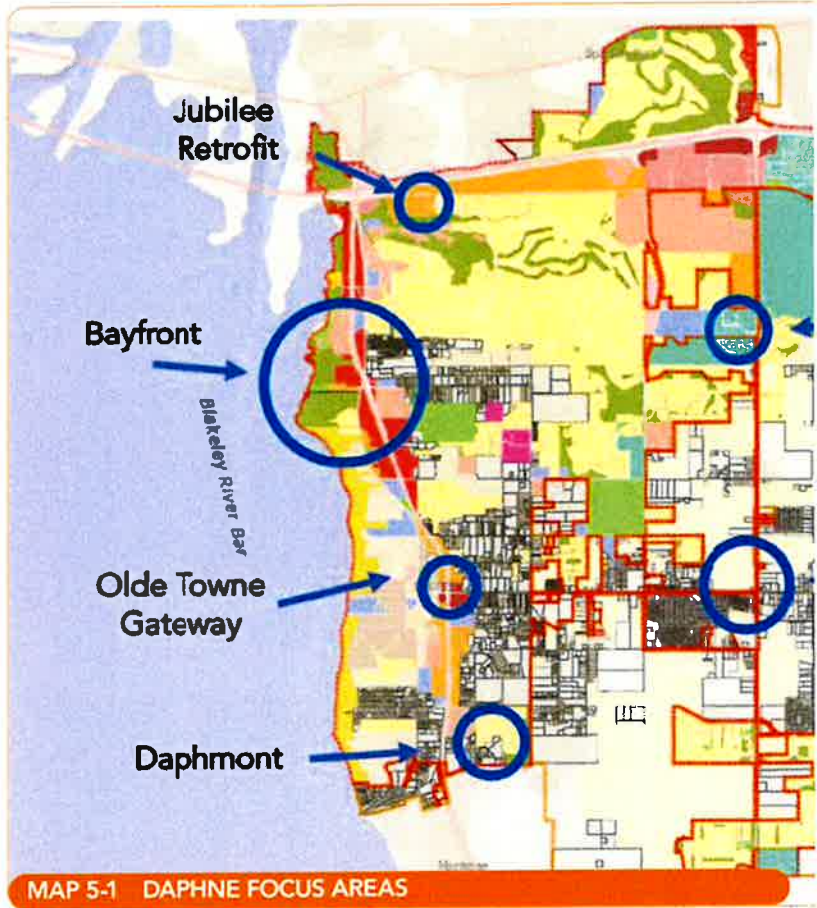
Six strategic focus areas were identified in the planning process. These areas were identified as Strategic Focus Areas because of their important locations within the city and its growth area, the catalytic role they can play in the development and redevelopment of Daphne, and because of their capacity to illustrate best development practices which are transferable to other parts of the city.

The six strategic focus areas of Envision Daphne 2042 are:

- The Jubilee Center
- Bayfront Park Drive Community Activity Area
- Olde Towne Gateway
- Daphmont Neighborhood
- DISC Center Optional Design
- Bellforest Village Center

The location of each of the six strategic development areas is illustrated on the map to the right. Each of these strategic focus areas is considered individually in the following sections. They are discussed by addressing the following topics in each:

- Strategic Development Area Context
- Overall Development Vision
- Key Challenges
- Applicable Best Practices



OLDE TOWNE CORE

The Olde Towne Core is intended to be the most intensely developed area in Daphne. It accommodates a variety of uses including commercial, office, civic, entertainment, cultural, residential, and open space. The Olde Towne Core is oriented around the historic downtown area with a formal framework of streets dating to Daphne's origin. The Olde Towne Core is anchored by the City Hall. The compact development pattern includes taller buildings, a more reformed street grid and a lively streetscape environment that supports residential development.

The Olde Towne Core is the traditional heart of Daphne and embodies the community symbolically, culturally, and historically. It is pedestrian oriented and within easy walking distance of surrounding neighborhoods. It provides locations for people to shop, eat, and socialize. Infill development opportunities exist that would add to the traditional fabric of the city. Residential and office uses should be integrated to diversify the mix of development. Streetscape furnishings and pedestrian amenities are abundant and intended to reflect Daphne's history and culture. Vehicular traffic is secondary to the fundamental pedestrian and human scale of the area.

Above, Below, and Right: Olde Towne Core
 Opposite Page: Olde Towne Core
 Opposite Page: Olde Towne Core



Planned Characteristics

Primary Land Uses	Mixed-Use, Commercial/Office Single-family attached residential
Secondary Uses	Upper floor residential Institutional
Intensity Range	Intensely developed, residential densities of 8 to 32, floor area ratios of up to 4
Development Policies	Form canopy mitigation Stormwater management with low impact design (permeation, permeable surfaces, infiltration areas) Site plan and design review

Essential Building Character

Building Placement	Mixed-use commercial facades placed close to the sidewalk Residential buildings have shallow setbacks
Facade and Height	Mixed-use/commercial buildings have shop fronts at street level Facades have at least one entrance facing the street. Upper floors balconies encroach 3 to 4 stories

Essential Site Character

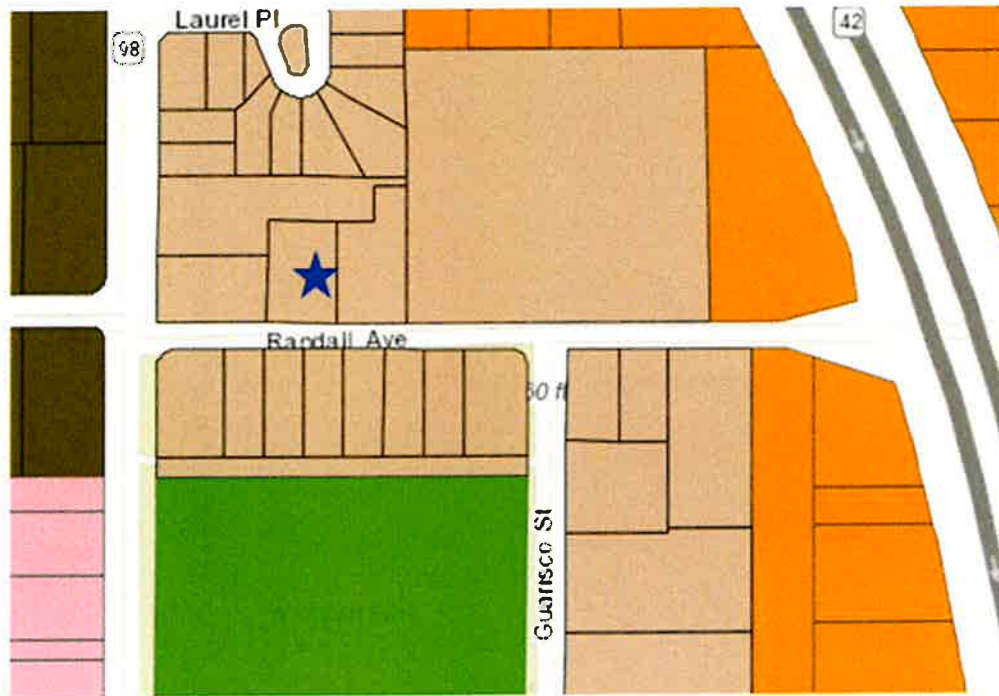
Parking and Access	Parking behind or beside building facade on primary streets Public parking garage may be available Alley access and direct street frontage
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Planned Characteristics

Landscape	Landscaping typically occurs in public space Street trees where feasible and may include green infrastructure stormwater features
Amenities	Public art, quality design for identity, outdoor spaces for gathering
Mobility (see Future Mobility Network)	Local, Collector, Arterial
Street Types	Bikeways, greenways, trails Bikeped connectivity to parks and adjacent plans

Bike/Pedestrian





Envision Daphne Future Land Use Map Excerpt

- | | |
|---|--|
|  Estate Residential |  Civic and Institutional |
|  Waterfront Residential |  Parks and Recreation |
|  Traditional Neighborhood Olde Towne |  Natural Areas and Open Space |

APPLICATION & SUPPLEMENTAL INFORMATION



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816	Date Submitted: <u>April 28, 2024</u>
Application Number: ZA-26-04 or PZA-	Planning Commission Public Hearing Date: <u>May 28, 2026</u>

Legibly print or type responses below. Indicate N/A or an "X" where item is not applicable.

SITE DATA	
Site Location (Address or General Proximity to Nearest Intersection): 805 Randall Ave	PPIN#(s): 28366
Gross Site Area (acreage): .37 acres	Requested Zoning or Pre-Zoning: B3
Current Zoning Designation(s): R2	Amended Request: Initials: _____ Date: _____
Current Land Use: Residential Rental	Anticipated Land Use: Office and Residential Rental
Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]": see exhibit A	

Specify other recently approved or pending requests related to the subject property. Circle the answer(s).

Annexation Subdivision Site Plan Special Exception Variance Specify Other

APPLICANT & AGENT INFORMATION	
<i>*If an LLC or LLP or Corporation, provide name and signature of Registered Member or Agent and provide a copy of Articles of Incorporation.</i>	
Name of Current Owner: DAK Investments LLC	
Mailing Address: 25878 Hwy 181 Daphne AL 36526	Phone/Fax: _____ E-mail: 251-533-9033
Name of Authorized Agent: David Kahalley	david@shamrockhouses.com
Mailing Address: 25878 Hwy 181 Daphne AL 36526	Phone/Fax: _____ E-mail: _____
Name of Developer*: DAK Investments LLC	Phone/Fax: _____ E-mail: _____
Other:	Phone/Fax: _____ E-mail: _____

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Daphne to post a sign on the subject property notifying the general public of this request.

Applicant's Signature:	Date: 4/16/2026
Agent's Signature: _____	Date: _____

DAK Investments, LLC

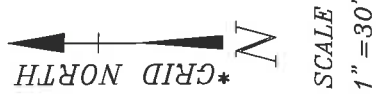
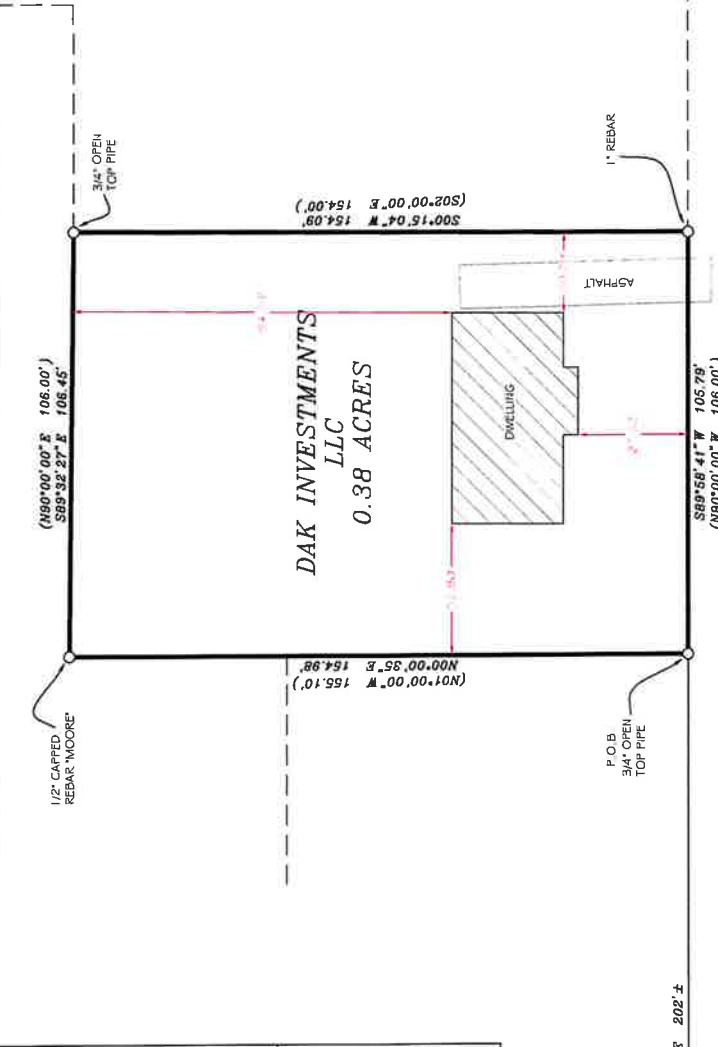
EXHIBIT A
LEGAL DESCRIPTION

Commencing at the Southwest Corner of Section 17, Township 5 South, Range 2 East, Baldwin County, Alabama; thence N00°01'19"W, a distance of 1,425 feet, more or less, to a point; thence N89°58'41"E, to and along the North right-of-way of Randall Avenue a distance of 202 feet, more or less, to a 3/4" open top pipe to the POINT OF BEGINNING; Thence N00°00'35"E, leaving said right-of-way a distance of 154.98 feet to a 1/2" capped rebar marked "MOORE"; thence S89°32'27"E, a distance of 106.45 feet to a 3/4" open top pipe; thence S00°15'04"W, a distance of 154.09 feet to a 1" rebar on said right-of-way; thence S89°58'41"W, along said right-of-way a distance of 105.79 feet to the POINT OF BEGINNING, said parcel containing 0.38 acres, more or less.

NOTES

- All bearings shown hereon are relative to GRID NORTH, GRID NORTH was obtained by G.P.S. observations.
- Corner monuments shown as set iron pins are 5/8" reinforcing bars with a durable plastic cap stamped '26623'.
- Only Select Fixed Interior Improvements shown hereon.
- This survey was prepared for the client shown and is not to be used for any other purpose without prior approval from this surveyor.
- No instruments of record reflecting easements, right of ways, and/or ownership have been located, except as shown or noted.
- This survey was prepared without the benefit of an abstract of title or a title search unless stated hereon. No liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract, title search, or legal judgment rendered on the property.
- Liability of the undersigned for the survey shown shall not exceed the amount paid for this survey.

DESCRIPTION OF SURVEY:
 SW CORNER OF SEC. 17 T.5-S. R.2-E BALDWIN CO., AL.; thence N00°01'19"W, a distance of 1,425 feet more or less to a POINT; thence N89°58'41"E, to and along the Horn R.O.W. of Randall Ave a distance of 202 feet more or less to a 3/4" OPEN TOP PIPE to the POINT OF BEGINNING; thence N00°00'35"E, leaving said R.O.W. a distance of 154.98 feet to a 1/2" CAPPED REBAR "MOORE"; thence S89°32'27"E, a distance of 106.45 feet to a 3/4" OPEN TOP PIPE; thence S00°1'50"W, a distance of 154.09 feet to a 1" REBAR on said R.O.W; thence S89°58'41"W, along said R.O.W. a distance of 105.79 feet to the POINT OF BEGINNING, said parcel containing 0.38 acres, more or less.



RANDALL AVE 40' R-O-W

N89°58'41"E 202'±

S89°58'41"W 105.79'
 (N89°00'00"W 106.00')

(N89°00'00"E 106.00')
 S89°32'27"E 106.45'

(N01°00'00"E 154.98')
 N00°00'35"E 154.98'

S00°15'04"W 154.09'
 S02°00'00"E 154.09'

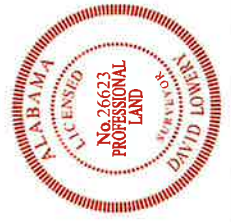
PLAT OF A BOUNDARY LINE SURVEY PREPARED FOR

DAK INVESTMENTS LLC
BALDWIN CO., AL.

DWG. NO.	SURVEY DATE	SCALE
22 06 006	06 03 22	1"=30'

DRAWN BY: R. TULLMAN CHECKED BY: D. LOWERY

DAVID LOWERY SURVEYING, L.L.C.
 55284 MARTIN LN.
 STOCKTON, AL 36579
 251-937-2757 ph. 251-937-2756 fax
 dlsurvey25@hotmail.com



LEGEND AND SYMBOLS

(*)	RECORD BEARING/DISTANCE
OE	OVER-HEAD ELECTRIC
●	SET IRON PIN
○	FOUND IRON PIN
△	PIN NOT SET
P.O.C.	POINT OF COMMENCEMENT
P.O.B	POINT OF BEGINNING
-	NOT TO SCALE
⊗	FENCE
■	FENCE CORNER POST
□	CONCRETE MONUMENT



CERTIFICATION

I, David Lowery, a licensed land surveyor in the State of Alabama, do hereby certify the foregoing to be a true plot or map of a survey performed by me or under my supervision, containing the acreage and being situated as both shown and stated herein. I further certify that all parts of this survey comply with the Standards of Practice for Surveying and Mapping in the State of Alabama, to the best of my knowledge, information, and belief.

P.O.C.
 SW CORNER OF SEC. 17
 T-5-S-R-2-E BALDWIN CO., AL.

D.L.O.

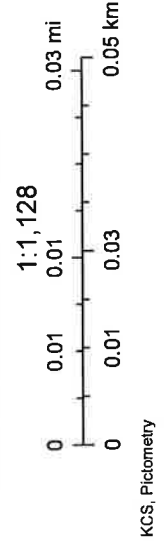
David Lowery
 Al Lic No 26623
 55284 Martin Ln
 Stockton, AL 36579
 251-937-2757

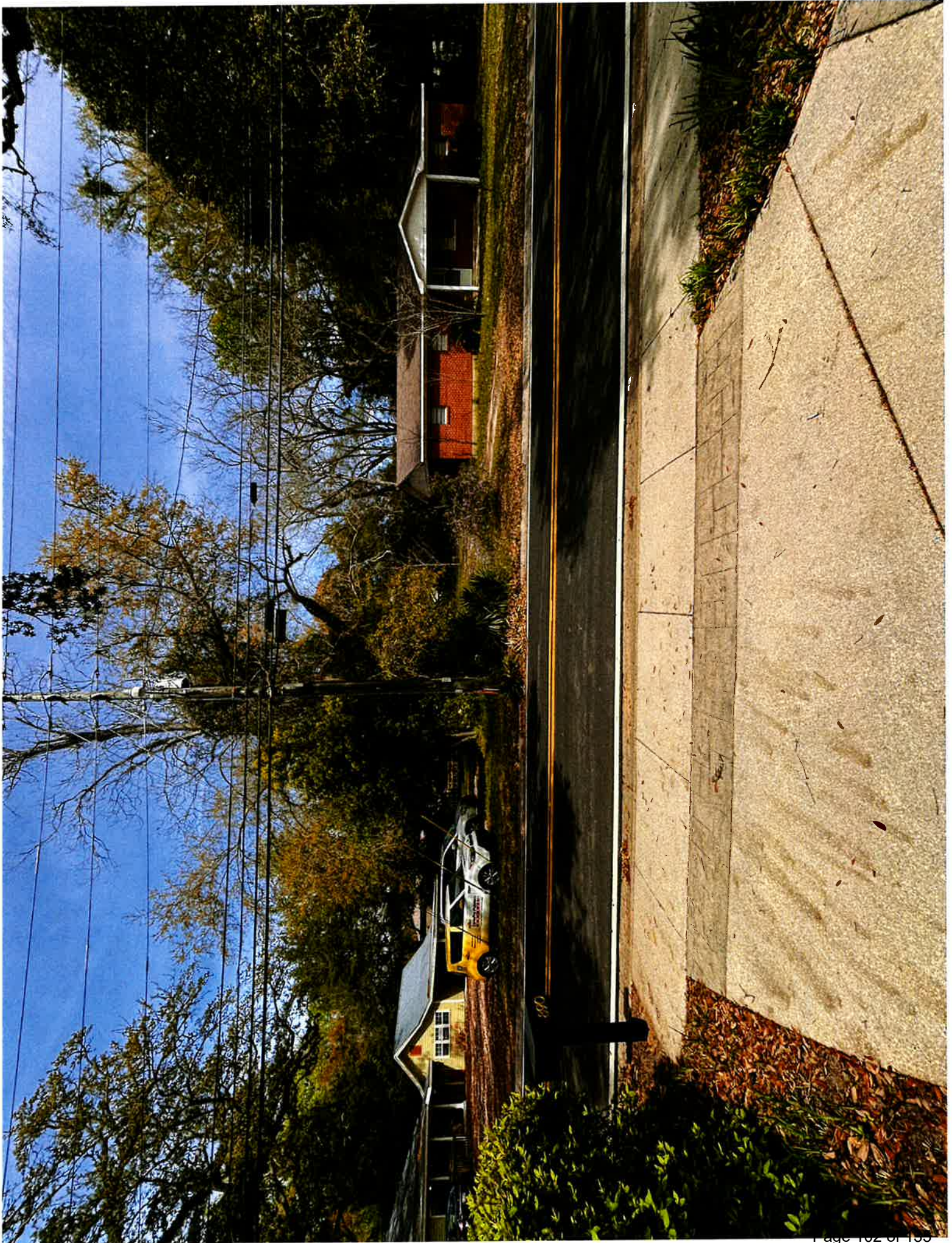
Viewer Map



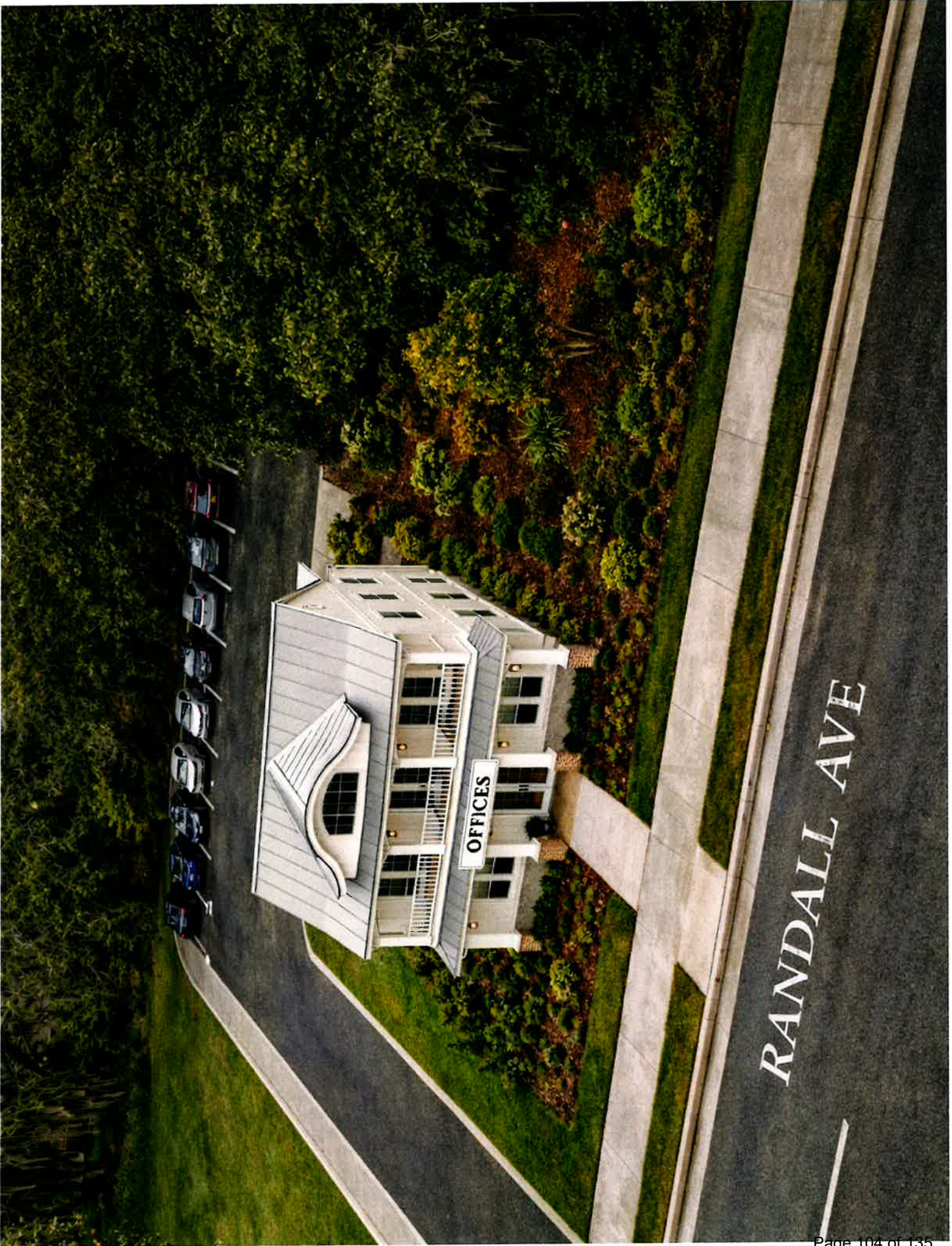
March 9, 2026

- County Boundary
- Centerlines
- Lot Lines
- Parcels
- Conveyance Divisions
- COGO









COMMUNITY DEVELOPMENT



May 15, 2026

Dear Sir/Ma'am,

NOTICE OF PUBLIC HEARING

A petition for REZONING will be considered by the Daphne Planning Commission. DAK Investments, LLC, proposes to rezone 805 Randall Avenue, 0.38 acres +/-, located northeast of Main Street and Randall Avenue, from R-2, Medium Density Single Family Residential, to B-3, Professional Business.

Said petition will also be considered by the Daphne City Council pursuant to Code of Alabama. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Wednesday, May 20, 2026 at 8:30 a.m. in the Council Chambers of City Hall. The public is invited to attend: limited participation may be allowed by the chairman.

The public hearing will be held by the Daphne Planning Commission on Thursday, May 28, 2026 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, send an email to ajones@daphneal.com or by representation.

Sincerely,
Adrienne D. Jones, AICP,
Director of Community Development

DAK Investments, LLC Zoning Amendment

DAK Investments LLC

Adjacent Property Owners List

Bayside Properties LLC
PO Box 888
Montrose, AL 36559

4C Properties LLC
508 Oak Ridge Ct. E.
Daphne, AL 36526

Stewart, Adam P.
890 Randall Ave
Daphne, AL 36526

Earle, Charles & Patricia
892 Randall Ave
Daphne, AL 36526

S&M Properties LLC
512 Magnolia Ave
Daphne, AL 36526

DAK Investments
805 Randall Ave
Daphne, AL 36526



City of Daphne Event Permit Application

TYPE OF PERMIT: Special Event/Fundraiser Parade/Run (Streets Use) Walk (Sidewalks Only)
 Athletic Complex/Sporting Event Other: _____

APPLICANT & ORGANIZATION INFORMATION

ORGANIZATION NAME: 68 Ventures / Baller Dream Foundation
APPLICANT NAME: Kim Garrett
STREET: 707 Belrose Ave. CITY, STATE, ZIP: Daphne, AL 36526
CONTACT PHONE: 251.423.9242 EMAIL: kgarrett@68ventures.com
"ON SITE" CONTACT PERSON DAY OF EVENT: Kim Garrett
CELL PHONE: 251.423.9242 EMAIL: kgarrett@68ventures.com

EVENT INFORMATION

EVENT NAME: Ballin' on Belrose
TYPE OF/PURPOSE OF EVENT: Fundraiser / Run and Walk Challenge
EVENT DATE: 05/15/27 TIME (START- END): 6:30 AM to 1:00 PM
ASSEMBLY TIME: 6:00 AM # PARTICIPANTS/VEHICLES: 650 ppl / 300 vehicles
EVENT LOCATION: Belrose Ave. - From Press & Co. to the Bay
FULL DESCRIPTION OF EVENT (PLEASE LIST ANY TENTS, STAGING, PORT-O-LETS, OR SIMILAR ITEMS THAT WILL BE USED ON-SITE): Portolets will be in the gravel parking lot across from the 68V offices and at the bottom of the hill with handwashing stations. There will be 10-15 tents on the gravel lot, in front of 68V, by the bay and in the yard in front of 68V. They will be used for runners, sponsors, first aid, registration and kids activities. It will be similar to previous years' events. There will three water stations on Belrose and DJ's at the top and bottom of the hill.

SPECIAL REQUESTS

ROAD CLOSURE(S) REQUESTS: Yes* No *If Yes, please indicate which City Route is requested: Belrose Av

WILL YOUR EVENT REQUIRE BARRICADES: Yes* No *If Yes, please indicate quantity & location: _____

Map is attached.

WILL YOUR EVENT REQUIRE ELECTRICITY: Yes* No *If Yes, you must provide your own extension cords

WILL YOUR EVENT REQUIRE WATER: Yes* No *If Yes, you must provide your own hose(s)

OTHER SPECIAL ITEMS FOR RENT:

TENTS: 20' X 40' # _____ X \$321.00 10' X 10' # _____ X \$123.00/EACH

TABLES: 8' L # _____ X \$45.00/EACH CHAIRS: # _____ X \$12.00/EACH

OTHER SPECIAL REQUESTS: May we please have 10 large traffic cones line the center of the course?

Can a few Daphne fire dept members be present from 9 11:30 am?

MARKETING & COMMUNICATIONS

PLEASE NOTE: As a City permitted event, the City of Daphne should be listed as a sponsor on all marketing materials promoting your event, such as, but not limited to, posters, social media outlets, website(s), t-shirts, promo items, etc. It is the event organizer's responsibility to request the official City logo from our Marketing & Events Department in a proper format. No other City of Daphne logo should be utilized. Please initial acknowledgement: KG

Is your event open to the general public? Yes* No

* If Yes, do you wish for your event to be listed and/or shared on: www.daphneal.com? Yes No
Facebook.com? Yes No Instagram? Yes No LinkedIn? Yes No

MARKETING CONTACT (IF DIFFERENT THAN EVENT APPLICANT OR "ON SITE" EVENT CONTACT):

NAME: Kim Garrett (same as applicant) CONTACT PHONE: 251.423.9242

OTHER MARKETING REQUESTS: 24 X 18 signs at City hall and other city properties in the Olde Towne Daphne area 2 to 3 weeks prior to the event to promote event and to share on social media.

REVENUE/BUSINESS LICENSE

WILL SALES BE GENERATED AT YOUR EVENT: Yes** No ** If Yes, please provide your City of Daphne Business License Number here: _____

PLEASE NOTE: If you are providing food trucks or other third-party vendors, they MUST be a licensed business with the City of Daphne.

INDEMNITY & HOLD HARMLESS AGREEMENT

In consideration of the permission granted to me by the City of Daphne to use grounds, sidewalks, and/or streets, I hereby indemnify and hold harmless the City of Daphne, its agents, servants and employees from any and all claims and causes of action that may arise from injury to me or third party using the grounds, sidewalks, and/or streets who are injured or suffer property damage that is in any way caused by my use of the grounds, sidewalks, and/or streets. This indemnity and hold harmless agreement is given to the City of Daphne to protect the City and its agents, servants, and employees from cost of defense and claims for injuries and damages that may be caused either directly or indirectly by my use of grounds, sidewalks, and/or streets.

Further, I have read and understand all rules and regulations according to the City of Daphne Ordinance No. 2017-35 as set forth by the governing body of the City of Daphne and will abide by these rules and regulations. I understand that damage to City property, grounds, sidewalks, and/or streets can and will result in additional fees. I also understand that if at any time the City of Daphne appointed Law Enforcement, Code Enforcement, or other personnel feel that said rules and regulations are not being followed the function will be terminated with no refund of said fees.

I have read and understand the above, including the cancellation and indemnity policies.

APPLICANT SIGNATURE:  DATE: 06/01/26

INTERNAL USE ONLY

DATE REC'D:	<input type="text"/>	CITY CLERK:	<u>Cindy Brandman</u>
FIRE DEPT:	<u>S. G. Toron</u>	APPROVED ROUTE:	<input type="text"/>
POLICE DEPT:	<u>[Signature]</u>	ROUTE MAP ATTACHED:	<input type="checkbox"/> Yes <input type="checkbox"/> No
PUBLIC WORKS:	<u>Bobby Curran</u>	EVENT FEE:	<input type="checkbox"/> Paid \$ <input type="text"/> CHK# <input type="text"/>
SPORTS & RECREATION:	<u>[Signature]</u>	<input type="checkbox"/> Waived:	<input type="text"/>
MARKETING & EVENTS:	<u>Wing B. Bay</u>	PROOF OF INSURANCE REC'D:	<input type="checkbox"/> Yes <input type="checkbox"/> No
** REVENUE:	<input type="text"/>		

2027 Ballin' On Belrose Course



- Requesting both lanes on Belrose Avenue closed from 6:30 a.m. to 12 p.m.
- Requesting both lanes on Belrose Ave. to 711 Belrose Ave (Press and Co) closed from 6:30 a.m. to 1:00 p.m. Barricades stop at the bike rack in front of Press and Co. to ensure customers can park.
- Requesting barricades at Belrose to Press and Co. and Old County Rd. from 6:30 to 12 p.m. and requesting traffic cones placed along the median of Belrose Ave. to separate uphill and downhill runners.

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2026-17**

**Zoning District Map
Revision to the City of Daphne Land Use and Development Ordinance**

WHEREAS, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on April 23, 2026, favorably recommended to the City Council of the City of Daphne certain amendments to the Daphne Land Use and Development Ordinance / Zoning District Map approved and adopted by Ordinance No. 2011-54, referenced in Appendix H “Exhibit A” thereof, and amended by Ordinance No. 2016-69, Ordinance No. 2017-49, Ordinance No. 2018-02, Ordinance 2018-27, Ordinance 2019-19, Ordinance 2020-12, Ordinance 2020-28, Ordinance 2022-20, Ordinance 2022-51, Ordinance 2023-44, Ordinance 2024-18, Ordinance 2024-42, Ordinance 2025-12;. Ordinance 2026-01 and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of Ordinance No. 2026-01; and

WHEREAS, due notice of said proposed zoning map amendments has been provided to the public as required by law through publication and open display at the City of Daphne Public Library and City Hall; and

WHEREAS, a public hearing regarding the proposed Zoning District Map amendments was held by the City Council on June 1, 2026; and

WHEREAS, the City Council of the City of Daphne after due consideration and upon recommendation of the Planning Commission believe it in the best interest of the health, safety and welfare of the citizens of the City of Daphne to amend said Zoning District Map as recommended; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:

SECTION I: ZONING DISTRICT MAP

The Zoning District Map referenced hereto as Exhibit “A” shall be the official zoning map of the City of Daphne, Alabama and shall be further designated in Appendix H of the City of Daphne Land Use and Development Ordinance, as set forth in Ordinance No. 2011-54 and its amendments.

SECTION II: REPEALER

Ordinance No. 2011-54, Appendix H “Exhibit A”, Ordinance No. 2016-69, Ordinance No. 2017-49, Ordinance No. 2018-02, Ordinance 2018-27, Ordinance 2019-19, Ordinance 2020-12, Ordinance 2020-28, Ordinance 2022-20, Ordinance 2022-51, Ordinance 2023-44, Ordinance 2024-18, Ordinance 2024-18 and Ordinance 2025-12, Ordinance 2026-01 are hereby repealed, and any Ordinance(s), parts of Ordinance(s) or Resolution(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION III: EFFECTIVE DATE

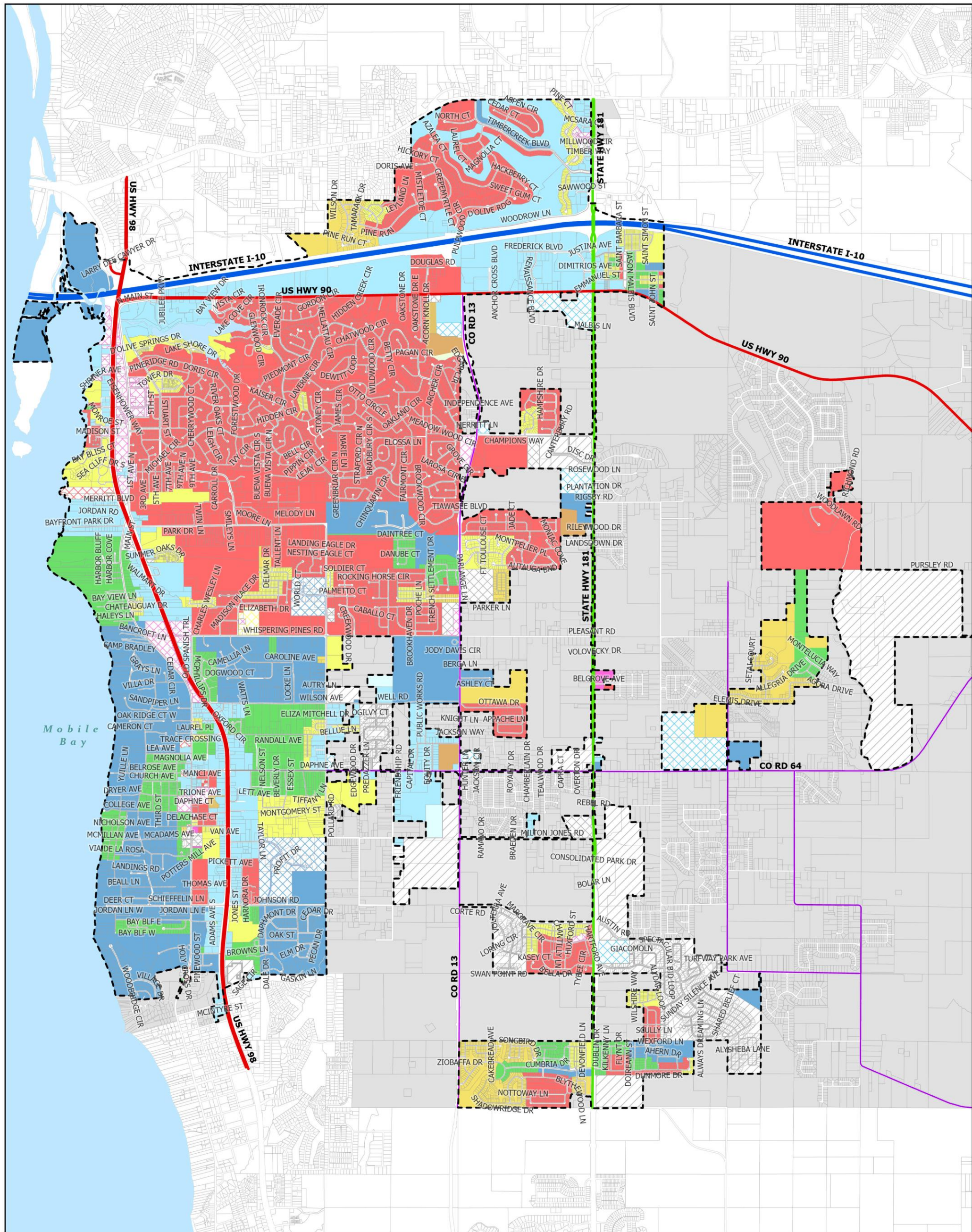
This Ordinance shall take effect and be in force from and after the date of its approval by the City of Daphne City Council and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA ON THIS ____ DAY OF _____, 2026.**

Robin LeJeune, Mayor

ATTEST:

Cindy Beaudreau, City Clerk



Maps serve a purely illustrative function and do not constitute a legally certified survey.

The information within the datasets disseminated by the City of Daphne is sourced from a diverse range of both public and private origins, which are generally considered to be reliable. However, the City of Daphne does not provide guarantees as to the accuracy, comprehensiveness, or completeness of this information. The City of Daphne disclaims all express or implied warranties concerning the accuracy, comprehensiveness, currency, reliability, or appropriateness of the information or data originating from the City Geographic Information System.

Furthermore, the City of Daphne, its representatives, agents, or employees assume no liability associated with the utilization of this data and accept no responsibility for its maintenance in any manner or form. For any inquiries related to zoning or any dataset, please direct your queries to the City of Daphne, Community Development Department at 251-620-1000.

Zoning as of 04/30/2026

- | | | | | |
|--|------------------------------|--|--|-------------------------------|
| B-1 Local Business | C-2 Outdoor Amusement | R-1 Low Density Single Family Residential | R-4 High Density Single Multi-Family Residential | Unincorporated Baldwin County |
| B-1(A) Limited Local Business District | C/I Commercial/Industrial | R-2 Medium Density Single Family Residential | R-5 Mobile Home Residential | Daphne City Limits |
| B-2 General Business | Golf Course | R-3 High Density Single Family Residential | R-6(G) Garden or Patio Home | Parcels |
| B-2(a) General Business Alternate | MU Mixed Use | R-7(A) Apartment | R-7(T) Townhouse | |
| B-3 Professional Business | PUD Planned Unit Development | | | |

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2026 - 18**

**ORDINANCE RATIFYING, CONFIRMING, AND REAFFIRMING
THE ANNEXATION OF PROPERTY CONTIGUOUS TO THE
CORPORATE LIMITS OF THE CITY OF DAPHNE**

**Northwest of County Road 64 and Alabama Highway 181
Joseph A. Allegri Jr Properties I, LLC; Joseph A. Allegri Jr Properties II, LLC; Jerry
and Louise Volovecky Sr. Family Limited Partnership
*(Confirmation and Ratification of Prior Annexation)***

WHEREAS, on the 18th day of November, 2025, Joseph A. Allegri Jr Properties II, LLC, Jerry and Louise Volovecky Sr. Family Limited Partnership as the owners of certain real property hereinafter described, did file with the City Clerk a petition requesting that said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama (the “City”); and

WHEREAS, said petition did contain an accurate description of the property to be annexed together with a map of the said territory showing its relationship to the corporate limits of the City of Daphne, Alabama, and the signatures of the owners of the property described; and

WHEREAS, on April 6, 2026, the City Council considered and adopted Ordinance 2026-08 to annex the Property, which was recorded in the Office of the Judge of Probate of Baldwin County at Instrument Number 2252834; and

WHEREAS, subsequent to the filing of said petition, an additional record owner of a portion of the property, Joseph A. Allegri Jr Properties I, LLC, has executed a Joinder and Ratification of the petition for annexation, which is on file with the City Clerk; and

WHEREAS, the City Council finds that Ordinance 2026-08 effectively annexed the Property into the corporate limits of the City and that the Joinder and Ratification executed by Joseph A. Allegri Jr Properties I, LLC confirms the consent of all record owners to such annexation;

WHEREAS, the City Council desires to ratify, confirm, and reaffirm the annexation approved by Ordinance 2026-08 and to incorporate the Joinder and Ratification executed by Joseph A. Allegri Jr Properties I, LLC into the record of such annexation; and

WHEREAS, after proper publication, a public hearing was held by the City Council on June 15, 2026, concerning the petition for annexation.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, AS FOLLOWS:

SECTION ONE: RATIFICATION, CONFIRMATION, AND REAFFIRMATION OF PRIOR ANNEXATION

The City Council of the City of Daphne finds and declares as the legislative body of the City that it is in the best interest of the citizens of the City and the citizens of the affected area to ratify, confirm, and reaffirm the annexation of the property described in Section Three, which property was previously annexed into the corporate limits of the City pursuant to Ordinance 2026-08. The Joinder and Ratification executed by Joseph A. Allegri Jr Properties I, LLC is incorporated herein by reference and made a part of the record of this annexation. The City Council hereby ratifies, confirms, and reaffirms the annexation approved by Ordinance 2026-08 and finds that the Joinder and Ratification executed by Joseph A. Allegri Jr Properties I, LLC cures any deficiency arising from the omission of that entity from the original petition.

SECTION TWO: ZONING

At its April 6, 2026 meeting, the City Council adopted Ordinance 2026-07 pre-zoning the property described herein as PUD (Planned Unit Development).

SECTION THREE: DESCRIPTION OF TERRITORY

The City Council hereby ratifies and confirms the annexation of the territory described below, which territory was previously annexed into the corporate limits of the City pursuant to Ordinance 2026-08:

Legal Description:

A parcel of land situated in the South one-half of the Southeast one-quarter of Section 15, Township 5 South, Range 2 East, Baldwin County, Alabama being more particularly described as follows:

BEGIN at a found 1/2 inch rebar marking the Southeast corner of Lot 1-B according to the Replat of Lot 1 Volovecky Split Subdivision as recorded in Slide 0003046-C in the Office of the Judge of Probate, Baldwin County, Alabama and lying on the West right-of-way of State Highway 181; thence leaving said Lot 1-B run South 00 degrees 21 minutes 12 seconds East along said right-of-way for a distance of 509.93 feet to a found concrete monument lying on said right-of-way; thence run South 15 degrees 48 minutes 33 seconds East along said right-of-way for a distance of 54.74 feet to a found concrete monument lying on said right-of-way; thence leaving said right-of-way run North 88 degrees 54 minutes 29 seconds West for a distance of 187.99 feet to a found capped rebar stamped Fairhope; thence run South 00 degrees 04 minutes 35 seconds West for a distance of 224.97 feet to a found capped rebar lying on the North right-of-way of County Road 64; thence run North 89 degrees 36 minutes 46 seconds West along said right-of-way for a distance of 1396.57 feet to a set 5/8 inch capped rebar stamped CA-560LS lying on said right-of-way; thence leaving said right-of-way run North 00 degrees 23 minutes 14 seconds East for a distance of 785.49 feet to a set 5/8 inch capped rebar stamped CA-560LS lying on the South line of said Lot 1-A of the aforementioned subdivision; thence run South 89 degrees 36 minutes 02 seconds East along said the South line of said Lot 1-A for a distance of 663.67 feet to a set 5/8 inch capped rebar stamped CA-560LS marking a corner on the South line of said Lot 1-A and marking the

Southwest corner of said Lot 1-B; thence leaving said Lot 1-A continue along the previously described call and the South line of said Lot 1-B for a distance of 904.08 feet to the POINT OF BEGINNING. Said parcel contains 1,193,213 square feet or 27.39 acres, more or less.

Lot 1-B, Replat of Volovecky Split Subdivision, according to the plat thereof, as recorded on Slide 0003046-C in the Office of the Judge of Probate of Baldwin County, Alabama.

SECTION FOUR: REFERENCE TO PREVIOUSLY RECORDED ANNEXATION MAP

The map depicting the territory annexed by Ordinance 2026-08 is incorporated herein by reference. Said map was attached to and recorded with Ordinance 2026-08 in the Office of the Judge of Probate of Baldwin County, Alabama, at Instrument Number 2252834.

SECTION FIVE: RATIFICATION OF PRIOR ORDINANCE

Ordinance 2026-08, recorded in the Office of the Judge of Probate of Baldwin County, Alabama, at Instrument Number 2252834, is hereby ratified, confirmed, and reaffirmed in all respects. The City Council finds that the territory described therein was properly annexed into the corporate limits of the City and that the Joinder and Ratification executed by Joseph A. Allegri Jr Properties I, LLC confirms the consent of all record owners to such annexation. Nothing herein shall be construed as rescinding, replacing, or nullifying Ordinance 2026-08.

SECTION SIX: EFFECTIVE DATE AND PUBLICATION

This Ordinance shall become effective upon publication as required by law and shall serve to ratify, confirm, and reaffirm the annexation previously approved by Ordinance 2026-08. A certified copy of this Ordinance shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS 15TH DAY OF JUNE, 2026.

Robin LeJeune, Mayor

ATTEST:

Cindy Beaudreau, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2026-19**

**AN ORDINANCE AMENDING THE CITY OF DAPHNE’S
GARBAGE COLLECTION ORDINANCE NO. 2017-59, AS CODIFIED IN CHAPTER
12, ARTICLE III, DAPHNE CODE OF ORDINANCES**

WHEREAS, Ordinance 2017-59 established regulations governing the collection of garbage in the City of Daphne (the “City”), and those regulations are codified in Article III of Chapter 12 of the Daphne Code of Ordinances, as previously amended; and

WHEREAS, the City Council finds that the orderly and efficient collection of garbage is necessary to protect the public health, safety, and welfare of the residents of the City of Daphne; and

WHEREAS, the City desires to update its garbage collection regulations to reflect current solid waste collection practices, including the use of City-approved semi-automated receptacles and related placement requirements; and

WHEREAS, the City Council further finds that clarification of the City’s garbage receptacle requirements, collection placement deadlines, and related operational rules will assist residents, City staff, and collection personnel in the consistent administration and enforcement of the Garbage Collection Ordinance; and

WHEREAS, the City Council therefore finds it necessary and appropriate to amend Division 1, Article III, Chapter 12 of the Daphne Code of Ordinances, commonly referred to as the City’s Garbage Collection Ordinance, to promote efficient garbage collection and continued protection of public health and safety.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA as follows:

**SECTION 1. AMENDMENT TO ORDINANCE 2017-59, SECTION II
(CHAPTER 12, ARTICLE III, DIVISION 1, SEC. 12-31) –
DEFINITIONS**

Section I of Ordinance 2017-59, as codified at Section 12-31 of Division 1, Article III, Chapter 12 of the Daphne Code of Ordinances, is hereby amended by repealing and replacing the definition of “Garbage receptacle” in its entirety with the following:

Garbage receptacle. The term “garbage receptacle” shall mean a container provided by the City of Daphne and approved for use as a garbage container, consisting of either (a) a sixty-four (64) gallon semi-automated receptacle, or (b) a ninety-six (96) gallon semi-automated receptacle.

**SECTION 2. AMENDMENT TO ORDINANCE 2017-59, SECTION III
(CHAPTER 12, ARTICLE III, DIVISION 1, SEC. 12-33) –
REQUIREMENTS FOR GARBAGE REMOVAL**

Section III of Ordinance 2017-59, as codified at Section 12-33 of Division 1, Article III, Chapter 12 of the Daphne Code of Ordinances, is hereby amended by repealing and replacing subsections (a) and (d) in their entirety with the following:

- (a) *Residential.* All residents and occupants of residential units in Daphne, Alabama, shall be required to have accumulations of garbage removed and disposed of by: (1) the City of Daphne Solid Waste Department or a contractor to whom the City of Daphne has granted a franchise, (2) transporting to approved bulk containers or approved disposal sites, or (3) obtaining a permit from the health department to transport to a landfill. The City of Daphne will provide an initial ninety-six (96) gallon semi-automated or sixty-four (64) gallon semi-automated garbage receptacle.
- (b) ...
- (c) ...
- (d) *Placement.* All garbage must be placed at the curbside within six (6) feet of the street no later than midnight preceding the scheduled collection day. No garbage shall be placed at the curbside more than twenty-four (24) hours prior to the day scheduled for pick up. If trash and garbage are scheduled for collection on the same day, materials should be neatly placed in separate areas of the curbside. Containers shall be removed from the curbside within twelve (12) hours after collection has occurred. Any garbage receptacle placed that does not follow these guidelines may not be collected. Please note that your collection time may vary from day to day.

**SECTION 3. AMENDMENT TO ORDINANCE 2017-59, SECTION IV
(CHAPTER 12, ARTICLE III, DIVISION 1, SEC. 12-34) –
PREPARATION AND RECEPTACLE REQUIREMENTS**

Section IV of Ordinance 2017-59, as codified at Section 12-34 of Division 1, Article III, Chapter 12 of the Daphne Code of Ordinances, is hereby amended by repealing and replacing subsections (b) and (c) in their entirety with the following:

- (a) ...
- (b) *Location of receptacles; residential.* Garbage receptacles shall be placed at ground level, within six (6) feet from the roadway on the property of the residential unit or commercial establishment which has accumulated the garbage, and shall not be kept upon city, county, or public property or neighboring property not in the ownership or tenancy of the person by whom the garbage is accumulated, whether such neighboring property be vacant or improved except that it may be kept on the city right-of-way. In the case of multiple garbage receptacles, each garbage receptacle shall be placed at least four (4) feet from any other garbage receptacle. Such placement of garbage receptacles shall be easily accessible to the code enforcement officer for inspection and to employees of the contractor for collection.
 - (1) Garbage shall be neatly placed so as to allow convenient passage of persons and vehicles on the roadway. At no time shall a receptacle or garbage be placed in a street, drainage ditch, storm drain, or gutter, nor should it be placed near trees, power lines, street signs, or near utility, cable, or telephone equipment. If garbage

is placed near service equipment and damage occurs to said equipment due to collection efforts, the property owner shall be responsible for all necessary repairs or replacements.

- (2) Ownership of and responsibility for garbage material shall remain with the producer until collected.

(c) *Minimum receptacle specifications.*

- (1) *Receptacles required.* All garbage must be placed in bags and the bags placed in garbage receptacles as defined herein. Such receptacles shall be in sufficient number to hold all garbage produced between regular collections.
- (2) *Commercial receptacle exceptions.* Garbage from commercial establishments may be stored or collected in a container designed for mechanical pickup provided that such container and the location of such container have been approved by the code enforcement officer.
- (3) *Improper receptacles.* Any container used for the collection or storage of garbage failing to meet the requirements of this section shall be clearly marked or identified by a code enforcement officer, which marking or identification shall legibly specify in what manner the container fails to meet the requirements of garbage receptacles. Any container so tagged must be replaced with an acceptable garbage receptacle within five (5) days after notification by the code enforcement officer. The City will not be responsible for collecting garbage that is not properly prepared and placed in approved garbage receptacles.

(d) ...

SECTION 4. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. SURVIVAL AND REPEALER

All other provisions of Ordinance 2017-59 not amended or repealed by this Ordinance remain in full effect. All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed to the extent of such conflict.

SECTION 6. EFFECTIVE DATE

This Ordinance shall be effective upon its due adoption by the City Council and publication as required by law.

ADOPTED AND APPROVED on this ____ day of _____, 2026.

Robin LeJeune, Mayor

ATTEST:

Cindy Beaudreau, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2026-20**

**AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON THE
ACCEPTANCE AND PROCESSING OF CERTAIN APPLICATIONS FOR MULTI-
FAMILY, GARDEN APARTMENT DEVELOPMENT PENDING COMPREHENSIVE
REVISIONS TO THE CITY’S LAND USE AND DEVELOPMENT ORDINANCE**

WHEREAS, the City of Daphne is currently engaged in a comprehensive review and overhaul of its Land Use and Development Ordinance (“LUDO”), including provisions relating to zoning classifications, development standards, density, infrastructure impacts, stormwater management, and compatibility of land uses;

WHEREAS, the City Council has determined that the existing provisions of the LUDO applicable to apartment development may require substantial revision as part of that ongoing process;

WHEREAS, the City Council finds that the acceptance and processing of new applications for apartment developments during the pendency of the LUDO overhaul could result in projects being reviewed under standards that are likely to be materially revised in the near future;

WHEREAS, the City Council further finds that a temporary moratorium of limited duration and scope is necessary to allow the City sufficient time to complete and consider such revisions in an orderly manner and to protect the public health, safety, and general welfare;

WHEREAS, the City Council intends for this moratorium to be limited to new apartment developments and not to interfere with previously approved developments or other residential housing types authorized under the LUDO; and

WHEREAS, the City Council finds that this temporary moratorium is a reasonable and narrowly tailored measure intended to preserve the status quo while the City completes its ongoing planning and ordinance revision efforts.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, as follows:

1. **Temporary Moratorium.** Effective immediately upon adoption of this Ordinance, the City shall not accept, process, or approve any application for rezoning, pre-zoning, site plan approval, master plan approval, planned development approval, or other development approval for any new apartment development within the corporate limits of the City of Daphne. For purposes of this Ordinance, “apartment development” means a residential development classified as a “Multi-Family, Garden Apartment” development as defined in the LUDO, including such developments proposed within the R-7(A) Apartment District, R-4 High Density Single & High Density Multi-Family Residential District, and any Planned Unit Development (PUD) containing a Multi-Family, Garden Apartment component. This Ordinance shall not apply to townhomes, duplexes, condominiums, single-family detached dwellings, or other residential development types that are not classified as apartment developments under the LUDO.

2. **Exemptions.** This moratorium shall not apply to:

(a) applications determined by the City to be complete and accepted for review prior to the effective date of this Ordinance;

(b) applications currently pending before the Planning Commission or City Council as of the effective date of this Ordinance;

(c) developments for which final site plan approval has already been granted prior to the effective date of this Ordinance; or

(d) any Planned Unit Development that, prior to the effective date of this Ordinance, has received approval of its PUD zoning and master development plan, including any future site plan application, amendment, or phase that is substantially consistent with the previously approved PUD and master development plan.

3. **Effective Period.** The moratorium shall be effective immediately upon adoption and publication as required by law and shall remain in effect for a period of one hundred eighty (180) days unless sooner terminated or extended by action of the City Council.

4. **Severability.** Should any provision of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any provision of this Ordinance be pre-empted by State or Federal law or regulation, such decision of pre-emption shall not affect the validity of the remaining provisions of this Ordinance or its application to other persons or circumstances.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, ON THIS THE ____ DAY OF _____, 2026.

Robin LeJeune, Mayor

ATTEST:

Cindy Beaudreau, City Clerk

**CITY OF DAPHNE
ORDINANCE 2026-21**

FIRE PREVENTION CODE FOR THE CITY OF DAPHNE

AN ORDINANCE TO REPEAL ORDINANCE NO. 2019-33 AND ADOPT THE 2024 INTERNATIONAL FIRE CODE WITH AMENDMENTS THERETO FOR THE CITY OF DAPHNE, ALABAMA.

WHEREAS, the 2024 edition of the International Fire Code, including Appendix Chapters A, B, C, D, E, F, H, I, and N copyrighted by the International Code Council, with amendments thereto, has heretofore been on file in the Office of the City Clerk of the City of Daphne, Alabama; and

WHEREAS, the City Council of the City of Daphne has determined that it is in the best interest of the health, safety, and welfare of its citizens to adopt the 2024 edition of the International Fire Code, as amended herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, AS FOLLOWS:

SECTION 1. ADOPTION OF THE INTERNATIONAL FIRE CODE, EDITION 2018

Section 101.1 shall be deleted in its entirety and replaced with the following:

A. 101.1 Title. These regulations shall be known as the Fire Code of the City of Daphne, hereinafter referred to as “this code.”

B. Section 103.1 shall be deleted in its entirety and replaced with the following:

103.1 Creation of Agency. The City of Daphne Bureau of Fire Prevention is hereby created, and the person in charge shall be known in this Code as the Fire Code Official, who shall be the Fire Marshal of the City of Daphne. The function of the department shall be the implementation, administration, and enforcement of the provisions of this code and amendments.

C. Section 103.2 Appointment of the Fire Code Official shall be deleted in its entirety.

D. Section 105.1.2.2 insert “Unauthorized work.”

1) Where work for which a permit is required by this code commences prior to obtaining said permit, the permit fee herein specified shall be doubled plus \$100.”

E. Section 113.4 shall be deleted in its entirety and replaced with the following:

113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, installs, alters, repairs, or does work in violation of the approved construction documents or any directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Fire Code Violation,

punishable by a fine as determined by the Municipal Court Judge or by imprisonment as determined by the Municipal Court Judge, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

F. Section 114.4 shall be deleted in its entirety and replaced with the following:

114.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable and subject to penalties as determined by the Municipal Court Judge.

G. Section 307.2 shall be deleted in its entirety and replaced with the following:

307.2 Permit required. A permit shall be obtained from the Bureau of Fire Prevention in accordance with section 105.5 prior to kindling a fire for recognized silvicultural or range wildlife management practices, prevention or control of disease or pests, bonfires, and open burning. Application for such approval shall only be presented by a permit issued to the owner of the land on which the fire is to be kindled.

H. Section 505.1 shall be deleted in its entirety and replaced with the following:

505.1 Address identification. New and existing buildings shall be provided with *approved* address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 5 inches high with a maximum stroke width of ½ inch. Where required by the *fire code official*, address identification shall be provided in additional *approved* locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

I. Section 506.1 shall be deleted in its entirety and replaced with the following:

506.1 Key boxes. Key boxes shall be installed in all buildings having two or more units/suites, or having an automatic fire sprinkler system, fire alarm system or any alarm that generates a fire department response. The Fire Code Official shall also have the authority to require a key box to be installed in an accessible location where access to or within a structure or area is difficult because of security. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the Fire Code Official.

J. Section 507.5.1.1 shall be deleted in its entirety and replaced with the following:

507.5.1.1 Hydrant for fire sprinkler systems and standpipe Systems. Buildings equipped with a standpipe or fire sprinkler system installed in accordance with Chapter 9 shall have a fire hydrant within 100 feet of the FDC (fire department connection).

K. Add Section **901.2.1.1 Permit application requirements.** All sprinkler and fire alarm design drawings submitted to the fire department for review shall abide by the Alabama State Board of Licensure for Professional Engineers and Land Surveyors' fire protection position statement. NICET certification does not replace the requirement for professional licensure. The designing of fire protection and detection systems is engineering and, as such, must be designed by or under the direct supervision of professional engineers qualified to design fire protection and detection systems. Only fire protection and detection designs that have been signed and sealed by a qualified Alabama licensed professional engineer shall be approved for construction."

L. Add Section **901.2.1.2 Contractor qualification requirements.** Copies of applicable permits, certifications, current Daphne Business License and a current one million dollar (\$1,000,000) general liability insurance policy with the City of Daphne listed as a certificate holder, P.O. Box 400, Daphne, AL 36526 shall be submitted to the Fire Marshal for review.

1) Restaurant Fixed Extinguishing Systems:

- The qualifier must possess manufacturer certification (which restricts them to that manufacturer) and/or NAFED/ICC certification (which would allow them to be unrestricted and service, maintain, or install any system).

2) Sprinkler Systems:

- Must possess a current sprinkler permit through the Alabama State Fire Marshal's Office and applicable NICET certification.

3) Fire Alarm Systems:

- Must possess a fire alarm permit through the Alabama State Fire Marshal's Office and applicable NICET certification.

Must possess a minimum of NICET II to perform technician work, or work under the direct supervision of a NICET II.

4) Portable Fire Extinguishers:

- Current certificate of training on portable fire extinguishers in compliance with NFPA 10."

M. Section 905.3.1 shall be deleted in its entirety and replaced with the following:

905.3.1 Building height. Class III standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than 30 feet (9144 mm) above the lowest level of the fire department vehicle access, or where the floor level of the lowest story is located more than 30 feet (9144 mm) below the highest level of fire department vehicle access. A class I, Manual Wet, standpipe system shall be installed in a building where the floor level of the highest story is located more than 20 feet above the lowest level of the fire department vehicle access.

N. Section D107.1 shall be deleted in its entirety and replaced with the following:

D107.1 One- or two-family dwelling residential developments. It is recommended that developments of one- or two-family dwellings where the number of dwelling units exceeds 30, be provided with two separate and approved fire apparatus access roads.

SECTION 2: ORDINANCES REPEALED

Ordinance 2019-33 shall be repealed in its entirety and replaced with the provisions of this Ordinance. All other ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3: SEVERABILITY

If any provision of this Ordinance is held to be invalid or unenforceable for any reason, such holding shall not in any way affect the remaining portions hereof, which shall remain in full force and effect.

SECTION 4: EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after the date of its approval by the City Council of Daphne and publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE THIS ___ DAY OF _____ 2026.

Robin LeJeune, Mayor

ATTEST:

Cindy Beaudreau, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO: 2026-22**

**AN ORDINANCE AMENDING ORDINANCE NO. 2019-25, AS PREVIOUSLY
AMENDED BY ORDINANCE NO. 2021-51, RELATING TO THE ADOPTION OF
CERTAIN TECHNICAL CODES BY REFERENCE**

WHEREAS, the City Council of the City of Daphne (the “City”) desires to promote the health, safety, and welfare of the citizens of the City by establishing uniform rules and regulations for the construction, alteration, repair, use, and occupancy of buildings and structures within the City; and

WHEREAS, the City Council previously adopted certain technical codes by reference pursuant to Ordinance No. 2019-25, as amended by Ordinance No. 2021-51; and

WHEREAS, the International Code Council and other applicable code organizations have adopted updated editions of certain technical codes; and

WHEREAS, the City Council has determined that it is in the best interest of the City to adopt the most current editions of such technical codes and to revise certain local amendments and supplemental requirements applicable within the City; and

WHEREAS, the City Council desires to amend Ordinance No. 2019-25 to adopt updated technical codes and local amendments while leaving the Building Permit Fee Schedule and Re-Inspection Fees adopted pursuant to Ordinance No. 2021-51 unchanged;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA AS FOLLOWS:

SECTION 1: AMENDMENT OF SECTION I OF ORDINANCE NO. 2019-25

Section I of Ordinance No. 2019-25, entitled “Technical Codes Adopted by Reference,” is hereby repealed in its entirety and replaced with the following:

SECTION 1: TECHNICAL CODES ADOPTED BY REFERENCE

- (a) For the purpose of establishing uniform rules and regulations governing the construction, alteration, repair, use, and occupancy of buildings and structures within the City of Daphne, the City Council hereby adopts by reference, from the date this Ordinance becomes effective, the provisions thereof and subsequent amendments thereto as permitted by law, the following technical codes:
1. International Building Code, 2024 Edition, with amendments;
 2. International Residential Code, 2024 Edition, with amendments;
 3. International Mechanical Code, 2024 Edition;
 4. International Plumbing Code, 2024 Edition, with amendments;
 5. International Fuel Gas Code, 2024 Edition;
 6. International Swimming Pool and Spa Code, 2024 Edition;

7. International Energy Conservation Code, 2015 Edition, as adopted and amended by the State of Alabama;
8. International Wildland-Urban Interface Code, 2024 Edition;
9. National Electrical Code, 2023 Edition, with amendments; and
10. City of Daphne Supplemental Code and Local Amendments, attached hereto as **Appendix A** and incorporated herein by reference.

- (b) The above-referenced technical codes are hereby adopted as the Building Code of the City of Daphne and shall govern the construction, alteration, repair, use, and occupancy of buildings and structures within the corporate limits of the City of Daphne.
- (c) Copies of the above-referenced technical codes shall be maintained in the office of the City Clerk as required by law.

SECTION II: REPLACEMENT OF APPENDIX A

Appendix A to Ordinance No. 2019-25, entitled “City of Daphne Supplemental Code and Local Amendments,” is hereby repealed in its entirety and replaced with the document attached hereto as **Appendix A**, entitled “City of Daphne Supplemental Code and Local Amendments to the 2024 International Code Cycle.”

The Appendix A attached to and made a part of this Ordinance shall constitute the official local amendments, supplemental requirements, and administrative provisions applicable to the technical codes adopted by the City of Daphne pursuant to Section I of Ordinance No. 2019-25, as amended.

In the event of a conflict between the provisions of the technical codes adopted by reference and the provisions of Appendix A, the provisions of Appendix A shall control to the extent permitted by law.

SECTION III: CONTINUING EFFECT OF EXISTING FEE PROVISIONS AND OTHER PROVISIONS

The Building Permit Fee Schedule, Re-Inspection Fees, Building Valuation Data Table, and all other fee-related provisions adopted pursuant to Ordinance No. 2021-51 shall remain unchanged and in full force and effect. Except as expressly amended by this Ordinance, all provisions of Ordinance No. 2019-25, as amended by Ordinance No. 2021-51, shall remain in full force and effect.

SECTION IV: REPEALER

Any Ordinance heretofore adopted by the Council, which is in conflict with this Ordinance is hereby repealed to the extent of such conflict.

SECTION VI: SEVERABILITY

The provisions of this Ordinance are severable. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION VII: EFFECTIVE DATE AND TRANSITION

This Ordinance shall be in full force and effect upon its adoption and publication as required by law. Notwithstanding the foregoing, for a period of one hundred eighty (180) days following the effective date of this Ordinance, the Building Official may accept permit applications and construction documents prepared in compliance with the technical codes previously adopted by the City prior to the adoption of this Ordinance.

Permit applications submitted during such transition period may be reviewed and approved under the previously adopted codes, provided the application is complete and complies with all other applicable requirements. Upon expiration of the transition period, all permit applications shall comply with the technical codes and amendments adopted by this Ordinance.

The Building Official is authorized to establish reasonable administrative procedures for implementation of this transition period and to resolve conflicts arising from projects designed under the previously adopted codes.

APPROVED AND ADOPTED THIS ____ DAY OF _____, 2026.

Robin LeJeune, Mayor

ATTEST:

Cindy Beaudreau, City Clerk

APPENDIX A
CITY OF DAPHNE
LOCAL CODE AMENDMENTS AND SUPPLEMENTAL REQUIREMENTS

Local Code Amendments

2024 International Building Code (IBC):

1. Amend Section 104.7 (*Official records*) to state: “The building official shall keep official records as required by Sections 104.7.1 through 104.7.5. Such official records shall be retained as per Alabama State Law.”
2. Amend Section 1202.3 (*Unvented attic and unvented enclosed rafter assemblies*) to remove Condition 5.2 in its entirety.
3. Amend Section 1609.3 (*Basic design wind speed*) to state: “The basic wind speed, V, in mph, for the determination of the wind loads shall be determined by the ASCE Hazard Tool website <https://ascehazardtool.org/>.”
4. Amend Section 2402.1 (*Glazing Replacement. General*) to state: “The installation of replacement glass shall meet or exceed the ratings of the existing glass being replaced.”
5. Amend Section 2902.1 (*Minimum number of fixtures*) to include, “Minimum fixture requirements may be altered upon approval of the Building Official”.
6. Amend Section 2902.2 (*Separate facilities*) to remove Exception 5 and Exception 6 in their entirety.
7. Adopt Appendix P, *Sleeping Lofts*

2024 International Residential Code (IRC):

1. Amend Section R104.7 (*Official records*) to state: “The building official shall keep official records as required by Sections R104.7.1 through R104.7.5. Such official records shall be retained as per Alabama State Law.”
2. Amend Section 105.2 (*Work Exempt from Permit*) Exemption 1 to replace “200 square feet (18.52 m²) with “400 square feet (37.04 m²)”.
3. Amend Section 105.2 (*Work Exempt from Permit*) Exemption 2 to state: “Fences made of chain-link, wrought iron, wood, or other similar material that is less than 7 feet tall.”
4. Amend Section 105.2 (*Work Exempt from Permit*) Exemption 10 to replace “200 square feet (18.52 m²) with “400 square feet (37.04 m²)”.
5. Amend Section R301.2.1 (*Wind design criteria*) to state: “Buildings and portions thereof shall be constructed in accordance with the wind provisions of this code using the ASCE Hazard Tool website <https://ascehazardtool.org/>.”
6. Remove Section R309.2 (*Automatic Sprinkler Systems*) in its entirety.

7. Amend Section P2503.4 (*Building sewer testing*) to replace “10-foot (3048 mm) head of water” with “5-foot (1524 mm) head of water”.
8. Amend Section P2503.5.1 (*Rough plumbing*) item 1 (*Water test*) to replace “not less than 10-feet (3048 mm) above highest fitting connection” with “not less than 5-feet (1524 mm) above highest fitting connection”.
9. Remove Section P2503.6 (*Shower liner test*) in its entirety.
10. Remove Section E3901.4.2 (*Island and peninsular countertops and work surfaces*) and Section E3901.4.3 (*Receptacle outlet location*) in their entirety and replace with the requirements of the 2018 International Residential Code (IRC) Sections E3901.4.2 (*Island countertop spaces*), E3901.4.3 (*Peninsular countertop space*), and E3901.4.5 (*Receptacle outlet location*).
11. Amend Section E3902.12 (Specific appliance outlet) to remove item 5,6,7 and 8.
12. Amend Section E3902.14 (*Outdoor outlets*) to remove the following sentence from Exception 3: “This exception shall expire September 1, 2026. [210.8(F)]”
13. Adopt Appendix BB, *Tiny Houses*
14. Adopt Appendix BD, *Home Day Care Occupancy*
15. Adopt Appendix BF, *Patio Covers*

2024 International Plumbing Code (IPC):

1. Amend Section 312.2 (*Drainage and vent water test*) to replace all sections that state “10-foot (3048 mm) head of water” or “10-feet (3048 mm) head of water” with “5-foot (1524 mm) head of water” or “5-feet (1524 mm) head of water”.
2. Remove Section 312.10 (*Shower liner test*) in its entirety.
3. Amend Section 403.1 (*Minimum number of fixtures*) to include, “Minimum fixture requirements may be altered upon approval of the Building Official”.
4. Amend Section 403.2 (*Separate facilities*) to remove Exception 5 and Exception 6 in their entirety.

2023 National Electrical Code (NEC):

1. Amend Section 210.8(D) (Specific appliance) to remove items 1,4,8,9, and 11.
2. Remove Section 210.52(C)(2) (*Island and Peninsular Countertops and Work Surfaces*) in its entirety and replace with the requirements of the 2017 National Electrical Code (NEC) Section 210.52(C)(2) (*Island Countertop Spaces*).
3. Amend Section 210.8(F) (*Outdoor outlets*) to remove the following sentence from Exception 2: “This exception shall expire September 1, 2026.”

Supplemental Requirements

The provisions of these modifications are intended to complement the locally adopted codes and amendments. The elements of design not addressed by the provisions of these modifications shall be in accordance with the locally adopted codes.

ADMINISTRATIVE

1. Submittal documents- Construction documents, special inspections, structural observation program, test results, receipts and all other data shall be submitted digitally through the online permitting portal.
2. The basic wind speed, V, in mph, for the determination of the wind loads shall be determined by the ASCE Hazard Tool website <https://ascehazardtool.org/>.
3. All Residential rough-in inspections (framing, mechanical, electrical, and plumbing) shall be scheduled as a 4-way inspection by the contractor responsible for construction. Email all inspection request to Buildinginspections@Daphneal.com

STRUCTURAL

1. All new construction and alterations shall require structural plans that have been prepared, signed, dated, and stamped by a design professional who is licensed by the State of Alabama.
2. Trusses manufactured in states other than Alabama may be approved at the Building Official's discretion.
3. Windows must have a minimum rating of DP50 or PG50 unless approved by the engineer of record and Building Official.
4. The installation of replacement doors, windows, or glass must meet or exceed the existing performance ratings.
5. Engineered plans for non-habitable residential accessory structures may not be required at the Building Official's discretion.
6. Any structural design that integrates into an existing habitable residential structure (such as roof decking, rafters, trusses, or top plate) shall require structural plans that have been prepared, signed, dated, and stamped by a design professional who is licensed by the State of Alabama.
7. When insulation is required underneath a conditioned space to complete the structure's thermal envelope, closed cell foam or other approved methods shall be required.

ROOF COVERINGS

ASPHALT SHINGLES – REQUIREMENTS

Wind Speed	Shingle Testing Standard/Classification
130 mph or greater	ASTM D7158 Class H <u>or</u> ASTM D3161 Class F

1. All roof coverings and underlayment shall be removed (exception #9 and #10 below and exceptions from 2024 IRC Section 908.3) and any roof decking attached with staples or nailing pattern less than 6 inches on center (OC) edge and 6 inches OC intermediate shall be re-nailed with #8D ring shank nails to meet 6 inches OC edge and intermediate.
2. Asphalt shingles shall be installed according to the manufacturer's installation instructions for High Wind Areas with a minimum of 6 nails.
3. All asphalt shingle roof covering underlayment shall be of a synthetic tear resistant polypropylene, polyester or fiberglass fabric certified by an approved testing agency or ICC-ES report. The Building Official may approve an equal or higher performing product. Asphalt felt roofing underlayment shall not be installed as a roof covering underlayment.
 - Roof underlayment shall be installed and fastened in accordance with the manufacturer's installation instructions.
 - NOTE: Most manufacturers do not allow staples as an approved fastener or staple button caps
4. All aluminum/vinyl soffit covering shall be attached to minimum 7/16 OSB or plywood or minimum 2x2 wood supports 8-inch OC maximum.
5. Metal roof covering shall be installed per manufacturer's installation instructions for High Wind Zone minimum fastening requirements: Metal roof covering shall be fastened to roof assembly with a maximum 2-foot OC spacing of fasteners in the length dimensions of the panels. The minimum number of fasteners in width dimension of the panel shall be no less than 4 inches.
6. 1x4 or 2x4 wood purlins for attachment of metal roof coverings shall be a maximum of 2 feet OC. Wood purlins shall be nailed with a minimum of 2 deformed (i.e., spiral or ring shank) #16D nails into existing rafters at maximum of 24 inches OC.
7. Roof decks shall be nailed in accordance with the engineered drawings but no less than 6 inches OC maximum intermediate and edge, with minimum #8D irregular shank (i.e., ring shank or spiral) nails with full round heads. Staples are not permitted for fastening of the roof decking.
8. Roof deck seams shall be taped with a minimum 4-inch peel and stick tape meeting ASTM D-1970 or entire roof deck covered and sealed with peel and stick underlayment meeting ASTM D-1970 or closed cell foam meeting ASTM D-1622 may be applied underneath to each side of framing member and sheathing seams to achieve a sealed roof deck. Other

equal or greater methods may be approved by the Building Official.

9. Unfinished and temporary roof coverings shall not be allowed for more than 60 days without approval from the Building Official.

ENERGY

1. Attic: minimum insulation R-38 Wall: minimum insulation R-13 Floor: minimum insulation R-13
2. Batt insulation shall be cut neatly to fit around pipes and wires or be placed behind piping and wiring. Must staple securely to the face of the stud.
3. Air permeable insulation shall not be used as a sealing material.
4. Space between windows and door jams shall be sealed.
5. Corners, headers and sill plates shall be sealed.
6. Rim joist shall be insulated.
7. A continuous air barrier shall be installed in the building envelope. All breaks, joints and penetrations in the air barrier shall be sealed as per manufacturer instructions.
8. Access openings to un-conditioned spaces shall be insulated and sealed (weather stripping/gasket).
9. Building cavities shall not be used as ducts or plenums.
10. Programmable thermostats shall be installed.
11. A minimum of 75% of the lights used shall be of high efficiency.
12. Recessed lighting fixtures shall be sealed to be airtight.
13. U factor of 40 and SHGC of .25 minimum for windows.
14. At the time of rough inspection all penetrations to unconditioned areas must be sealed with caulking or expandable foam.

PLUMBING

1. Pex supply piping shall be inspected at a minimum pressure of 75 psi.
2. Copper and CPVC piping systems shall be inspected at street pressure or greater.
3. All bathtubs and showers shall be connected to the drain waste and vent system at time of top out inspection. **Exception:** Whirlpool and Garden tubs may be installed after top out inspection. The trap servicing the Whirlpool and Garden tub shall be installed at the time of inspection.

ELECTRICAL

1. All receptacles shall be supplied by a minimum #12 AWG and protected by a 20 Amp Circuit Breaker.

2. General Lighting, Smoke/Carbon Monoxide Alarms shall be allowed to be supplied by a minimum #14 AWG and protected by a 15 Amp Circuit Breaker.

FUEL GAS

1. Fuel Gas shall meet all requirement set forth by Daphne Utilities and the 2024 International Fuel Gas (IFC) code.
2. All Fuel Gas installations from the consumer side of the meter to the point of use shall be inspected by The City of Daphne and Daphne.

MODULAR HOMES

1. Plans stamped by the Alabama Manufactured Home Commission (AMHC) shall be required.
2. Modular Homes shall be certified by an Alabama Registered Engineer to meet adopted wind loads.
3. Foundation and/or anchorage plans are required and must be prepared, signed, dated, and stamped by a design professional who is licensed by the State of Alabama.
4. Modular Homes shall be installed as per the engineered installation instructions.
5. Modular Home installations require a Building permit and Electrical permit.
6. Modular Homes shall be required to have an Electrical service inspection prior to establishing electricity and a Final Building inspection prior to occupancy. Underground water, sewer and electrical conduit trenches must be inspected prior to covering.
7. In factory construction and components are not the responsibility of the City of Daphne Building Inspection Department.

[End of Appendix A]