

**MINUTES FROM A WORK SESSION OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
November 21, 2022**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall conference room in said City at 3:00 p.m. on the 21st day of November 2022. The following members were found to be present or absent, as indicated:

PRESENT: CHRIS HALL, GINA CLARK, WILLIS THOMPSON, KEN
SOCKWELL, DAVID MOORE
ABSENT: NONE

Ken Sockwell, Council President, presided at the meeting. Mayor Mike Lockhart was also present. Beth Jones, Procurement Agent, and Kate Isbell, Administrative Assistant/Marketing, were present and kept the minutes of the meeting.

The Mayor and Brittney Walker, Finance Officer, presented the 2022-2023 fiscal year's budget. The council, along with the department heads, were present and discussed the budget with the Mayor and Finance Officer.

Nathan Willingham, a consultant with the City of Muscle Shoals, explained to the Mayor and council the third reading of Mixed Use Ordinance.

Jalen Johnson, the Director of Human Resources, discussed with the Mayor and council the position of City Clerk and its job description.

The council reviewed agenda items.

There being no further business the meeting was adjourned at 6:00 p.m.

**MINUTES FROM A REGULAR MEETING
OF THE COUNCIL OF MUSCLE SHOALS,
ALABAMA, HELD
November 21, 2022**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:00 p.m. on the 21st day of November 2022 being the scheduled time and place for said meeting. The meeting was called to order by Ken Sockwell, Council President. On roll call the following members were found to be present or absent, as indicated:

PRESENT: CHRIS HALL, GINA CLARK, WILLIS THOMPSON, KEN
SOCKWELL, DAVID MOORE
ABSENT: NONE

Ken Sockwell, Council President, presided at the meeting and declared that a quorum was present and that the meeting was convened and opened for the purposes of transaction of business. Mayor Mike Lockhart was also present. Brittney Walker, Finance Officer, and Kate Isbell, Administrative Assistant/Marketing were present and kept the minutes of the meeting.

The invocation was given by Rusty Wheelles. President Ken Sockwell led in the pledge of allegiance.

Upon motion duly made by Council Member Thompson and seconded by Council Member Moore and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of November 7th, 2022, and approved the minutes as written.

Mayor Lockhart announced that the comprehensive team will be back on December 5th and 6th, 2022. The Mayor also wished the Muscle Shoals High School football team good luck for when they host Mountain Brook.

Council Member Moore made a motion to carry over the discussion on James Marks- Vacation of alleys and streets in Washington Heights to the December 5th, 2022, meeting; Council Member Clark seconded that motion.

President Sockwell announced that the next item of business would be to consider an ordinance approving the Muscle Shoals Mixed Use (MSMU) district

e. Theaters.

1. Schools and day care centers.

g. Government administrative uses, post offices, community centers, and libraries.

2. Retail, restaurant, and related uses, as listed below:

a. Retail commercial sales, excluding drive-through facilities.

b. Personal service businesses.

c. Restaurants and other food or beverage establishments, excluding drive through facilities

d. Studios for dance, music, fitness, art, or photography.

e. Indoor sports facilities, including bowling alley, racquet sports, and health clubs.

3. Residential units, provided all dwelling units are located on the second floor and above.

4. Parks, open space uses, and plazas.

5. Structured parking in accordance with section 5.C.2.

6. Accessory uses to a principal use, including surface parking lots.

B. Conditional Uses

A lot and/or building may *be* used for one or more of the following conditional uses, in conjunction with a permitted use, provided conditional use approval is received in accordance with the requirements of Article II of this chapter and all standards of the MSMU District are met:

1. Residential dwelling units on the first floor, provided the units are not located on a block, or across the street from a block frontage, that is existing or proposed retail and related uses, as listed in section 2.A.2, that occupy the majority (50% or greater) of frontage on the first floor.

2. Temporary surface parking lots as a principal use, provided the parking lot is not located on the principal retail street of the development and an alternative permitted use is shown as a future principal use on the approved Master Plan for the development.

C. Prohibited Uses

2. Usable open space and plaza uses shall comprise at least five percent (5%) of the net tract area of all MSMU developments.

B. Master Plan.

All properties proposed for development shall be developed in accordance with a master plan that has been approved by the Muscle Shoals Planning Commission.

1. Master plans shall meet the following requirements:

- a. Master plans shall be prepared when any property is initially proposed for subdivision or land development. Subdivided properties that are intended to be developed at a later date shall be subject to this initial master plan.
- b. Master plans shall meet the preliminary plat requirements in section 102-308 of the municipal Subdivision Regulations.
- c. Master plans shall show proposed buildings, land uses, lots, streets, and open space for the entire tract and shall be consistent with the municipal Subdivision Regulations. The density, lot size, bulk, yard sizes and other nonuse standards within the district shall comply with the standards established by the planning commission for each specific MSMU district.
- d. Master plans shall demonstrate that the mix requirements of Section 3.A have been met and provide a summary of mixed use by percentage of floor area for each structure and the total floor area for the development.
- e. Master plans shall include architectural drawings, such as elevations, perspective drawings, axonometrics, and cross-sections, that demonstrate compliance with the standards in the MSMU District.
- f. Master plans shall include street classifications designating principal corridors as arterials or collectors (major or minor) and other streets as local streets. Exceptions to street specifications may be made by the planning commission upon the recommendation of the City engineer, given due consideration for traffic volume.

B. Lot Width Requirements

1. Minimum Lot Width for all multiple-family dwellings and non-residential uses: no minimum lot width; however, all lots must be consistent with the master plan.
2. Minimum Lot Width for two-family dwellings: 20 feet
3. Minimum Lot Width for single-family dwellings homes: 50 feet

C. Building Setback from the edge of street curblines:

1. When no plaza is between the building and the street curbline:
 - a. Minimum Building Setback from Street Curblines, portions of buildings up to 40 feet in height:
 - i. Arterial Streets: 20 feet
 - ii. All Other Streets: 12 feet
 - b. Minimum Building Setback from Street Curblines, any portions of buildings from 40 to 75 feet in height: 25 feet
 - c. Maximum Building Setback from Street Curblines for 60% or more of the front facade of the ground floor level of buildings:
 - i. Arterial Streets: 35 feet
 - ii. All Other Streets: 25 feet
2. Where a plaza is between the building and the *street*, the Minimum and Maximum Building Setback from Street Curblines shall be the depth of the plaza.

D. Minimum Building Setback from property lines not abutting streets:

1. Portions of buildings sharing a party wall: 0 feet.
2. Portions of buildings not sharing a party wall, up to 40 feet in height: 10 feet.
3. Portions of buildings not sharing a party, from 40 to 75 feet in height: 20 feet.

E. Minimum setback between any portions of separate buildings not sharing a party wall and not separated by property line(s):

1. Portions of buildings up to 40 feet in height: 20 feet.
2. Portions of buildings from 40 to 75 feet in height: 40 feet.

F. Minimum building and parking setback from abutting residential properties that are not part of the proposed MSMU District: 40 feet

is guaranteed to the abutting property.

- e. On tracts of ten (10) acres or more, new streets within an MSMU development shall have a street connectivity index of 1.40 or more. The street connectivity index shall be computed by dividing the number of new street links (defined as street segments between Intersections and/ or cul-de-sac heads) by the number of new street intersections/permanent cul-de-sac heads.

- 5. Cul-de-sacs shall be connected to pedestrian facilities by greenspace and sidewalks allowing non-motorized transportation (walking and bicycling) between streets.

B. Building Design Standards

1. Building Orientation and Entrances

- a. Front facades of buildings shall be oriented towards existing and proposed streets, with an everyday entrance in the front facade. Buildings with multiple front facades shall have entrances in each front facade, corner entrances, or, if permitted by the municipal planning commission, entrances in only some of the front facades.
- b. All primary building entrances shall be accentuated. Permitted entrance accents may include: recessed, protruding, canopy, portico, or overhang.
- c. Loading doors, service doors, and loading docks shall not be located in any facade facing a street or any portion of a facade within 35 feet of a street

2. Walls and Windows

- a. Blank walls shall not be permitted along any exterior wall facing a street. Walls in these locations shall comprise a minimum of 35 percent window area and a maximum of 75 percent window area, with windows interspersed across the facade.
- b. Ground floor facades of retail, restaurant, and related shall comprise a minimum of 50 percent clear window area, with windows providing views of display areas or the inside of the building. These ground floor windows shall begin between 12 to 24 Inches above ground level and shall end above 86 inches above ground level
- c. Smoked, reflective, or black glass in windows is prohibited.
- d. Walls or portions of walls where windows are not provided shall have architectural treatments designed to break up the bulk of the wall, including at least four of the following treatments: masonry but not flat concrete block; concrete or masonry plinth at the base of the wall; belt courses of a different texture or color; projecting cornice; projecting metal canopy; decorative tilework; trellis containing planting; medallions; opaque or translucent glass; artwork; vertical/ horizontal articulation; lighting fixtures; or a similar architectural element not listed above, as approved by the municipal planning commission.
- e. Rear and side facades shall have colors and materials that are like the front facade and shall blend with structures within the

block that are zoned MSMU. Interconnections shall be logically placed and easily identifiable to ensure convenient traffic flow.

2. Parking Structures

- a. For parking structures within fifty (50) feet of a curbline, except for their pedestrian and vehicular entrances, the space at street level facing the street shall have 70% of occupied space devoted to office, entertainment, institutional, apartment lobby, retail, restaurant, or a related use.
- b. Parking structures shall have design treatments such as colonnades, arcades, awnings, landscaping, street furniture, and other public amenities to create the appearance of an occupied building. Blank walls are not permitted.
- c. Cars shall be visually screened from the street through features such as grills, lattices, mock windows, louvers, false facades, etc. Such screening shall be in keeping with the rest of the building's architectural style and materials.

3. Access to Off-Street Parking.

When feasible, vehicular access to off-street parking facilities shall be from a street, alley, or driveway that has no retail or related uses facing this street or alley. When this is not feasible, access shall be located as far from retail or related uses' front facades as possible.

D. Pedestrian Design Standards

1. Sidewalks, with a minimum unimpeded width of 8 feet, are required along all street frontages with Retail, Restaurant, and Related Uses. Sidewalks with a minimum width of 6 feet are required along all street frontages with other uses.
2. Sidewalks shall be present on at least one side of any street fronted on both side by single-family housing. Sidewalks shall be provided on both sides of the street in all other locations.
3. Sidewalks are required to connect the street frontage to all front building entrances, parking areas, plazas, and any other destination that generates pedestrian traffic. Sidewalks shall connect to existing sidewalks on abutting tracts and other nearby pedestrian destination points and transit stops.

E. Open Space and Plaza Design Standards

1. Required open space areas shall only consist of plazas, central greens, playing fields, playing courts, playgrounds, trails, greenways with trails, pedestrian malls, promenades, picnic areas, and other similar types of usable, public space, some of which may be dedicated to the City of Muscle Shoals, which may, under the sole discretion of the Muscle Shoals City Council, accept dedication and ownership of improvements.
2. Required open space areas shall be designed as focal points within the development and shall make public access as easy and straightforward as possible. Public access shall be guaranteed to all required open

isofootcandle at ground level on the abutting property.

b. No light, except streetlights, shall shine directly onto public roads.

3. Where the abutting property is residentially zoned and used, lighting shall meet the following requirements:

- a. Light fixtures shall be directed towards the proposed development and away from the abutting property.
- b. Light fixtures must shield the light source itself so that bulbs are not visible from the abutting residential property.
- c. Light fixtures located within the building setback area that adjoins a residentially zoned and used property shall be no more than ten (10) feet in height.

4. No parking lot lighting standard or building fixture designed to illuminate the ground shall exceed eighteen (18) feet in height from grade level, and no pedestrian lighting standard shall exceed (14) feet in height from grade level.

G. Refuse Area Design Standards. The storage of refuse shall be provided inside the building(s) or within an outdoor area enclosed by either walls or opaque fencing at least 6 feet in height. Any refuse area outside of the building shall be designed to be architecturally compatible with the building(s) and shall not be in the front of the building.

H. Screening Design Standards

- 1. All wall-mounted or ground-mounted mechanical, electrical, communication, and service equipment, including satellite dishes and vent pipes shall be screened from public view by parapets, walls, fences, landscaping, or other approved means.
- 2. Service and loading areas must be visually screened from streets and pedestrian ways and must be located to the side or rear of buildings.

I. Outdoor Dining Design Standards

- 1. Outdoor dining areas shall not impede pedestrian traffic flow. A minimum pathway of at least 5 feet free of obstacles shall be maintained.
- 2. Advertising or promotional features shall be limited to umbrellas, a menu board, and canopies.

J. Outdoor storage is not permitted.

Section 6. Incentive Provisions (Reserved)

Section 3. Special meetings may be held at the call of the President of the Council by serving notice to each member of the Council not less than twenty-four hours before the time set for such special meetings, or special meetings may be held as provided by Section 11-43-50 of the Alabama Code of 1975, whenever two Council members request in writing that the presiding officer call such meeting, upon the failure or refusal of the presiding officer to call such meeting when requested, the two Council members making the request shall have the right to call such meeting and notice shall be given to each member of the Council not less than twenty-four hours before the time set for the special meeting.

Section 4. A quorum of the Council shall be determined as provided by Section 11-43-48 of the Alabama Code of 1975. In the event that a lesser number than a quorum shall convene at any regular or special meeting of the Council, they are authorized to send the Chief of Police or some other person for any or all absent members, as the majority of the members present may agree.

Section 5. There shall be a work session of the Council preceding the regular meetings of the Council or at such other time as the President of the Council may designate by giving notice to the public by posting the time of said meeting at City Hall at least three (3) hours before the commencement of said work session. The work sessions preceding the regular meetings of the Council shall commence at 5:00 p.m. The regular meetings of the Council shall commence immediately at the conclusion of the work session but in no instance prior to 6 p.m. All meetings of the Council, regular, special or work sessions, shall be open to the public. Any person wishing to appear at the work session shall notify the Clerk's office by 3 p.m. on the Thursday preceding the work session of their intent to speak and the subject matter they wish to address at the work session.

Section 6. The Clerk of the City shall prepare and furnish copies of the minutes of the previous meeting and shall also prepare and furnish an agenda of the next meeting of the Council to each member of the Council by Friday of the next succeeding meeting of the Council.

Section 7. The order of business shall be as follows:

1. A call to order
2. Opening Prayer
3. Pledge of Allegiance
4. Roll call
5. Adoption of the minutes

Section 11. Persons seeking to address the Council during the meetings of the Council shall be recognized to do so during and pursuant to Item 4 of Section 7 [Comments of the public] of these rules of order and procedure or at the work session preceding the regular meeting of the Council. All persons seeking to address the Council shall notify the Clerk's office by 3 p.m. on Thursday preceding the meeting by stating their name and the substance of the matter to be addressed before the Council. All persons shall address and speak to the Council from a designated rostrum. Each person so recognized to address the Council shall be allowed a period of five (5) minutes to do so and the Clerk shall keep the time and shall notify the person addressing the Council when one (1) minute of the time remains. All persons obtaining recognition to address the Council shall do so only upon the matters within the purview and jurisdiction of the Council and touching upon matters that are to be acted upon or which may be acted upon by the Council. All general supervisory and executive matters within the Mayor's responsibility shall be taken up with the Mayor at a time other than during the meetings of the Council.

Section 12. Every officer, whose duty it is to report at the regular meetings of the Council who shall be in default thereof, may be fined at the discretion of the Council.

Section 13. All resolutions and ordinances shall be in writing.

Section 14. Motions to reconsider must be by a member who voted with the prevailing side and at the same or next succeeding regular meeting of the Council. If the latter, such intent to make a motion to reconsider must be filed in writing with the Clerk of the City by 4 o'clock p.m. on Thursday before the next succeeding regular meeting of the Council. A matter shall be subject to a motion to reconsider one time only.

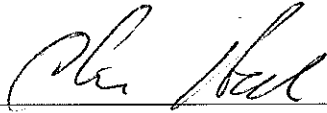
Section 15. Whenever it shall be requested by one or more members the "yeas" and "nays" shall be recorded; and any member may call for a division on any question.

Section 16. All questions of order shall be decided by the presiding officer of the Council with the right of appeal to the Council by any member. The presiding officer shall refrain from voting on any appeal of a ruling by the presiding officer to the Council.

Section 17. Motions to lay any matter on the table shall be first in order and a motion for adjournment shall always be in order.

Section 18. The rules of the Council may be altered, amended or temporarily suspended by a vote of four-fifths of the members present. Notice of intent to alter or amend these rules of

CITY OF MUSCLE SHOALS, ALABAMA
A Municipal Corporation



COUNCIL MEMBER – PLACE ONE



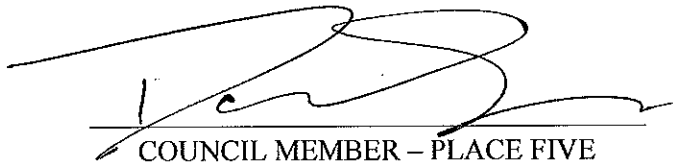
COUNCIL MEMBER – PLACE TWO



COUNCIL MEMBER – PLACE THREE

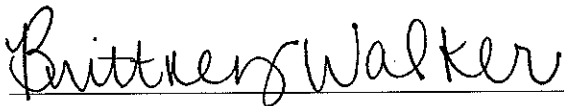


COUNCIL MEMBER – PLACE FOUR



COUNCIL MEMBER – PLACE FIVE

ATTEST:



Brittney Walker, Finance Officer

Kate Isbell, Administrative Assistant/Marketing