

COMPREHENSIVE PLAN
OF
JEFFERSON COUNTY, ALABAMA

SECTION 1
THE PLAN AND THE PLANNING PROCESS

**Adopted in three sub-sections as part of the First Installment of this Plan by the
Jefferson County Planning & Zoning Commission on August 14, 2008
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JEFFERSON COUNTY AND ITS CHARGE TO PLAN

Whenever a government agency embarks on a mission to change something or do something “new”, it seems that the first question people ask is...

WHY DO WE WANT TO DO THIS?

And the short answer is because ultimately, *only* a comprehensive plan has the potential to become the consolidated, definitive representation of the combined and coordinated plans of *all* of Jefferson County’s development-related departments, working together for the sole purpose of realizing the County Commission’s vision for giving Jefferson County the best possible future from all possible perspectives.

And, recognizing the value of such a plan, the Alabama Legislature set out to describe in detail just how a comprehensive or master plan might be used, as well as detailed instructions on how such a plan is to be developed and adopted.

And so our state enabling legislation charges our Planning & Zoning Commission with the responsibility for preparing and adopting the master plan, or

comprehensive plan, as the official plan for the development of the unincorporated area of the County. However, this may also include the planning of *incorporated* areas to the extent that such areas are related to the planning of the *unincorporated* territory (for example, with regard to roads and sewers).

§ 949. General powers and duties and functions.—It shall be the duty and function of the commission to make a master plan and to adopt such master plan as the official master plan for the development of the unincorporated territory of the county; such master plan may include the planning of incorporated areas to the extent to which, in the commission’s judgment, such areas are related to the planning of unincorporated territory of the county.

WHAT IS A COMPREHENSIVE PLAN, AND HOW WOULD IT RELATE TO US?

Comprehensive plans have been referred to as

“the official statement of a legislative body that sets forth goals, policies and guidelines intended to direct the present and future physical and economic development of the community, including a unified physical design for the public and private development of land and water”.

Such master plan, with the accompanying maps, plats, charts, and descriptive and explanatory matter, shall show the planning commission’s recommendations for the development of the territory covered by the plan, and may include, among other things, the general location, character and extent of roads, viaducts, bridges, waterways and waterfronts, boulevards, parkways, squares, parks, aviation fields, and other public ways, grounds and open spaces; the general location of public buildings and other public property; the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power and other purposes; also the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or the extension of any of the foregoing ways, grounds, open spaces, buildings, property, utilities and terminals; the general character, location and extent of community centers, town sites, or housing developments; the general location and extent of forests, agricultural areas, and open-development areas for purposes of conservation, food and water supply, sanitary and drainage facilities, or the protection of urban and nonurban development; a land classification and utilization program and zoning plan for the regulation and restriction of the height, number of stories, and size of buildings and other structures; the percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the density of population, the location and use of buildings and structures, and the use, conditions of use, or the occupancy of land for trade, industry, residence, recreation, agriculture, grazing, water conservation, forestry, or other purposes; the establishment of setback lines for buildings and other structures along the streets and roads.

And as the insets show, our legislation also includes specific language describing what Jefferson County can do with such a plan. An adopted plan will not only make the *County's* intentions for the future clear to both current *and future* residents of the County, but it will also serve as a guide helping to locate the many different kinds of developments that are coming in the County.

The master plan shall be made with general purpose of guiding and accomplishing a co-ordinated, adjusted, and harmonious development of the county which will, in accordance with present and future needs and resources, best promote health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development; including, among other things, such distribution of population and of the uses of land for urbanization, trade, industry, habitation, recreation, agriculture, forestry, and other purposes, as will tend to create conditions favorable to health, safety, transportation, prosperity, civic activities, and recreation, educational, and cultural opportunities; will tend to reduce the waste of physical, financial, or human resources which result from either excessive congestion or excessive scattering of population; and will tend toward an efficient and economic utilization, conservation, and production of the supply of food and water, and of drainage, sanitary, and other facilities and resources.

Furthermore, *after* the comprehensive plan is adopted, the Planning & Zoning Commission will be in a position to review all *public projects* for consistency *with* that plan (again, according to our enabling legislation). This applies to everything from public utilities to public parks and recreation, to street widenings and right-of-way vacation.

The acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, change of use, acquisition of land for, or sale or lease of any public utility facility, whether publicly or privately owned, public park or other public recreation area, public building or other public structure, public road or other public works, shall be subject to similar submission and approval,

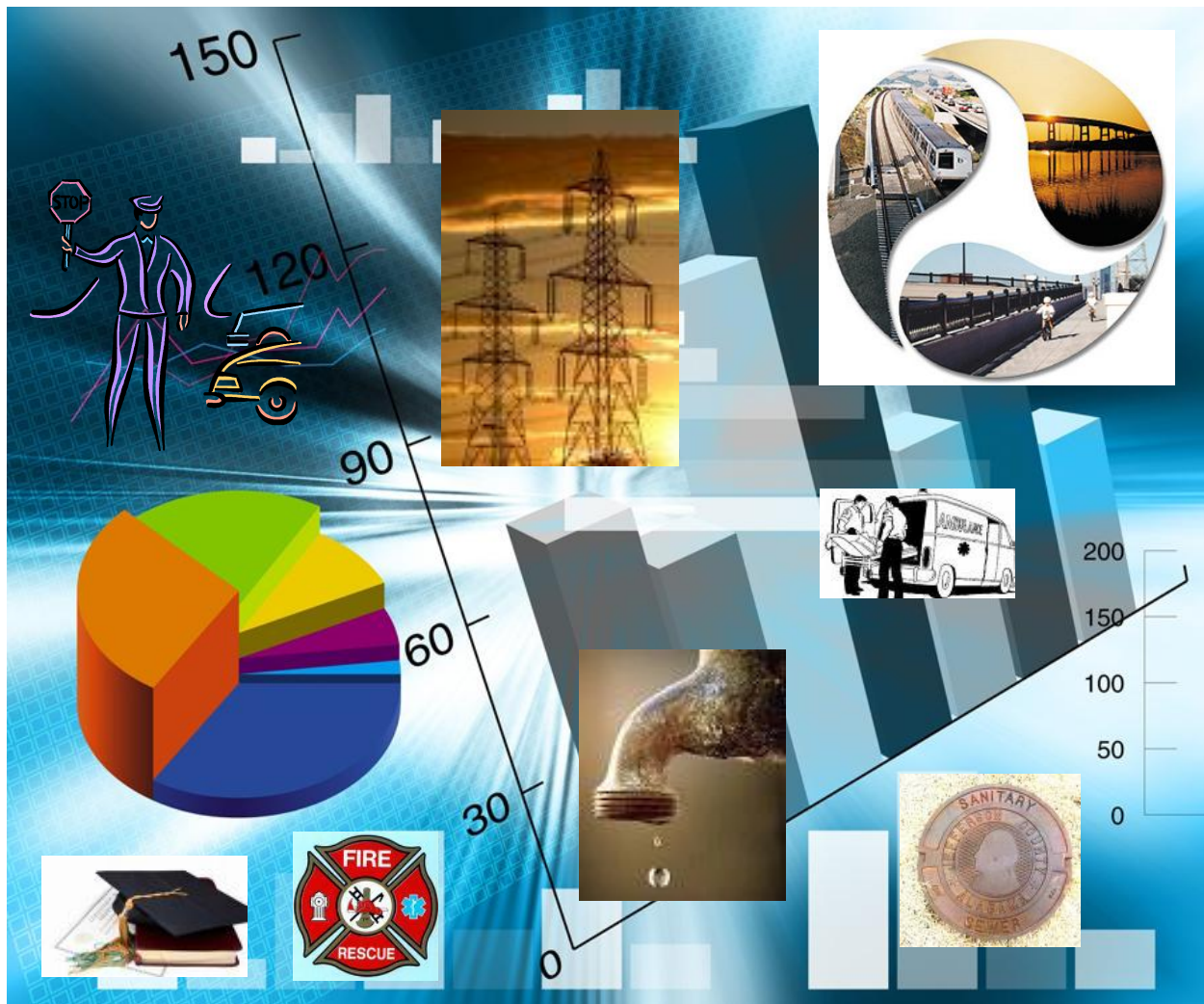
And, with public utilities included in the planning process, the mechanism would be in place for the Planning & Zoning Commission and/or the different departments/agencies to collaborate on how they might “adjust” their *individual* plans to achieve the best *overall* benefit to the County as a whole. Also, by incorporating the various departments’ public improvement projects into the comprehensive planning process – projects on which no less than one public hearing will most certainly have to be held anyway – the public review requirement can be more efficiently satisfied by the hearings on the *plan*, without having to set up any kind of “special” hearings for the projects themselves.

THE END PRODUCT

Although the planning process never really stops, and *all* plans are re-evaluated and amended from time to time in order for them to remain current and accurate, there is a “final product”. And even though that same “final product” will itself continue to evolve and expand with further research and development to address additional issues or areas of concern to the County, our goal with this Plan is to present a mapped Future Development Plan for all of Jefferson County, along with a compilation of *all* relevant development policies from *all* County departments, and any *other* agencies – including any cities – who might want to participate.

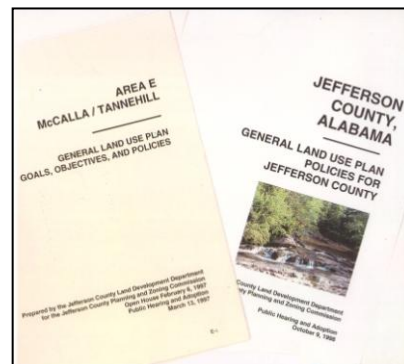
In short, our product here – this Comprehensive Plan – will be a growing document that will consolidate, for the *first* time, *all* of the plans and policies of *all* of the County's departments into *one* document – one *big* Plan with information from *every* department whose work impacts how and where land is developed in Jefferson County. *And* it is a document that will be useful to far more people than just the County Commission, or one or two County departments: as described in **Section 2.b., Purpose and Intent**, this Plan will be something that *many* other departments, many other *agencies*, and even the *cities and towns* that share the space within our County lines can benefit from!

Furthermore, as this Plan grows to include more and more aspects of the County's governmental duties and responsibilities, or simply to *improve* on the various aspects of development already covered by the Plan, *any and all such new Elements and/or new policies* – as well as any proposed *regulation or ordinance amendment* that may result from such new Element or policy – *will be brought forward to the public for review and comment by all interested and potentially-affected parties prior to any adoption of such.*



BACKGROUND: HISTORY OF JEFFERSON COUNTY'S LAND USE PLAN

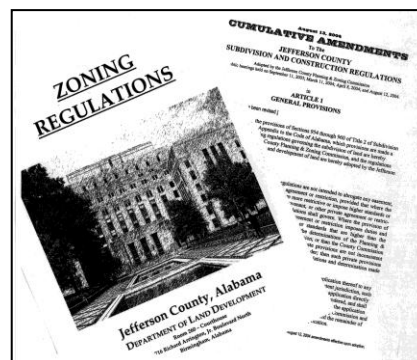
When the Jefferson County Commission called for a County-wide plan to be developed back in the mid-90's, the driving force was zoning. The Commission was looking for something that would give them a broader frame of reference from which to analyze their rezoning cases and anticipate the effects of their zoning decisions. More and more cases were beginning to “accumulate” in certain strategic areas, while other cases indicated the beginnings of commercial sprawl along various key road corridors. As a result, the Commission was looking for a way to evaluate their cases in relation to “the bigger development picture”, instead of continuing to do things on a “one-property-at-a-time” basis.



To develop that plan, the County was divided (by census tract) into 13 planning areas. Each area was then taken individually after being then prioritized based on the proportion of rezoning cases that had been filed over the last 10 years, with the public hearing on the first Area Plan held at McAdory High School in 1997.

In 2006, the Planning & Zoning Commission adopted proposed land use maps for the *last* of those 13 areas; and while it took longer than anticipated (for various reasons), what was essentially *the first phase* of a *comprehensive* plan – i.e., the development of a Land Use Plan for both the Planning & Zoning Commission and the County Commission to use as a guide in making their decisions on rezoning cases – was complete.

And that Land Use Plan was a good start, as not only have the Commissions come to rely rather heavily on it when considering rezoning cases, but it has also been instrumental in helping us improve and refine our zoning and subdivision regulations. But again, this was only the first phase of a much larger project, as the scope of our *Land Use* Plan was rather limited as compared to the scope of the *Comprehensive* Plan it was to become a part of.



Furthermore, flooding and other issues were starting to emerge as major concerns of Commissioners and citizens alike. Intergovernmental cooperation is probably at an all-time high, yet even higher levels of coordination are needed to address emerging issues that affect us on a “metropolitan area” scale. And subdivision development continues to increase all across the County – including in rural areas, thus heightening concerns about the rising costs of providing infrastructure for new development. And while increased departmental coordination *has* provided the Commission with up-to-date and accurate information regarding sewer availability, roadway capacities and other infrastructure elements that factor in to their decisions on rezoning cases, having the

future plans for all of these kinds of elements (i.e., not just the *existing* conditions) collected in *one place* will give the Commission the best information for seeing *and shaping* the future Jefferson County.

So in January of 2007, the Jefferson County Commission launched a concerted effort to start bringing together the plans of all of the *other* County departments, to form them into a *Comprehensive Plan* that will contain, coordinate and communicate everything anyone would need to know about what the Jefferson County of the future is going to look like.

And of course, there *were* several “individual” planning efforts taking place here at the County at the *departmental* level: Roads & Transportation had local road improvement projects scheduled, looking out as far as 5 to 10 years; Community Development has their “5-Year Plan”; and Land Development is continuously working with the Planning & Zoning Commission on trying to maintain a 10-to-20-year outlook for the Land Use Plan.

In addition, there were also a number of *other* significant planning efforts going on in Jefferson County as well, each of which brings their own particular issues to the table. For example, the Jefferson County Health Department has embarked on its own plan “*to improve health and quality of life throughout Jefferson County*”. There had also been a multi-jurisdictional study done of the Upper Cahaba Watershed, which looked in-depth at conservation and development issues as they relate to water quality.

So there are already several key ingredients ready to be pulled together into a single *comprehensive* planning program for Jefferson County as a whole.

