

**TOWN OF TRIANA
ORDINANCE 2022-__**

MORITORIUM ON LARGE SCALE RESIDENTIAL DEVELOPMENTS

WHEREAS, the Town of Triana Planning and Zoning Commission is charged with evaluating the suitability of proposed residential developments within the Town of Triana to include single family home subdivisions (R-3, R-4, R-5), Townhomes & Condominiums (R-2A), and Apartment Complexes (R-2) and;

WHEREAS, the Town of Triana Planning and Zoning Commission makes recommendations to the Town Council of the Town of Triana regarding proposed residential developments and corresponding or associated rezoning of real property in the Town of Triana;

WHEREAS, the Town of Triana Zoning Ordinance and Alabama Code 11-52 empowers the Town Council to enact Zoning Regulations to “promote health and the general welfare, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements” and;

WHEREAS, the Town of Triana Planning and Zoning Commission recommends adoption of the Ordinance herein and;

WHEREAS, The Town Planning and Zoning Commission finds the following conditions exist within the Town of Triana:

1. Huntsville Utilities supplies water to the Town of Triana municipal water system at two locations. Additional projected growth is anticipated to further place increased demands on the municipal water system;
2. The Savannah East, Savannah West, Oregon, and Jesse Bennett sewer lift stations have recently been upgraded to support the projected and approved growth. However, the aforementioned pump stations are unlikely to support any additional large-scale residential development (R-2 through R-5) without additional cost-prohibitive upgrades;
3. Additional Sewer Force Main improvements are required from Savannah West to the Madison Utilities Sewer Outfall on Swancott Rd;
4. A limited number of full-time Fire Fighters and Volunteer Fire Fighters employed and/or used by the Town of Triana;
5. A limited number of full-time Police Officers employed by the Town of Triana;
6. Lack of an employee certified ADEM Water Operator and use of a contracted ADEM Water Operator;
7. The Town of Triana is the fastest growing municipality in the State of Alabama per the 2020 census;

8. A limited number of full-time Maintenance Staff available to read the Town’s approximately 1500 water meters per month with an additional 150-200 meters each year;
9. Significant increased demand to construct housing within the Madison City Schools District and significantly decreased space currently available within the Madison City Schools
10. Limited sales tax revenue generating Commercial Businesses

THEREFORE BE IT ORDAINED by the Town of Council of Town of Triana that:

1. A Moratorium be enacted on Large Scale Residential developments throughout the Town of no less than one hundred eighty (180) days. “Large Scale” being defined as more than five residential units or two acres of land and any of the following zones (R-2, R-2A, R-3, R-4, R-5). The Town Council shall have the authority to extend this moratorium for up to an additional ninety (90) days by majority vote. The Town Council may consider numerous factors in determining whether an extension or termination of this moratorium is necessary, including but not limited to the following:
 - (a) A third water supply (e.g. “Master Meter”) is installed or under contract to be installed thereby addressing future water supply needs;
 - (b) A combination of four full-time or Volunteer Fire Fighters on staff with at least two being full-time employees of the Town;
 - (c) At least three full time maintenance employees on staff with at least one being certified at ADEM Water Level 1;
 - (d) Tablet or Smart-Device water meter reading equipment is procured and deployed for use within the Town.
 - (e) That the Savannah West Phase 2 sewer project is funded and under contract for completion
 - (f) That a contract Town Engineer be retained
2. A geographically targeted Moratorium shall also be enacted on Large Scale Residential developments and rezoning applications in sewer basins serviced by the Savannah East, Savannah West, Advent Dr, Jesse Bennett, Oregon, Hidden Rivers, and Foster Sewer Lift Stations or lift stations pumping into any of the above stations. The Town Planning and Zoning Commission shall not consider rezoning applications for R-2, R-2A, R-3, R-4, R-5 unless a rezoning application includes development of sewer infrastructure separate from the existing infrastructure in the aforementioned areas.
3. All previously approved subdivisions projects or rezoning applications shall be unaffected by this moratorium and proceed as outlined in the Town’s Subdivision Regulations, including but not limited to:
 - (a) Southern Landing
 - (b) Evergreen Mill

- (c) Foster Place
 - (d) Malvern Hill
 - (e) Record St Apartments
 - (f) Oregon Townhomes
4. Any commercial or industrial development projects or rezoning from R-1 to B-1 or M-1 shall be unaffected and shall considered by the Planning and Zoning Commission

Resolved by the Planning and Zoning Commission of the Town of Triana this the ____th Day of June, 2022.

MARY CAUDLE, MAYOR

ATTEST:
SHARRON HUMPHREY, CLERK