

BALDWIN COUNTY, ALABAMA

Planning and Zoning Department

RE-ZONING REQUEST

Z23-34, STRASSBURG PROPERTY

OCTOBER 5, 2023

PRESENTED BY: CORY RHODES, PLANNER

Z23-34 STRASSBURG PROPERTY

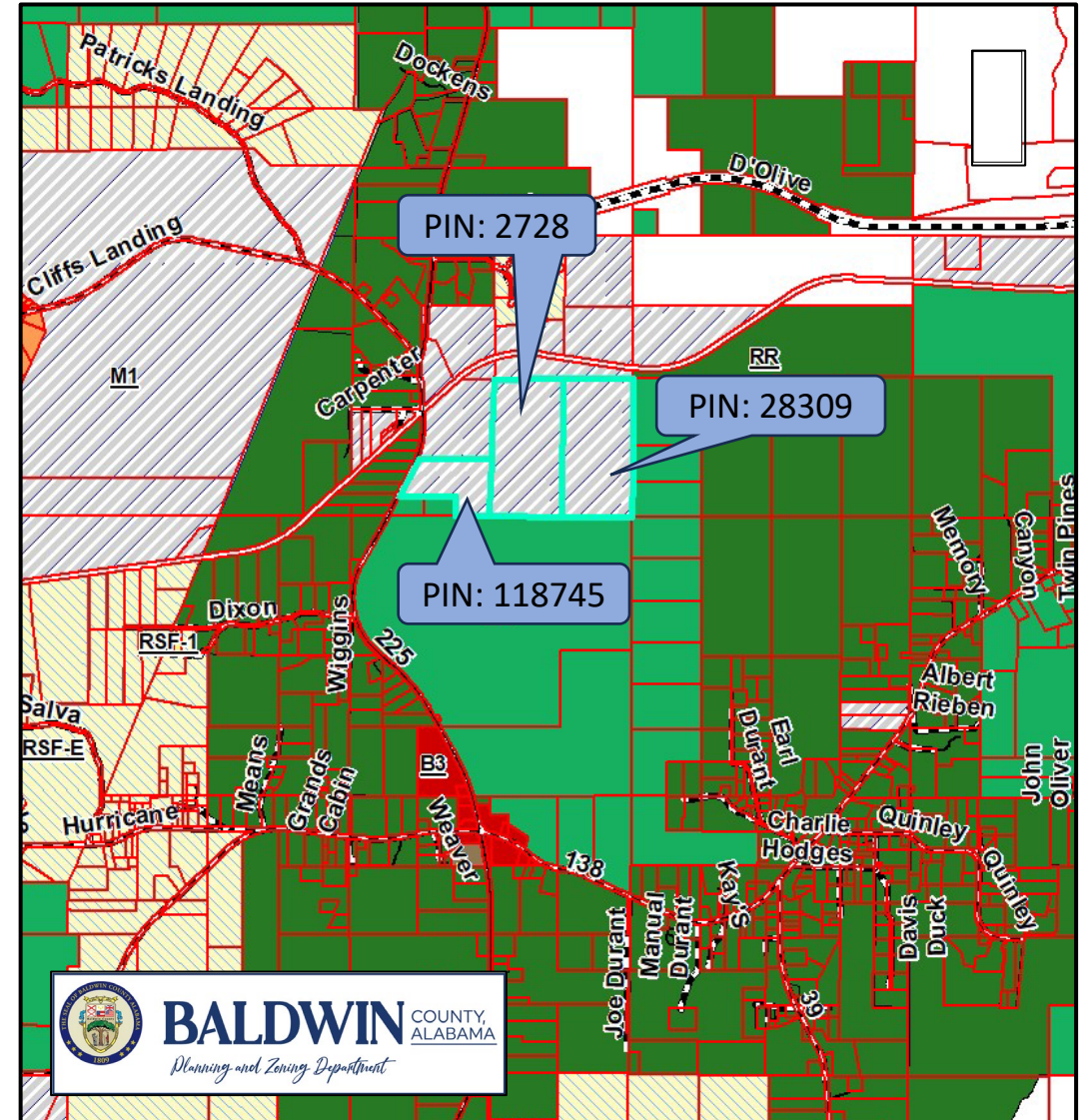
RE-ZONING REQUEST FROM **M-1** TO **RA**

Lead Staff: Cory Rhodes, Planner

Request before Planning Commission:
Rezone +/- 194 acres from M-1 to RA

To view maps/plats in higher resolution
please visit the "Upcoming Items" Planning
and Zoning webpage:

[https://baldwincountyal.gov/departments/
planning-zoning/meeting-agenda](https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda)



Z23-34 STRASSBURG PROPERTY

RE-ZONING REQUEST FROM M-1 TO RA

Lead Staff: Cory Rhodes, Planner

Planning District: 4

PINs: 118745; 2728; 28309

Zoned: M-1, Light Industrial District

Location: Subject property is located east of State Highway 225 in the Bay Minette area

Current Use: Vacant

Acreage: +/- 194 total acres

Physical Address: 43092 State Highway 225
Bay Minette, AL 36507

Applicant/Owner: David Strassburg

Proposed Zoning: RA, Rural Agricultural District

Applicant's Request: The applicant would like to rezone for agricultural use of the property.

Online Case File Number: The official case number for this application is Z23-34, however, when searching the online CitizenServe database, please use Z23-000034.

Factor Summary:

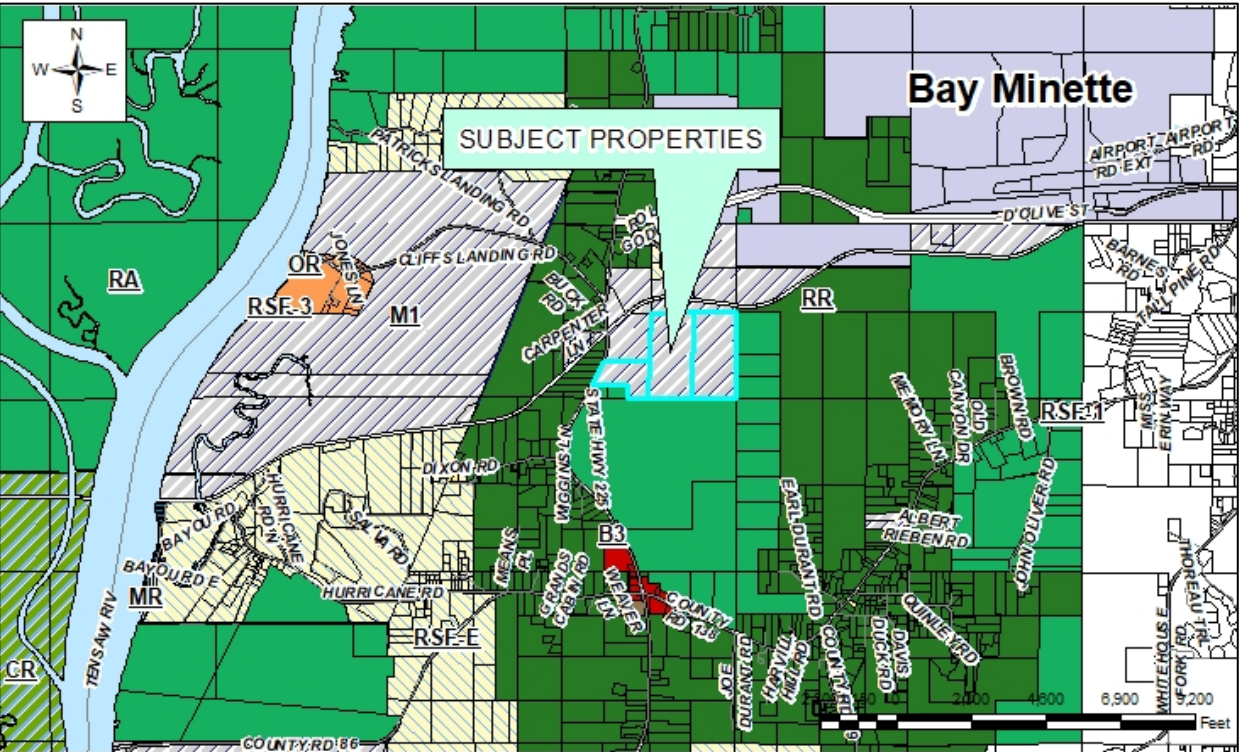
- Factors do not necessarily carry equal weight.
- Staff review is based on information provided by the applicant and other readily available information.

 #1	 #2	 #3	 #4	 #5	 #6
Compatible with development pattern?	Change of conditions since originally zoned?	Proposal conform to Master Plan?	Conflicts with public improvements?	Adverse affect to traffic?	Consistent with development pattern?
 #7	 #8	 #9	 #10	 #11	
Logical expansion of adjacent zoning?	Timing appropriate given development trends?	Environmental or Historic impact?	Adverse impact on health, safety, & wellness?	Other appropriate matters?	

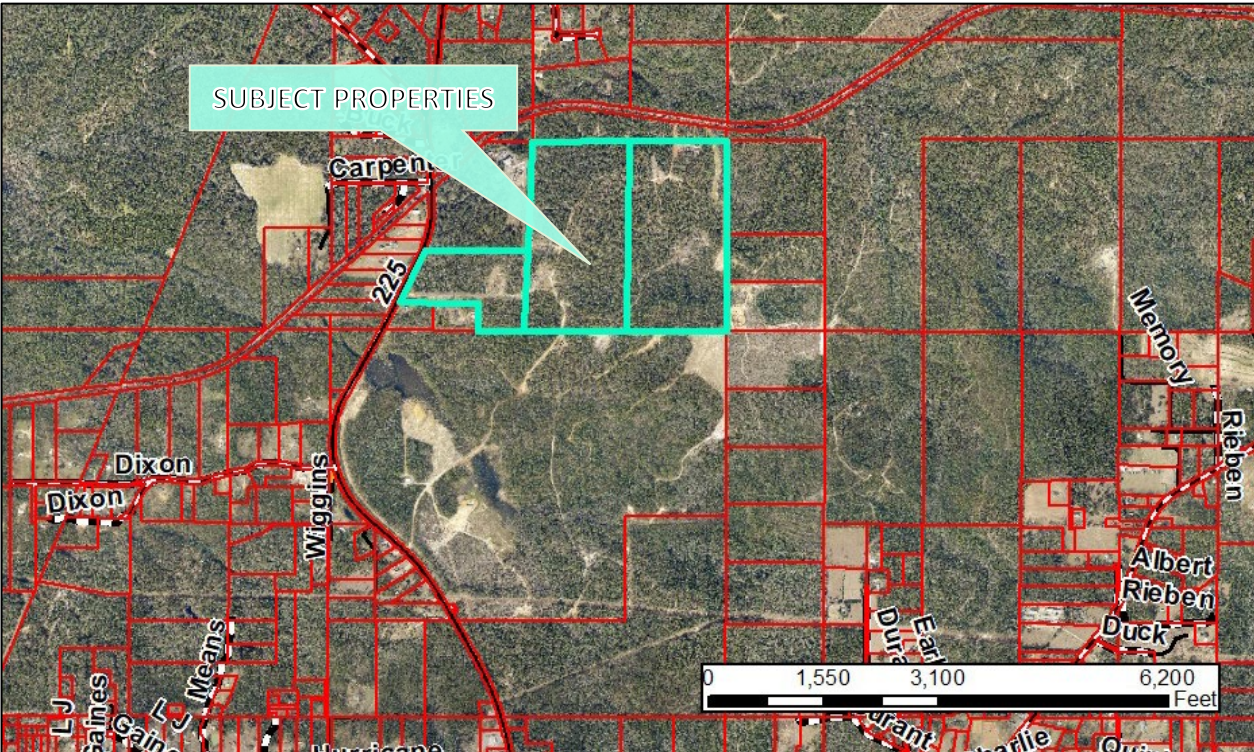
Public Hearing:

Only credible information impacting one of the factors above will be considered by the Planning Commission.

Locator Map

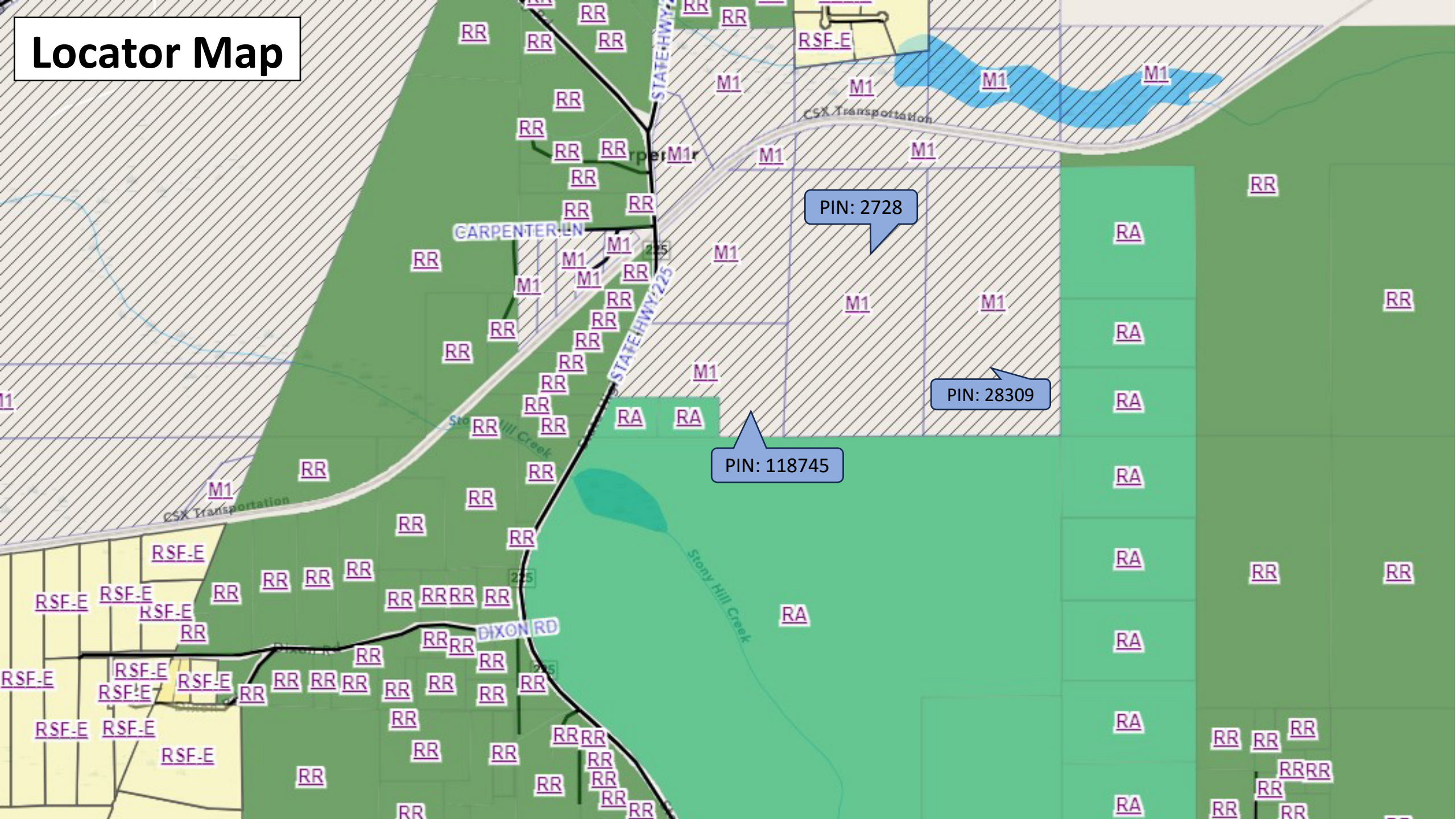


Site Map



	Adjacent Zoning	Adjacent Land Use
North	M-1, Light Industrial District	Industrial
South	RA, Rural Agricultural District	Residential
East	M-1, Light Industrial District & RA, Rural Agricultural District	Agricultural
West	RR, Rural District	Residential

Locator Map



Property Images

Sep 11, 2023 at 2:39:13 PM
115° SE

Subject Property



REZONING
PROPOSED
FOR THIS PROPERTY
Z23-000034
Berkshire County Planning & Development
(251) 590-1655



Property Images

Sep 11, 2023 at 2:42:00 PM
116° SE

Adjoining Property
to The South



Property Images

Sep 11, 2023 at 2:40:25 PM
117° SE

Adjoining Property
to The North



Property Images



Current Zoning Requirements

Section 8.1 M-1, Light Industrial District

8.1.1 *Generally.* The purpose of this zoning district is to provide a suitable protected environment for manufacturing, research and wholesale establishments which are clean, quiet and free of hazardous or objectionable emissions, and generate little industrial traffic.

8.1.2 *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, conditioned on the Commission Site Plan Approval requirements of Section 18.9:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) Light industrial uses.
- (c) Transportation, communication, and utility uses except landfills and sewer treatment plants.
- (d) Outdoor recreation uses.
- (e) Marine recreation uses.
- (f) General commercial uses except racetracks.
- (g) Local commercial uses.
- (h) Professional service and office uses.
- (i) Institutional uses.
- (j) Agricultural uses.
- (k) Accessory structures and uses.

8.1.3 *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 as Commission Site Plan Approval uses:

- (a) Transportation, communication, and utility uses not permitted by right per *Section 8.2(c): Permitted uses.*

- (b) General commercial uses not permitted by right per *Section 8.2(f): Permitted uses.*

8.1.4 *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 18.4 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure	45-Feet
Maximum Height of Structure in Habitable Stories	4
Minimum Front Yard	25-Feet
Minimum Rear Yard	see (a & b)
Minimum Side Yards	see (a & b)
Minimum Lot Area	40,000 Square Feet
Maximum Impervious Surface Ratio	.80
Minimum Lot Width at Building Line	120-Feet
Minimum Lot Width at Street Line	No Minimum

- (a) No minimum except where abutting a residential district, in which case there shall be a minimum yard of 25-feet abutting the residential district.
- (b) The required yards shall be increased by one foot for each foot of building height in excess of 35-feet.

Proposed Zoning Requirements

Section 3.2 RA Rural Agricultural District

3.2.1 *Generally.* This zoning district provides for large, open, unsubdivided land that is vacant or is being used for agricultural, forest or other rural purposes.

3.2.2 *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) Outdoor recreation uses.
- (d) The following general commercial uses: animal clinic and/or kennel; farm implement sales; farmers market/truck crops; nursery; landscape sales; country club.
- (e) The following local commercial uses: fruit and produce store.
- (f) The following institutional uses: church or similar religious facility; school (public or private).
- (g) Agricultural uses.
- (h) Single family dwellings including manufactured housing and mobile homes.
- (i) Accessory structures and uses.

3.2.3 *Special exceptions.* 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 as special exceptions: Not Applicable

3.2.4 *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) Transportation, communication, and utility uses not permitted by right.
- (b) Institutional uses not permitted by right.
- (c) The following general commercial uses: low density recreational vehicle park (see *Section 13.9: Recreational Vehicle Parks*).

- (d) The following local commercial uses: bed and breakfast or tourist home (see *Section 13.10: Bed and Breakfast Establishments*).

3.2.5 *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 18.4 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure	35-Feet
Minimum Front Yard	40-Feet
Minimum Rear Yard	40-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	3 Acres
Minimum Lot Width at Building Line	210-Feet
Minimum Lot Width at Street Line	210-Feet

3.2.6 *Area and dimensional modifications.* Within the RA district, area and dimensional requirements may be reduced, as set forth below, where property is divided among the following legally related family members: spouse, children, siblings, parents, grandparents, grandchildren, or step-related individuals of the same status.

Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	40,000 Square Feet
Minimum Lot Width at Building Line	120-Feet
Minimum Lot Width at Street Line	120-Feet

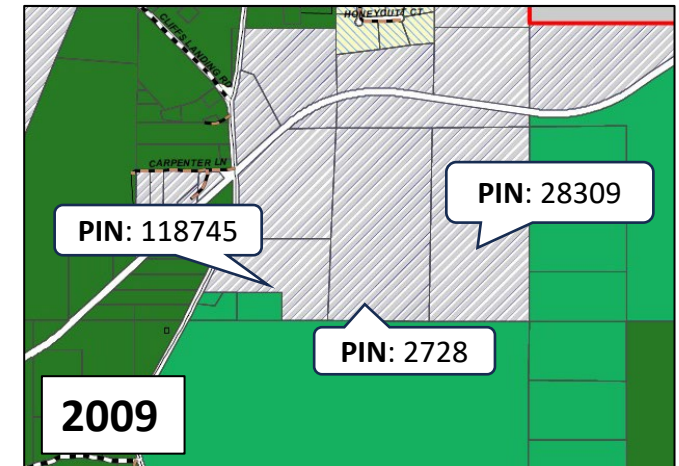
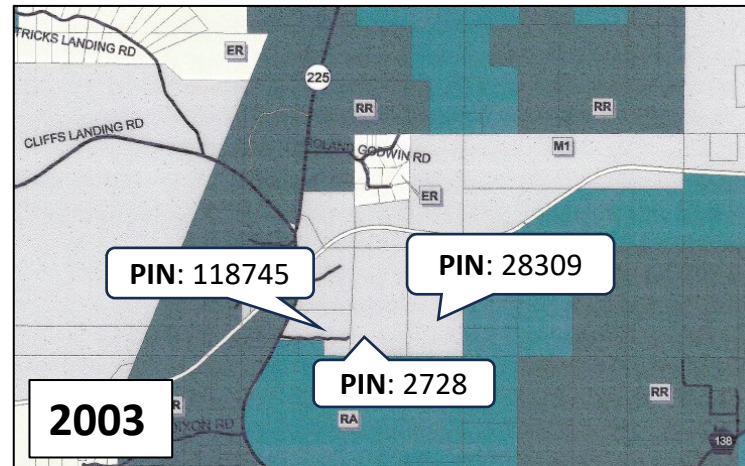
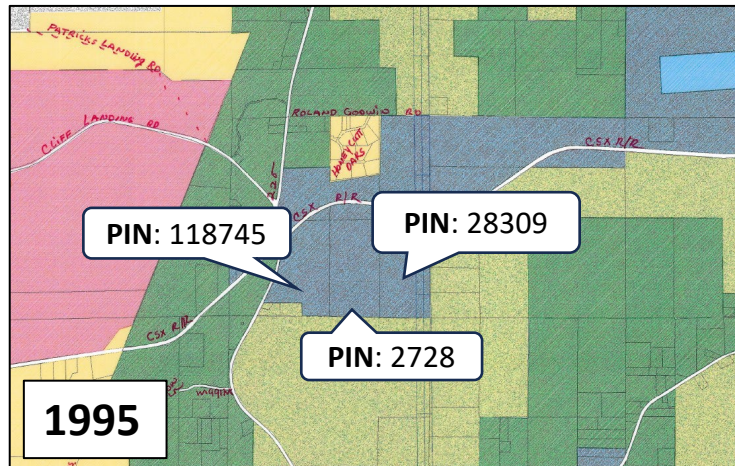
Staff Analysis and Findings

1.) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?

The subject properties are currently zoned M-1, Light Industrial District. Surrounding parcels in the immediate area are zoned RA, Rural Agricultural, RR, Rural, and M-1, Light Industrial. The adjacent uses are agricultural. Staff feels that the requested change is compatible with the development and zoning of the surrounding areas.

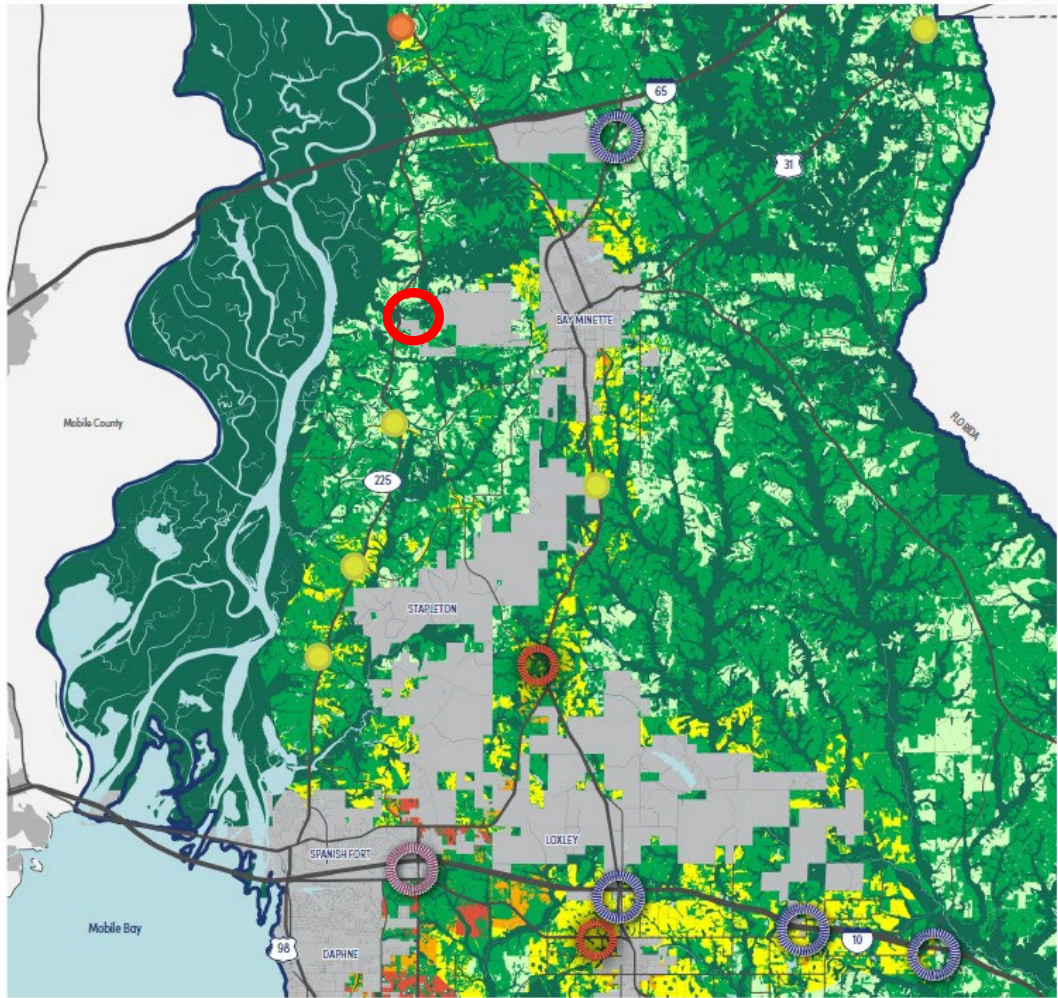
2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?

Planning District 4 adopted zoning on February 21, 1995. It appears that the subject parcels were zoned M-1 at the time the Planning District 4 zoning map was enacted. The reasoning behind this zoning category was proposed industrial growth as a result of the CSX Railroad Corporation, which did not occur. There appear to be no rezonings in the area.



Staff Analysis and Findings

MAP 13: FUTURE LAND USE MAP (FLUM) ZONE B



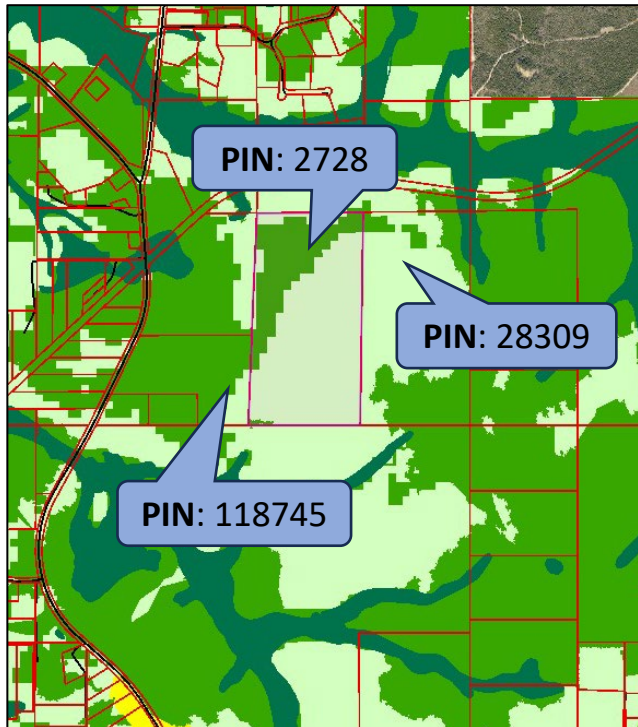
3.) Does the proposed zoning better conform to the Master Plan?

The future land use for the properties include Conservation Development and Rural Development Potential. The projected use of the property is agricultural; therefore, the requested zoning better conforms to the Master Plan and encourages approval of the request.

Conservation Development Potential Areas are suitable for all of the land uses described in the Ideal Conservation/Preservation Areas place type but would allow for limited development based on low-impact design principles. Allowing conservation-based subdivisions in these areas could help to balance the pressure of residential development with environmental preservation and rural character. Conservation-based subdivisions allow for the clustering of residential dwellings to protect open space that is valued for natural resource protection—such as stream buffers, mature forest habitat, or wetlands—working farmland, or recreational amenities.

Rural Development Potential Areas include large lots, open space views, and a large buffer distance between buildings. Residential homes may be on large tracts and could include estate homes and working farmland. The development pattern may also include conservation-based subdivisions to allow for the clustering of residential dwellings to protect open space that is valued for natural resource protection—such as stream buffers, mature forest habitat, or wetlands—working farmland, or recreational amenities. Lands within these areas should be developed with additional Low Impact Development (LID) standards and buffers to limit the impact to adjacent critical environments. At key rural crossroads, rural centers or nodes could allow for a combination of retail and service uses to meet the needs of the community.

Staff Analysis and Findings



Rural Development Potential Areas include large lots, open space views, and a large buffer distance between buildings. Residential homes may be on large tracts and could include estate homes and working farmland. The development pattern may also include conservation-based subdivisions to allow for the clustering of residential dwellings to protect open space that is valued for natural resource protection—such as stream buffers, mature forest habitat, or wetlands—working farmland, or recreational amenities. Lands within these areas should be developed with additional Low Impact Development (LID) standards and buffers to limit the impact to adjacent critical environments. At key rural crossroads, rural centers or nodes could allow for a combination of retail and service uses to meet the needs of the community.

PRIMARY LAND USES

- Single-family detached homes
- Hobby farms
- Agri-hoods
- Cultivated farmland, timber/managed forest, pastureland
- Clustered manufactured housing communities
- Rural crossroads center/node

RELATED ZONING DISTRICTS

- RR Rural District
- RA Rural Agricultural District
- RSF-E Residential Single Family Estate

CONNECTIVITY NETWORK

- Rural streets with sidewalks, paved shoulders, bike lanes, and/or side paths based on local character and context
- Rural greenways and trails along environmental buffers

Conservation Development Potential

Areas are suitable for all of the land uses described in the Ideal Conservation/Preservation Areas place type but would allow for limited development based on low-impact design principles. Allowing conservation-based subdivisions in these areas could help to balance the pressure of residential development with environmental preservation and rural character. Conservation-based subdivisions allow for the clustering of residential dwellings to protect open space that is valued for natural resource protection—such as stream buffers, mature forest habitat, or wetlands—working farmland, or recreational amenities.

PRIMARY LAND USES

- Conservation-based or cluster development with high levels of Low Impact Design (LID) and sustainable development practices
- Natural areas that are publicly and privately owned and managed
- Permanently protected lands such as conservation easements, parks, cemeteries
- Parks and open spaces devoted primarily to passive recreation and trails
- Lands with important cultural landmarks or assets
- Scenic view protection

RELATED ZONING DISTRICTS

- Environmental Conservation
- CR Conservation Resource District
- OR Outdoor Recreation District

CONNECTIVITY NETWORK

- Rural streets with paved shoulders, bike lanes, or side paths
- Greenways and trails along environmental buffers

Staff Analysis and Findings

4.) Will the proposed change conflict with existing or planned public improvements?

Staff is unaware of any planned public improvements.

5.) Will the proposed change adversely affect traffic patterns or congestion?

Staff believes the proposed change will have no adverse affect on traffic patterns or increase congestion along Highway 225.

6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community?

&

7.) Is the proposed amendment the logical expansion of adjacent zoning districts?

This area of Planning District 4 consists of rural (RR) and rural agricultural (RA) zoning districts. The RA zoning designation allows for agricultural uses which would be consistent with the adjacent properties abutting each parcel requesting to be rezoned. Therefore, the proposed rezoning would result in a logical expansion of the development patterns of adjacent zoning districts.

8.) Is the timing of the request appropriate given the development trends in the area?

Staff perceives no time factor with this request.

Staff Analysis and Findings

9.) Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County?

Staff is unaware of any actionable environmental or historical conditions that would have an impact on the County because of the proposed change.

10.) Will the proposed change adversely affect the health, safety and welfare of the County and the vicinity?

Staff does not anticipate any adverse impacts to the health, safety and welfare of the County and the vicinity.

11.) Other matters which may be appropriate.

N/A

Agency Comments

- Baldwin County Highway Department, Tucker Stuart: No Comments Received
- Subdivision Coordinator, Shawn Mitchell: No Comments Received
- ALDOT, Michael Smith: “[D]efinitely will need ALDOT permitting to access SR 225. Full plan review necessary.”
- ADEM, Scott Brown: No Comments Received

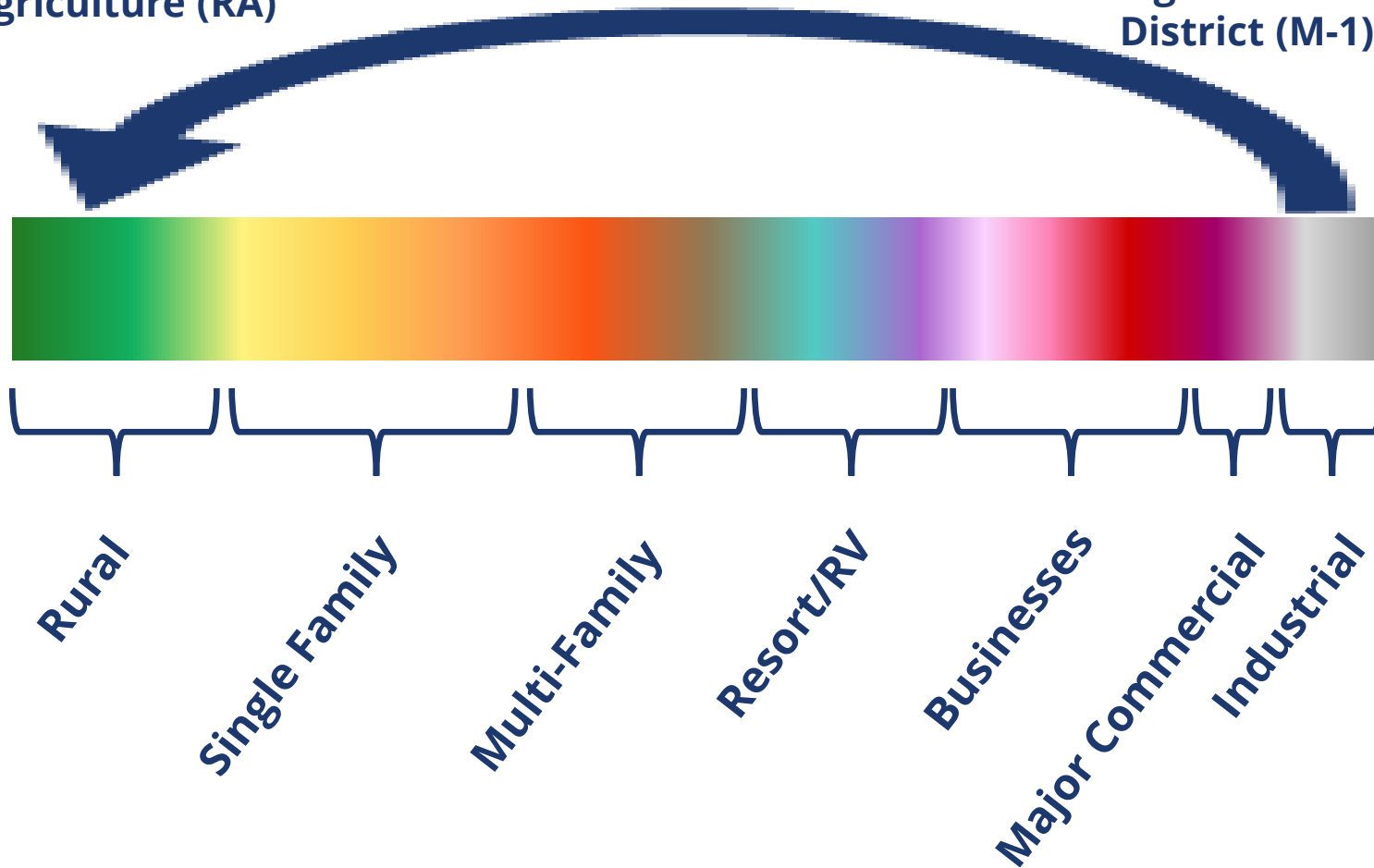
Z23-34 STRASSBURG PROPERTY

RE-ZONING REQUEST FROM M-1 TO RA

Lead Staff: Cory Rhodes, Planner

Proposed Zoning: Rural
Agriculture (RA)

Current Zoning:
Light Industrial
District (M-1)



Staff's Recommendation:

Unless information to the contrary is revealed at the public hearing, staff feels the application should be recommended for **Approval**.*

**On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.*

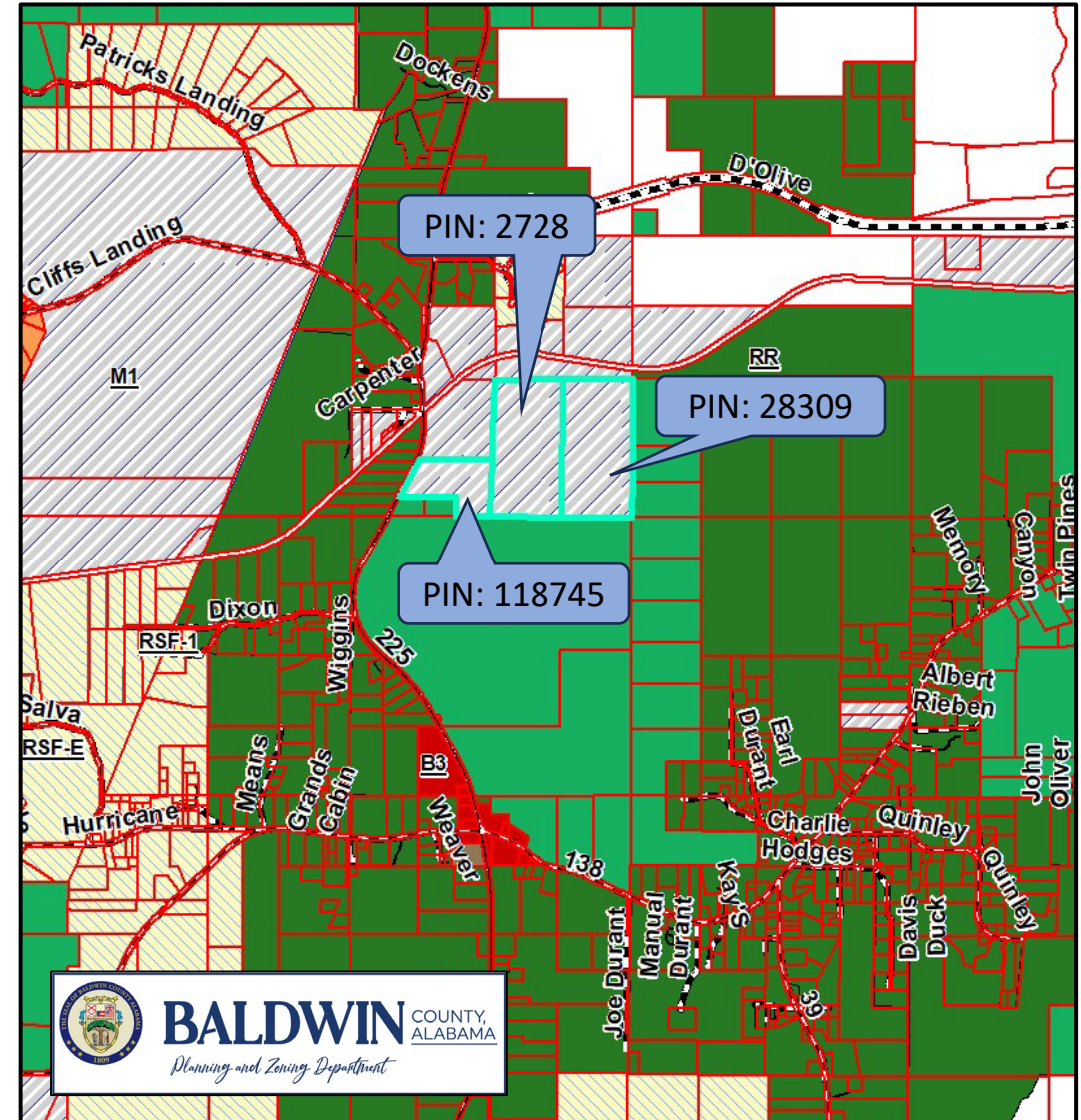
Z23-34 STRASSBURG PROPERTY

Lead Staff: Cory Rhodes, Planner

Recommendation:

Staff Recommends **APPROVAL**

Planning Commission Recommends **APPROVAL**



Factor Summary:

- Factors do not necessarily carry equal weight.
- Staff review is based on information provided by the applicant and other readily available information.

<div><div></div><div>#1</div></div> <div>Compatible with development pattern?</div>	<div><div></div><div>#2</div></div> <div>Change of conditions since originally zoned?</div>	<div><div></div><div>#3</div></div> <div>Proposal conform to Master Plan?</div>	<div><div></div><div>#4</div></div> <div>Conflicts with public improvements?</div>	<div><div></div><div>#5</div></div> <div>Adverse affect to traffic?</div>	<div><div></div><div>#6</div></div> <div>Consistent with development pattern?</div>
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Public Hearing:

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