

# DISTRICT 19



**BALDWIN** COUNTY,  
ALABAMA

# PROCESS

## ALABAMA CODE §45-2-261.07

### § 45-2-261.07. Procedure for exercising jurisdiction in each district

The Baldwin County Commission shall not exercise its planning and zoning powers and jurisdiction in any district established hereunder until the majority of the qualified electors of the district voting in an election shall have voted their desire to come within the planning and zoning authority of the Baldwin County Commission. The election shall be held if 10 percent of the qualified

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(Act 91-719, p. 1389, § 8; Act 98-665, p. 1455, § 1; Act 2006-609, p. 1672, § 1; Act 2010-719, p. 1782, § 1.)



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governing body determines that the use of voting precinct boundaries is not feasible. A party or parties seeking to file a petition shall notify the county governing body in writing that the parties will petition for the formation of a district and the proposed boundaries of the district. The judge of probate within 15 days shall give a preliminary

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**BALDWIN** COUNTY,  
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# PROCESS

## ALABAMA CODE §45-2-261.08

authority of the Baldwin County Commission as provided in Section 45-2-261.07, the Baldwin County Commission shall appoint an advisory committee from that district to work with and assist the planning commission in formulating and developing regulations, ordinances, and zoning measures for the district. Each advisory committee shall consist of five members who shall

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(Act 91-719, p. 1389, § 9; Act 98-665, p. 1455, § 1; Act 2006-609, p. 1672, § 1.)



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# PROCESS

## TIMELINE



# PROCESS

## TIMELINE



# ADVISORY COMMITTEE

Jamal Allen

Paul Davis

Kate Fisher

Tracy Frost

Willard Holliman

Clarice Hall-Black (Ex Officio Member from Fairhope Planning Commission)

Others

**June 20, 2021:**

Made unanimous recommendation  
on proposed District 19 Ordinance  
Provisions & Map



# THE ORDINANCE (TEXT & MAP)

## Local Provisions (non-comprehensive overview) – §2.3.19

- Started with Neighboring District 26
- Removed some items like prohibition on Planned Residential Developments
- Made unavailable thirteen different zoning districts including RSF-3, B-3, B-4, M-1, M-2, and TR.
- Disallowed twenty-one specific uses
- Requirements for concealing cell towers



# THE ORDINANCE (TEXT & MAP)

## Family Heritage Overlay District – §10.6

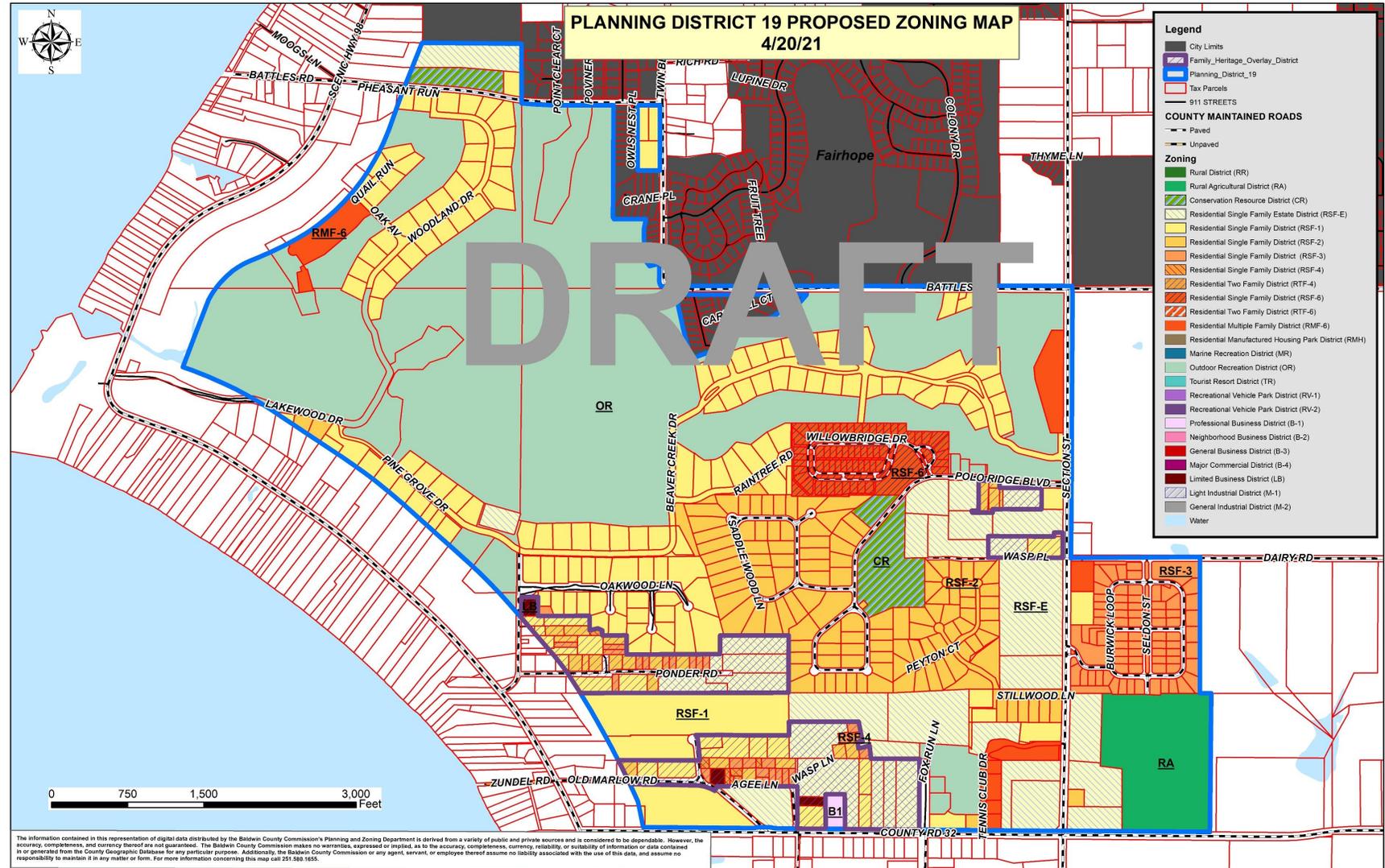
- Goal is to prevent displacement of culturally significant local community
- Make special provisions for allowing the continuance of non-conforming uses created by heirs' property.
- Community feedback used to designate properties within the district
- Properties automatically lose the overlay designation if transferred to someone other than immediate family



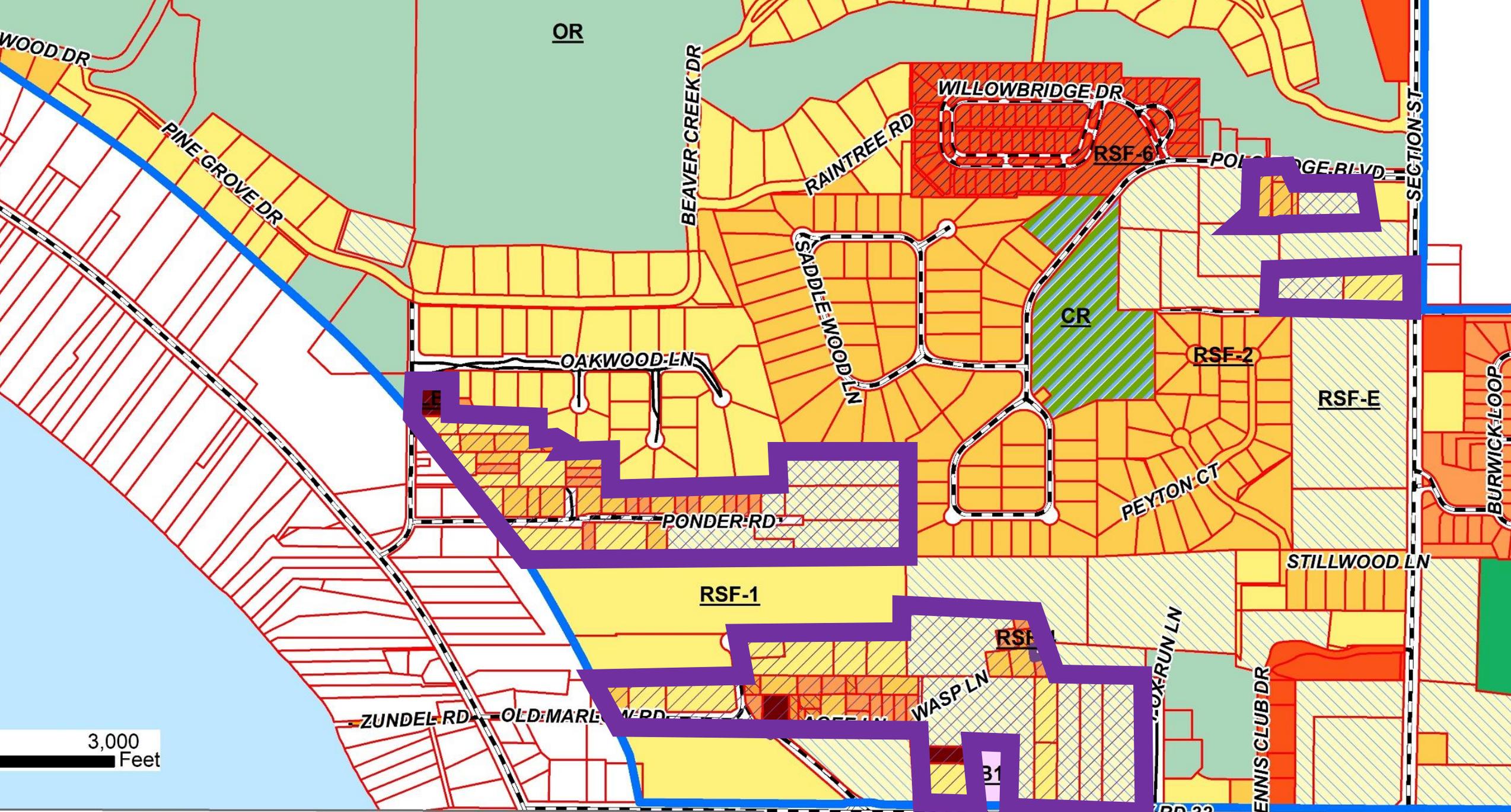
# THE ORDINANCE (TEXT & MAP)

## The Map

(as recommended by the advisory committee)







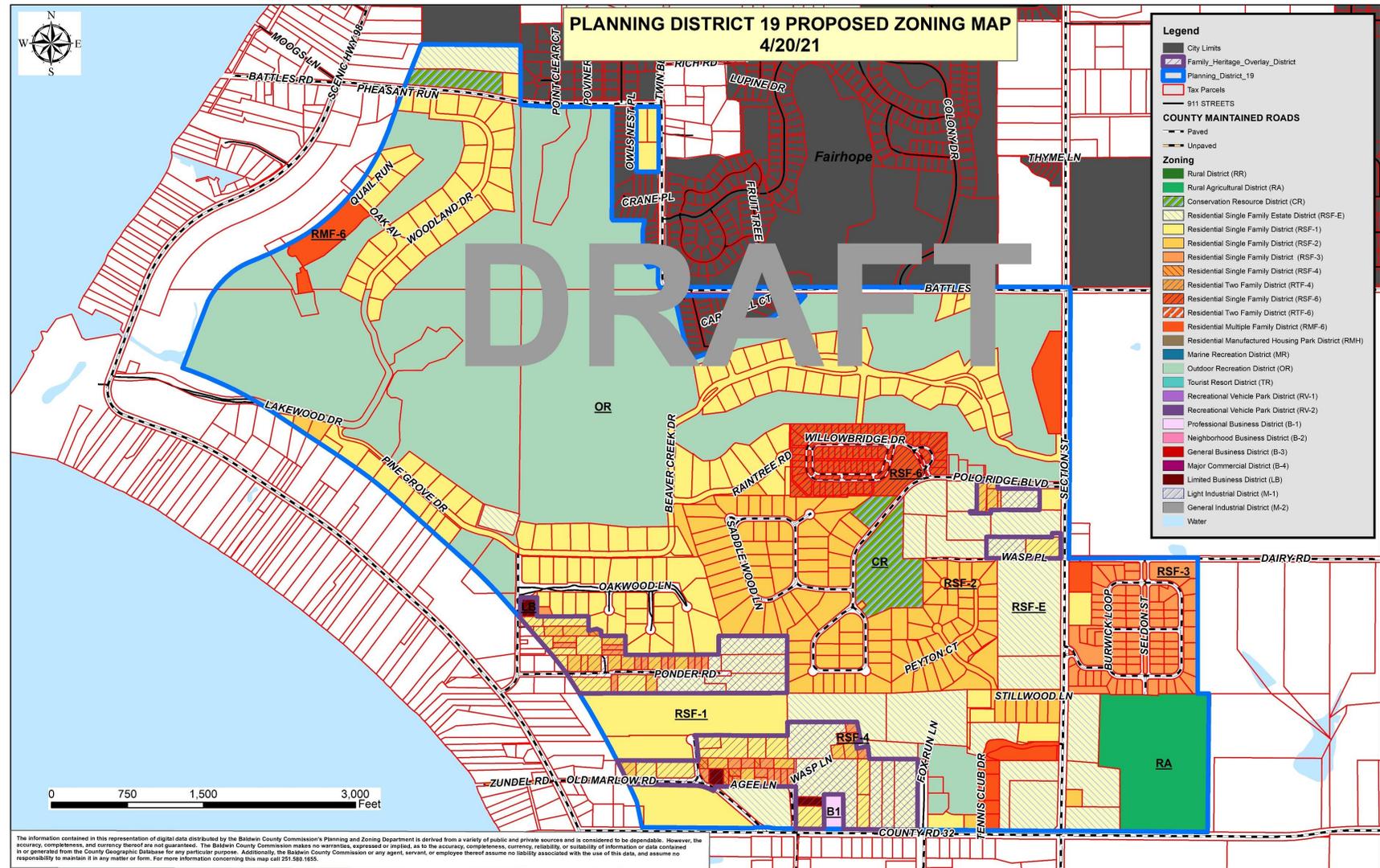
3,000  
Feet

Commission's Planning and Zoning Department is derived from a variety of public and private sources and is considered to be dependable. However, the Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability of information or data contained

# THE ORDINANCE (TEXT & MAP)

## The Map

(as recommended by  
the advisory committee)



# THE ORDINANCE (TEXT & MAP)

## Changes Proposed to the Planning Commission

- Overlay District Language



# OVERLAY DISTRICT LANGUAGE

## Section 10.6 Family Heritage Overlay District

10.6.1 Purpose. The Family Heritage Overlay District is implemented to prevent the displacement of culturally significant local communities, including communities with “heirs’ property”, due to restrictions on the repair, maintenance, alteration, or improvement of nonconforming structures existing as of the original creation of the overlay district within a Planning District, to recognize and protect the cultural importance of communities with “heirs’ property”, and recognize that nonconforming uses play an important part in the cultural sustainability of these communities. This overlay district shall only apply in Planning District 19 in the area herein defined in Section 10.6.2.



# OVERLAY DISTRICT LANGUAGE

10.6.4 Automatic removal of overlay district. When a lot within the Family Heritage Overlay District is transferred to someone other than an immediate family member, or is transferred to an entity that is not a natural person, the Family Heritage Overlay District designation is automatically removed regardless of whether or not the Planning and Zoning Department is notified and the District 19 Zoning Map is updated. When the Zoning Administrator becomes aware, by any means, that the overlay district designation has been removed, the Zoning Administrator shall administratively amend the Planning District 19 Official Zoning Map to reflect the automatic change. After the Family Heritage Overlay District has been properly removed from a lot, it may not thereafter be reapplied to that lot for any reason. After its original adoption within a Planning District, the Family Heritage Overlay District may not be expanded or applied to new lots within the Planning District for any reason.



# OVERLAY DISTRICT LANGUAGE

1. Entities that are not natural persons, including but not limited to corporations, limited liability companies, and trusts, are not immediate family members for the purpose of this provision, unless the entity is entirely owned by immediate family members. Entities that are entirely owned by immediate family members shall be deemed “natural persons” as used in the language of the Family Heritage Overlay District provisions. However, if any interest in such entity is later transferred to a non-immediate family member, such entity shall cease being a natural person as contemplated for purpose of the Family Heritage Overlay District provisions, and the Family Heritage Overlay District designation is automatically removed regardless of whether or not the Planning and Zoning Department is notified and the District 19 Zoning Map is updated.



# THE ORDINANCE (TEXT & MAP)

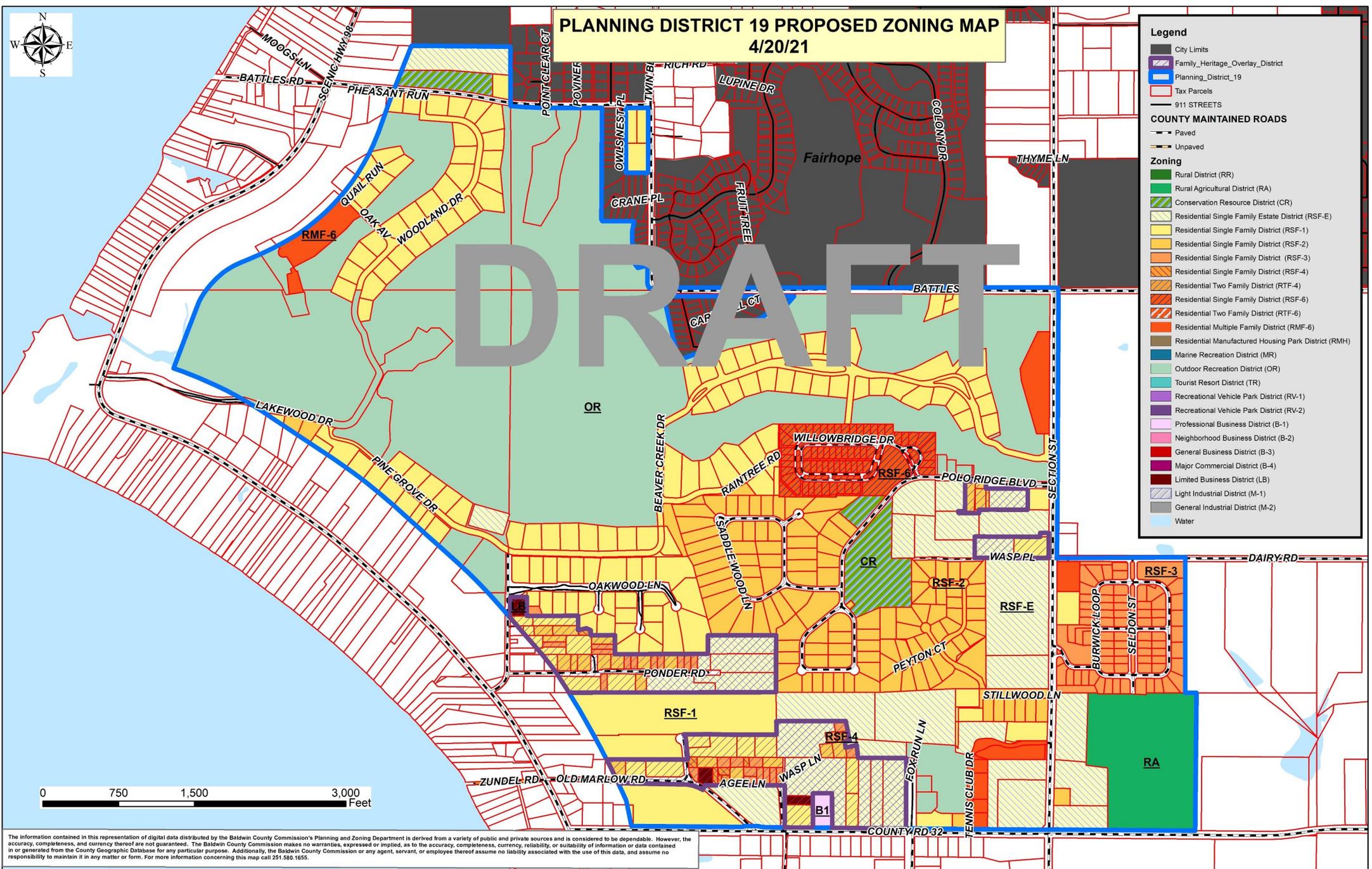
## Proposed Changes Since Publication

- Overlay District Language
- Specific Map Changes
- Allowance for Staff to accept change requests from Rural Agriculture (RA) or Residential Single Family – Estate (RSF-E) zoning to RSF-1 anytime before June 1<sup>st</sup>, and add to Planning Commission recommendation.





# PLANNING DISTRICT 19 PROPOSED ZONING MAP 4/20/21



### Legend

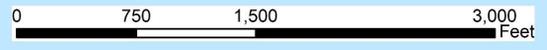
- City Limits
- Family\_Heritage\_Overlay\_District
- Planning\_District\_19
- Tax Parcels
- 911 STREETS

### COUNTY MAINTAINED ROADS

- Paved
- Unpaved

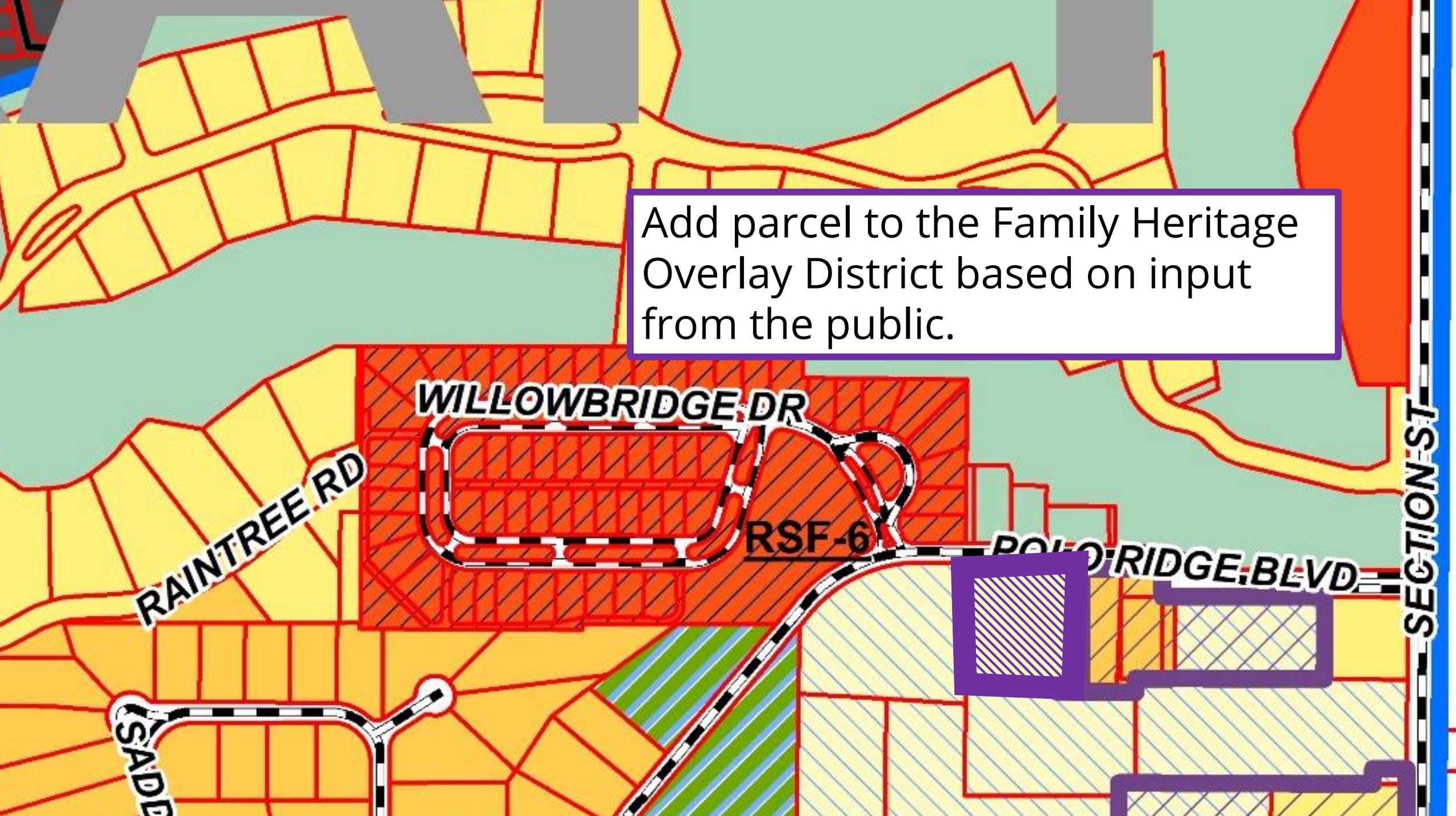
### Zoning

- 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 Two Family District (RTF-4)
- Residential Two Family District (RTF-6)
- Residential Single Family District (RSF-6)
- 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)
- Recreational Vehicle Park District (RV-2)
- Professional Business District (B-1)
- Neighborhood Business District (B-2)
- General Business District (B-3)
- Major Commercial District (B-4)
- Limited Business District (LB)
- Light Industrial District (M-1)
- General Industrial District (M-2)
- Water

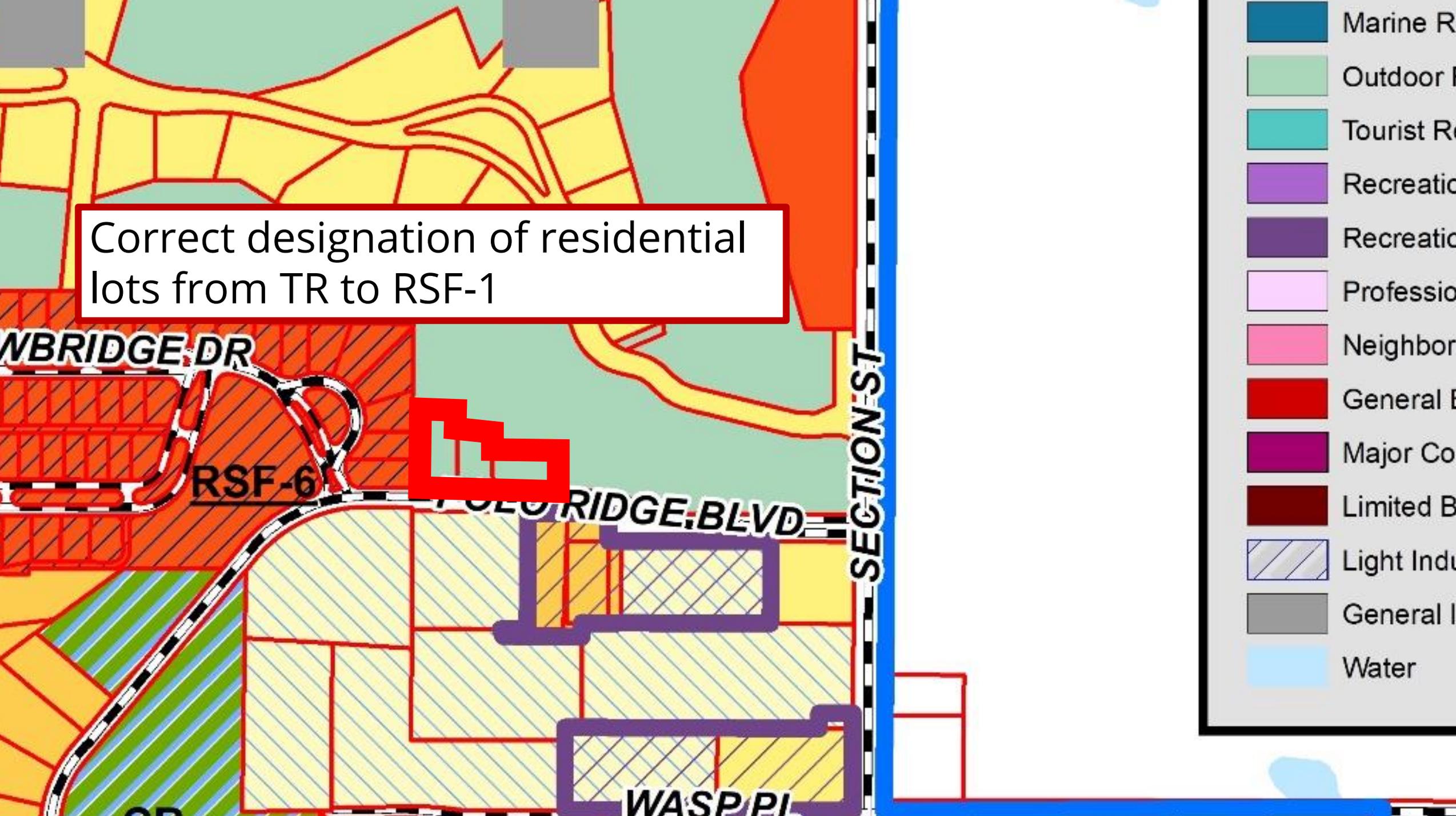


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Add parcel to the Family Heritage Overlay District based on input from the public.

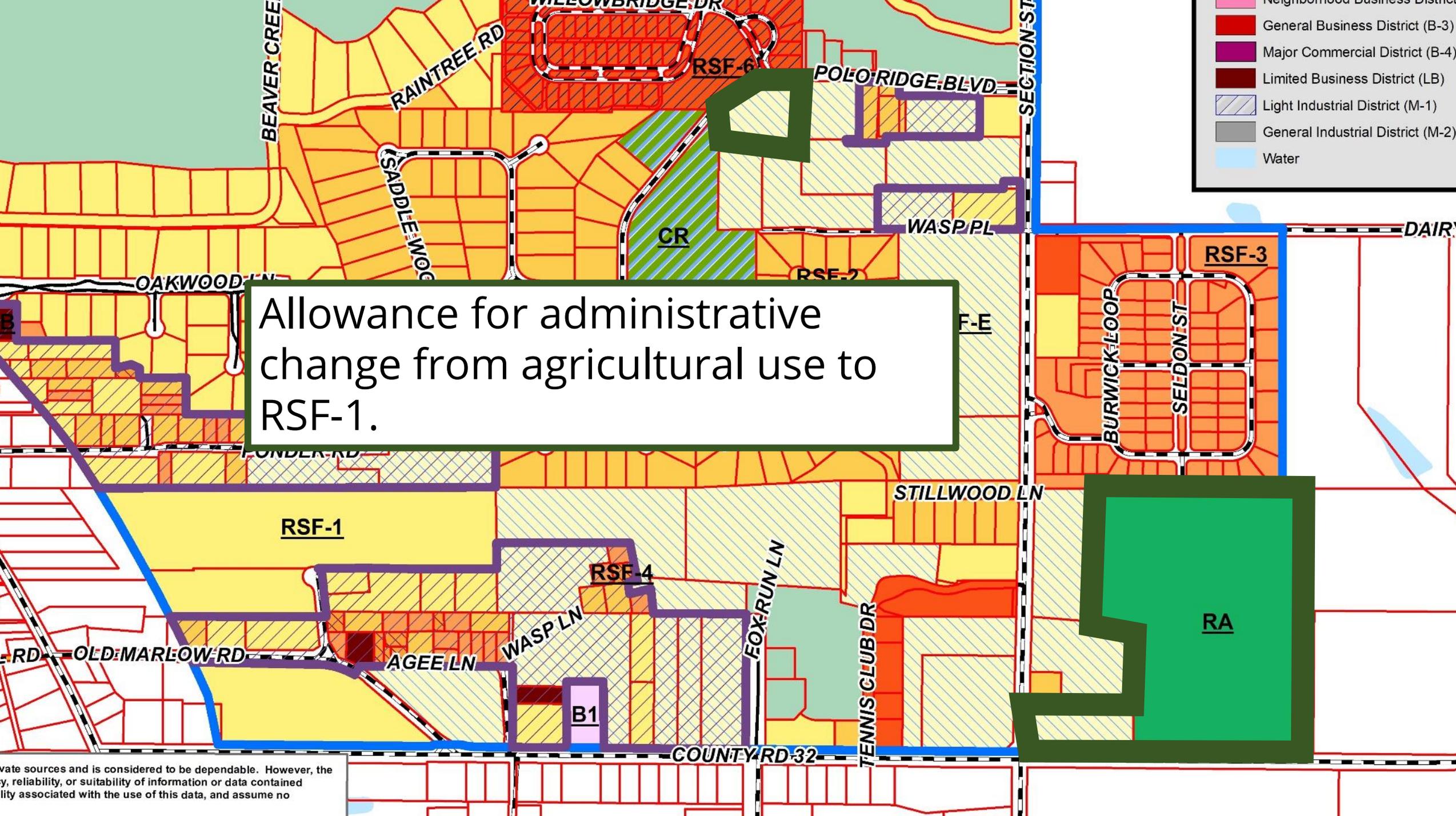


Correct designation of residential lots from TR to RSF-1



Correct designation of land  
condominium properties from  
RMF-6 to RSF-6.





Allowance for administrative change from agricultural use to RSF-1.

- Neighborhood Business District (B-2)
- General Business District (B-3)
- Major Commercial District (B-4)
- Limited Business District (LB)
- Light Industrial District (M-1)
- General Industrial District (M-2)
- Water

Private sources and is considered to be dependable. However, the accuracy, reliability, or suitability of information or data contained herein is not guaranteed, and users assume all liability associated with the use of this data, and assume no



# UNANIMOUS PLANNING COMMISSION RECOMMENDATION

## Recommended approval of the map and text amendments as advertised with the following changes:

- Overlay District Language Changes Shown;
- Specific Map Changes Shown; and
- Allowance for Staff to accept requests to change from Rural Agriculture (RA) zoning or Residential Single Family – Estate (RSF-E) zoning to Residential Single Family 1 (RSF-1) anytime before June 1<sup>st</sup>, and add to Planning Commission recommendation.

**May 6, 2021:**

Made unanimous recommendation above.

9 Members of the Public Signed Up to Speak in Support

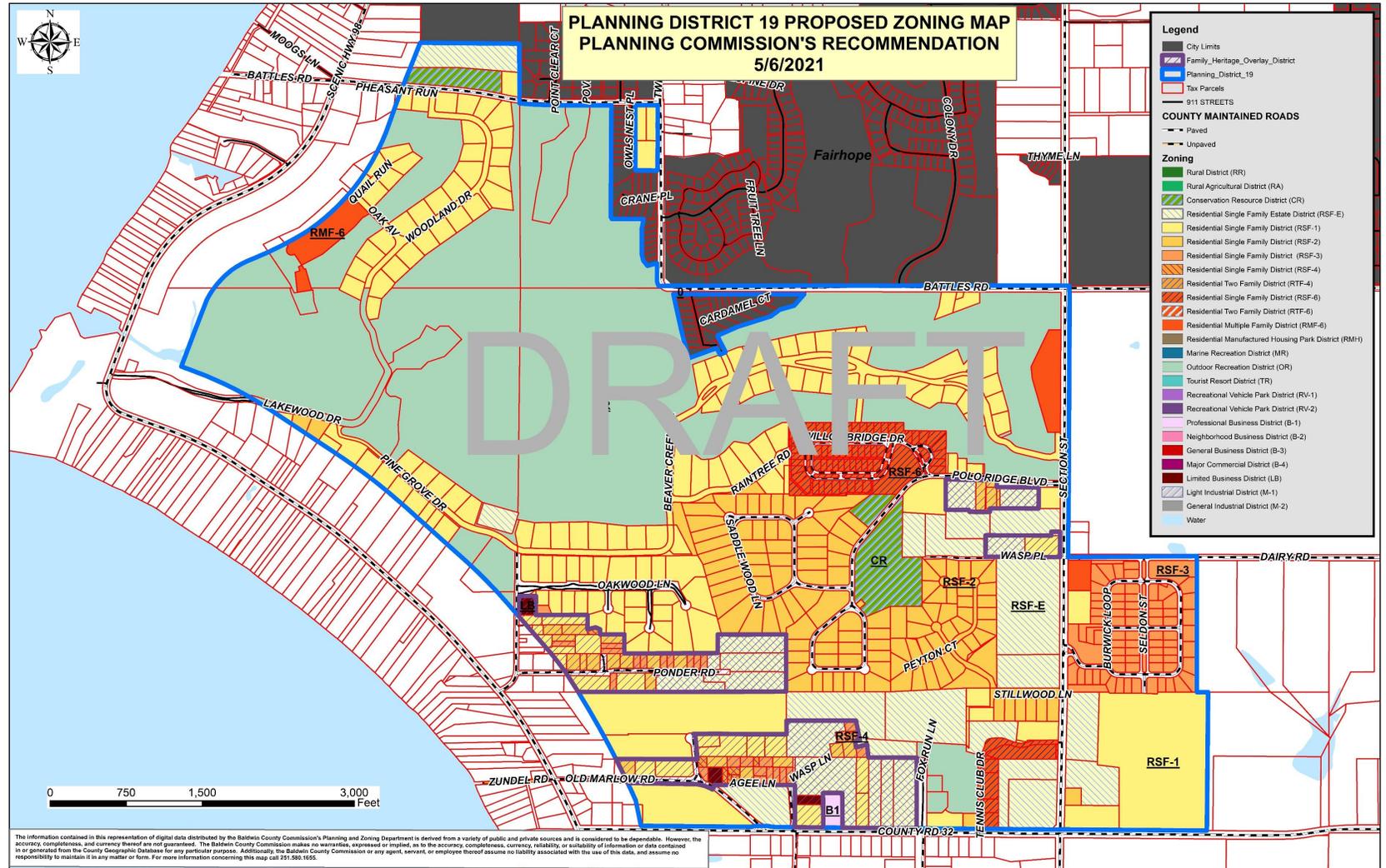
No Members of the Public Signed Up to Speak Against



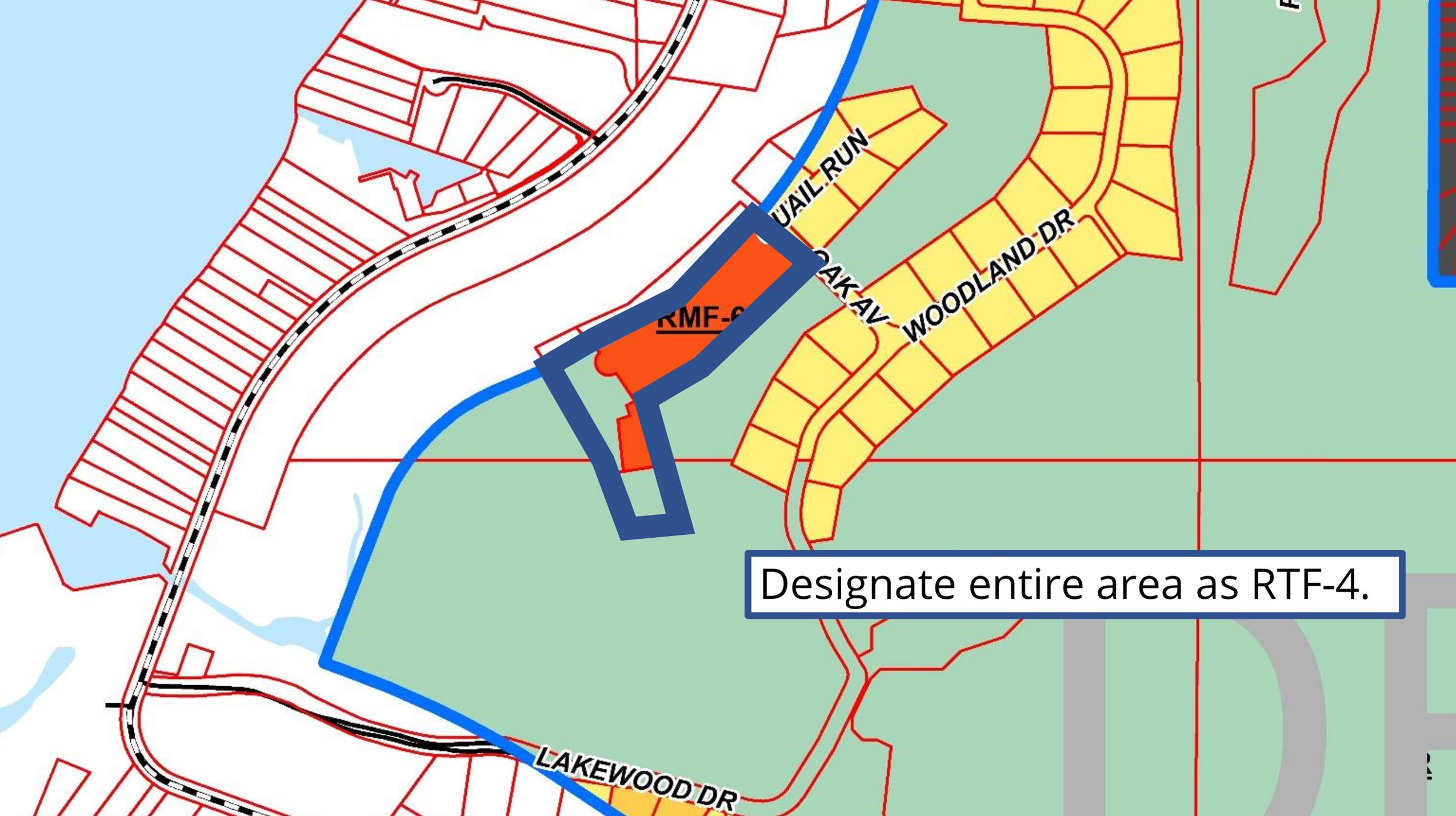
# THE ORDINANCE (TEXT & MAP)

## The Map

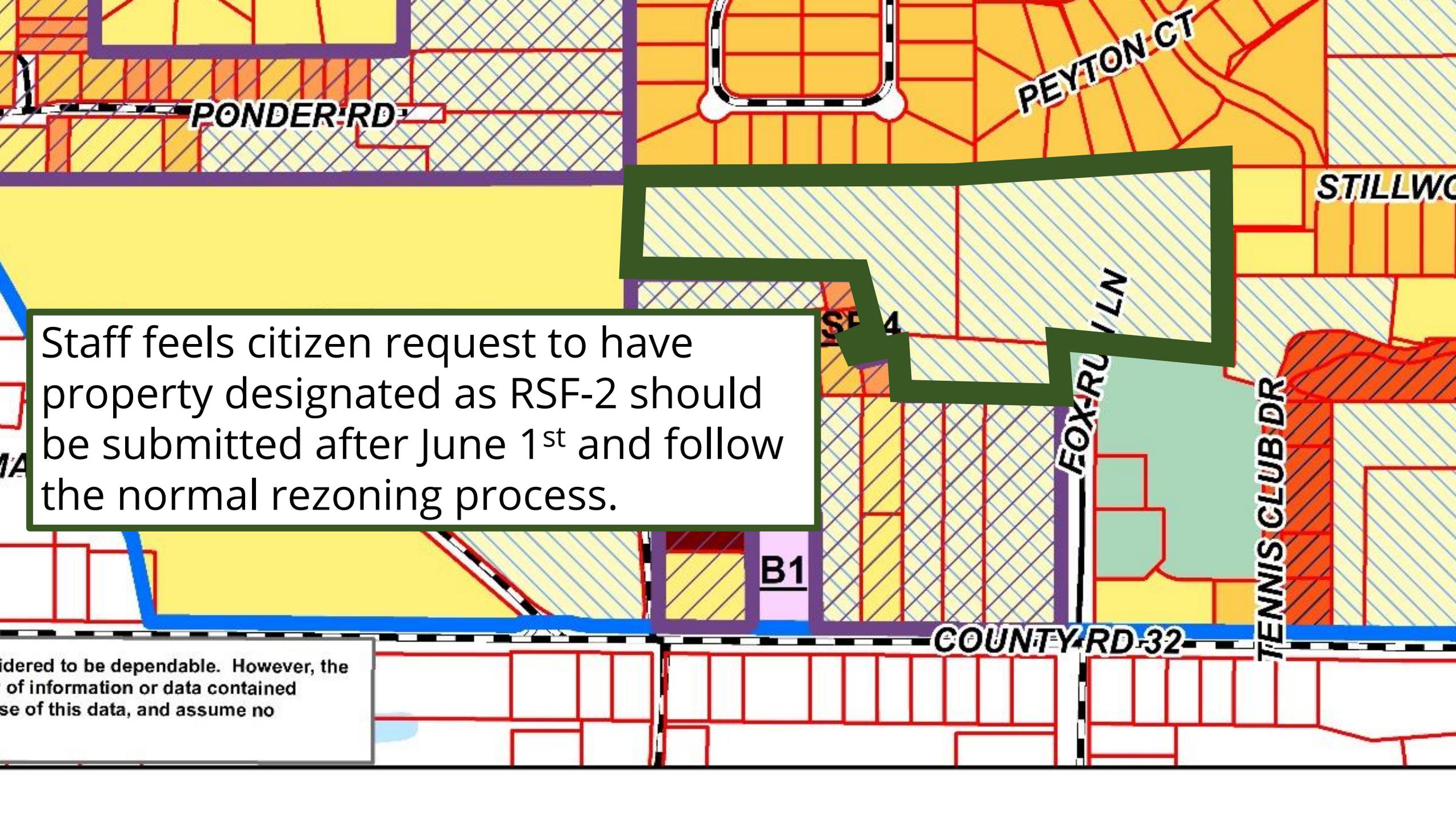
(as recommended by the Planning Commission)



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Designate entire area as RTF-4.



PONDER RD

PEYTON CT

STILLW

Staff feels citizen request to have property designated as RSF-2 should be submitted after June 1<sup>st</sup> and follow the normal rezoning process.

SF 4

FOX RUN LN

TENNIS CLUB DR

B1

COUNTY RD 32

Considered to be dependable. However, the of information or data contained use of this data, and assume no

# PLANNING COMMISSION & STAFF RECOMMENDATION

## Recommended approval of the map and text amendments as advertised with the following change:

- With the additional designation of parcels with PINs 50393 (portion in District 19), 50398 (portion in District 19), & 376883 to RTF-4
- With the additional designation of PINs 44438, 44437, and 245610 as RSF-1 versus RSF-E.

**Note:** Approval will have the effect of disbanding the District 19 Advisory Committee

