



Baldwin County Planning & Zoning Department

Baldwin County Commission Staff Report

Case No. Z25-56

Stanley Property

Rezone from BCZ, Base Community Zoning District to RR, Rural District

December 16, 2025

Subject Property Information

Planning District: 39
General Location: South of County Rd 32 and east of State Hwy 181
Physical Address: NA
Parcel Number: 05-46-08-28-0-000-014.00
Existing Zoning: BCZ, Base Community Zoning District
Proposed Zoning: RR, Rural District
Existing Land Use: Vacant
Proposed Land Use: Residential Use and Business Use
Acreage: 2 ± acres
Applicant: Larry Stanley
435 Craftsman Ave
Fairhope, AL 36532
Owner: Coastal Tree and Land Services
435 Craftsman Ave
Fairhope, AL 36532
Lead Staff: Celena Boykin, Senior Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Vacant	BCZ, Base Community Zoning
South	Commercial	RA, Rural Agriculture
East	Vacant	RA, Rural Agriculture
West	Vacant	BCZ, Base Community Zoning

Summary

The subject property encompasses approximately 2 acres and is currently zoned as BCZ, Base Community Zoning District. A request has been made to change the designation to RR, Rural District, for personal residential use and storage of tree business equipment.

Section 3.4 BCZ, Base Community Zoning

3.4.1 Generally. This zoning district is designed to preserve the character and sense of place in Baldwin County's unique communities and natural resource areas. As a result, the district may be applied to a wide variety of lot sizes and uses located within rural and suburban communities. Thus, the Base Community Zoning District places an emphasis on ensuring changes from the existing state do not disrupt the character and quality of life in a rural or suburban community. The appropriate time to apply a Base Community Zoning designation will generally be at the inception of zoning in a new Planning District.

3.4.2 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) The following institutional uses: church or similar religious facility; school (public or private).
- (d) Agricultural uses.
- (e) On parcels that are three (3) acres or greater in size, up to two (2) single family dwellings.
- (f) On parcels that are less than three (3) acres in size, a single-family dwelling and one accessory dwelling with a gross floor area no greater than 60% of the gross floor area of the primary dwelling.
- (g) Accessory structures and uses including a residential accessory structure on a vacant parcel.
- (h) A Home Occupation that conforms with Section 13.3 of the Baldwin County Zoning Ordinance.
- (i) All existing uses, unless one of the following changes is proposed:
 - 1. A change that would trigger a Commission Site Plan Approval under 18.10.3 *Applicable Uses*.
 - 2. Any division of land except an exempt division of land under Section 4.2 of the Baldwin County Subdivision Regulations or a division where each

resulting parcel meets the minimum area and dimension requirements for Residential Single Family Residential Estate (RSF-E) District under Section 4.1.5 herein.

Under Base Community Zoning, a use that has been abandoned for a period of five (5) years shall no longer be considered an existing use. The intent to abandon shall be presumed from the cessation of business or the removal of equipment, goods, structures, or other aspects of such nonconforming use of the property.

3.4.3 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

3.4.4 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: Not Applicable

3.4.5 Area and dimensional regulations. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, and unless a change is triggered by *Section 3.4.2(i)*, the area and dimensional ordinances set forth below shall be observed for new construction:

(a) Primary Structures:

Maximum Height of Structure	35-Feet
Maximum Height in Habitable Stories	2 ½
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet

(b) Accessory Structures are not permitted in the front yard and shall be a minimum of 5-feet from property when located within the side or rear yard.

(c) When a residential accessory structure is proposed on a vacant parcel, it shall meet the dimensional regulations applicable to a primary structure.

3.4.6 Minimum requirements for exempt subdivisions. Within the Base Community Zoning district, the area and dimensional requirements of *Section 5.4(a)* of the Baldwin County Subdivision Regulations shall apply to exempt subdivisions.

3.4.7 Applicability of the Baldwin County Zoning Ordinances. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the remaining provisions of the Baldwin County Zoning Ordinances shall not apply to parcels within the Base

Community Zoning District, unless a change under *Section 3.4.2(i)*, is proposed. In which case, the following shall apply:

- (a) A rezoning application under the provisions of Article 19 *Amendments to Official Zoning Map and Ordinances* shall be submitted. The evaluation of compatibility under Section 19.6 *Factors for Reviewing Proposed Amendments* shall consist of an examination of existing uses rather than existing zoning designations.
- (b) If a rezoning is approved by the Baldwin County Commission under subsection (a), the provisions of the Baldwin County Zoning Ordinances shall thereafter apply to the rezoned lot as applicable.

3.4.8 Land Disturbance Requirements. The Land Disturbance Ordinance for Flood Prone Areas or Territories with Probable Exposure to Flooding in Unincorporated Baldwin County, Alabama, shall apply to land disturbances within the Base Community Zoning District.

3.4.9 Uses Expressly Disallowed. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, and *Article 20 Nonconformities*, the following uses are expressly disallowed in the Base Community Zoning District: Not Applicable

3.4.10 Severability and Reversion. Should any phrase, sentence, paragraph, section or provision of this *Section 3.4 BCZ Base Community Zoning District* be declared by the courts to be unconstitutional or invalid, such that the intent of this Section cannot be carried out, individual parcels within the Base Community Zoning District shall automatically revert to Rural Agriculture (RA), Residential Single-Family Estate (RSF-E), Residential Single-Family (RSF-1), and Residential Single-Family (RSF-2) based on the land area of each parcel in relation to the minimum lot size of each district.

Article 3 Rural Districts

Section 3.1 RR, Rural Districts

3.1.1 Generally. This zoning district is provided to accommodate the rural areas of Baldwin County. Rural District ordinances are designed to protect the rural character of the area.

3.1.2 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:

- (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) Marine recreation uses.
- (d) Outdoor recreation uses.
- (e) The following general commercial uses: animal clinic and/or kennels; farm implement sales; farmer's market/truck crops; nursery; landscape sales.
- (f) Local commercial uses.
- (g) Professional service and office uses.
- (h) The following institutional uses: church or similar religious facility; childcare center; childcare institution; day care home; fire station; library; post office; school (public or private).
- (i) Agricultural uses.
- (j) Single family dwellings including manufactured housing and mobile homes.
- (k) Accessory structures and uses.

3.1.3 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

3.1.4 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 Commission site plan approval process:

- (a) Transportation, communication, and utility uses not permitted by right.
- (b) Light industrial uses.
- (c) General commercial uses not permitted by right, except racetrack.
- (d) Institutional uses not permitted by right, except correctional, detention, or penal institution and sanitarium.
- (e) Boarding house, rooming house, lodging house, or dormitory.
- (f) Fraternity or sorority house.

3.1.5 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 18.5: 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	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

3.1.6 Area and dimensional modifications. Within the RR 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	20,000 Square Feet
Minimum Lot Width at Building Line	80-Feet

Agency Comments

USACE, James Buckelew: Staff reached out but received no comments.

ADEM, Scott Brown: Staff reached out but received no comments.

Subdivisions, Fabia Waters: No subdivision appears to be proposed at this time, no additional comments.

Civil Engineer, Tyler Austin: No development proposed at this time. Any future development will require construction & drainage review and permitting from Baldwin County Planning & Zoning Department. Any access/improvements along AL Highway 181 will require permit from ALDOT. Any improvements to private drive off AL Highway 181 that fronts the parcel may require improvements and permitting from Baldwin County Planning & Zoning Department.

Staff Analysis and Findings

The criteria for reviewing zoning amendments are outlined in Section 19.6 of the Baldwin County Zoning Ordinance. Staff carefully considered all of these factors during the evaluation of the application.

(a) Degree of compatibility of the proposed rezoning with existing and allowable land uses in the vicinity.

The subject property encompasses approximately 2 acres and a request has been made to change the designation to RR, Rural District, for personal residential use and storage of tree business equipment. The adjoining properties are zoned BCZ and RA. There is a commercial use (mini storage) just south of the subject property.

(b) Degree of conformity of the proposed rezoning to the Master Plan.

The Future Land Use Map (FLUM) represents a combination of development and environmental suitability factors, which direct growth and development patterns for the unincorporated areas of the County. The FLUM has identified the subject property and surrounding area as having primarily Conservation Development Potential, which allows for limited development based on low-impact design principles.

(c) Proximity of the proposed rezoning to existing transportation network and utility infrastructure.

The subject property is located on Minor Arterial Road. A minor arterial roadway serves moderate-length travel, linking collector roads to major arterial roads while still providing relatively good mobility

(d) Timing of the request and development trends in the area.

The subject property and surrounding areas are evolving toward low- to mid-density residential uses. To the south of the subject property is a commercial development of mini storage. The other properties in the nearby area are residential or agriculture.

(e) Impacts on environmental conditions of the vicinity or the historic resources of the County.

There are no potential wetlands appear on the subject property. No historic or cultural resources should be affected, as the property is not within a Historic district.

(f) Impacts to the health, safety and welfare of the County and the vicinity.

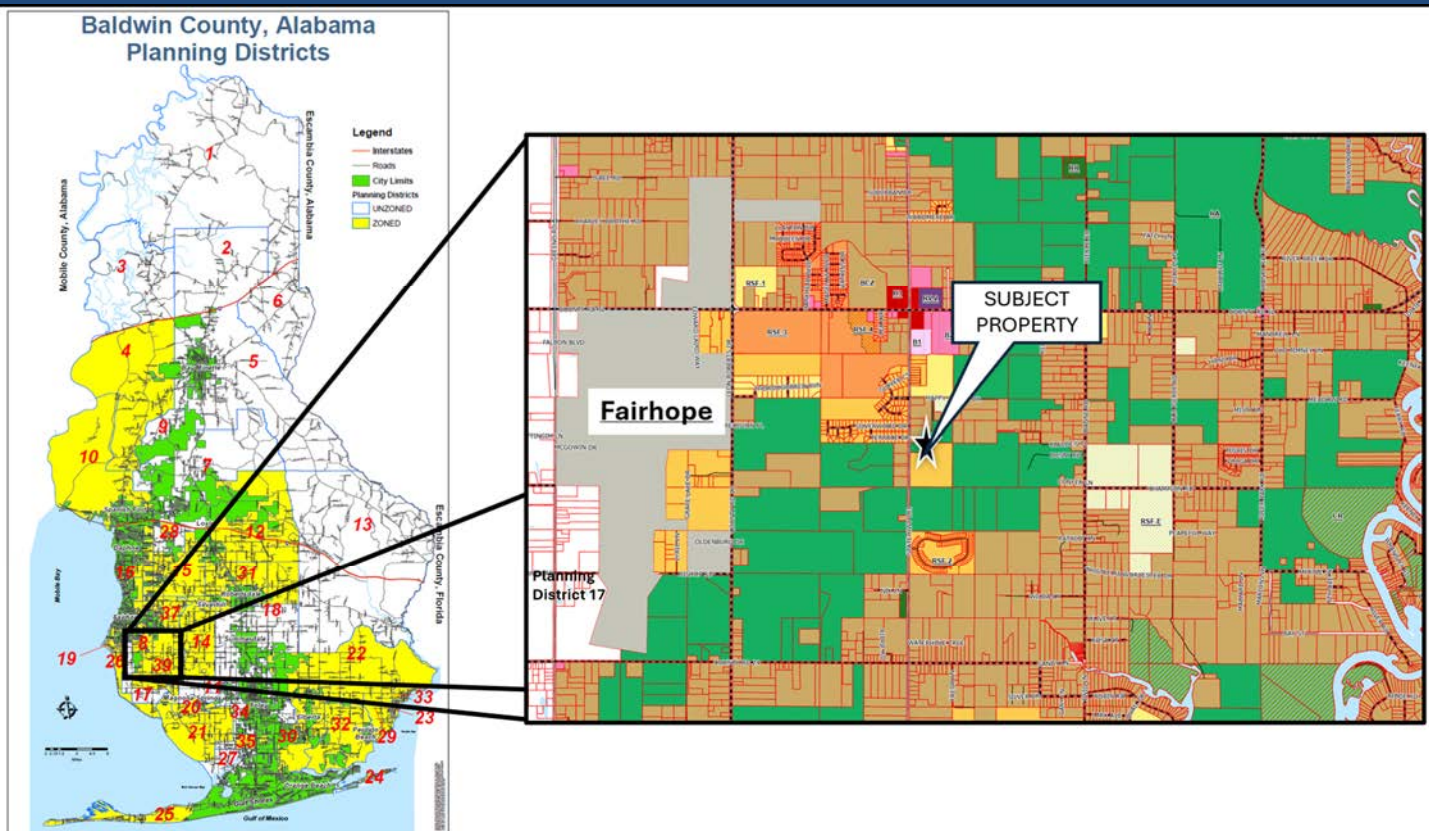
The proposed request should have no impact to the health, safety and welfare of the property or surrounding properties.

Staff Comments and Recommendation

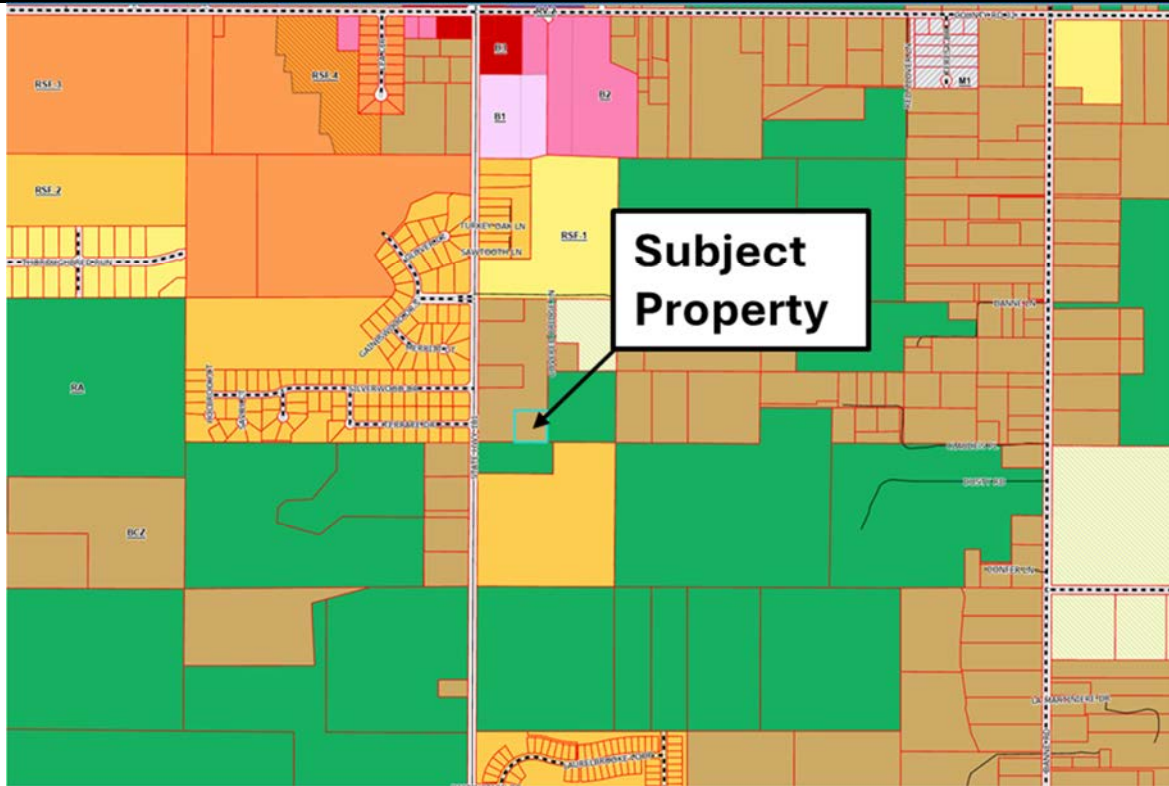
Upon review of the *Factors for Reviewing Proposed Zoning Map Amendments* specified within Section 19.6 of the Baldwin County Zoning Ordinance and themes of the Baldwin County Master Plan, staff has determined that the requested Zoning Map Amendment is not consistent with the factors specified within the Baldwin County Zoning Ordinance and is not consistent with the Baldwin County Master Plan Future Land Use Map.

The requested Zoning Map Amendment was also evaluated using the Smart Growth Scorecard (attached) which somewhat does not supports the request.

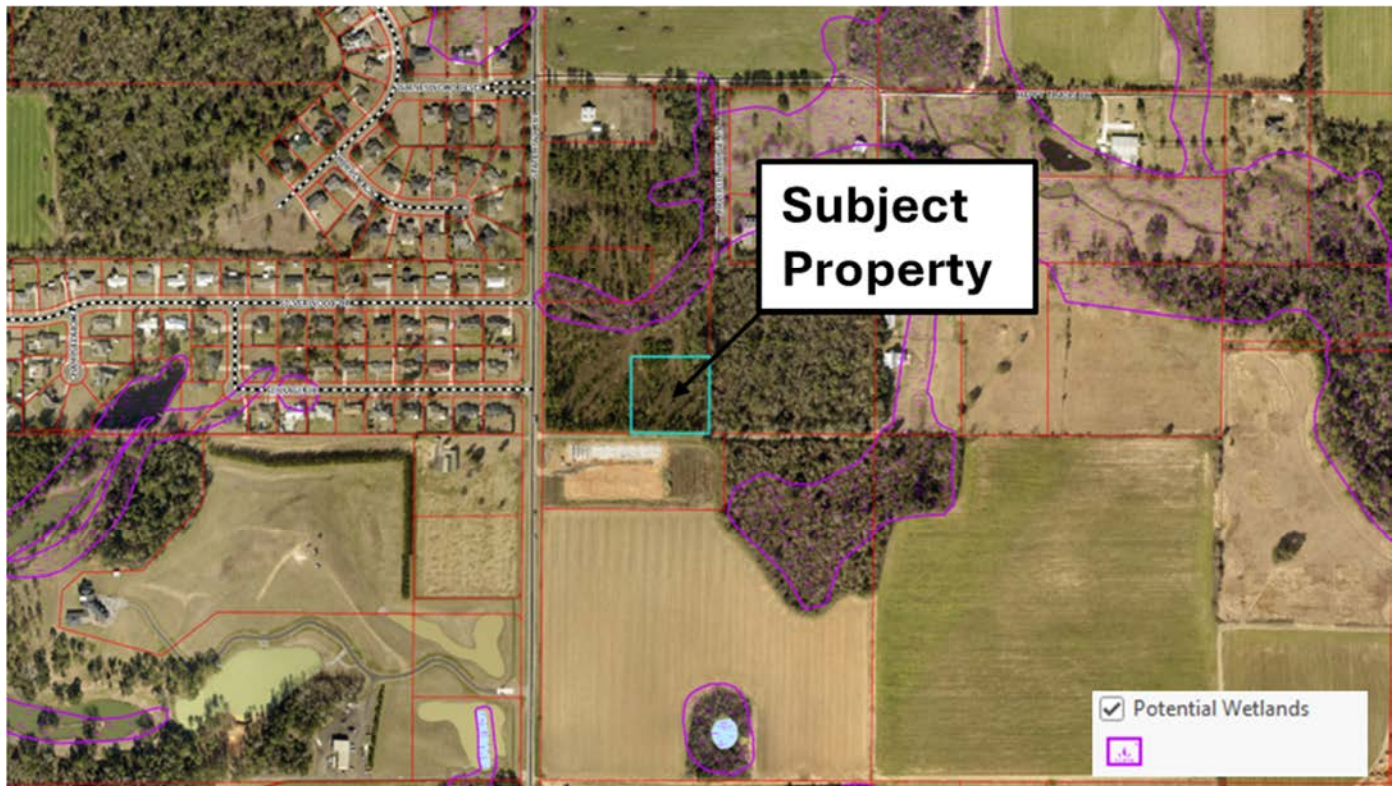
County Map



Locator Map



Site Map





LEGEND	
PLACE TYPES	NODE TYPES
IDEAL CONSERVATION/PRESERVATION	RURAL CROSSROADS CENTER
CONSERVATION DEVELOPMENT POTENTIAL	NEIGHBORHOOD CENTER
RURAL/AGRICULTURE-LID POTENTIAL	VILLAGE CENTER
MODERATE DEVELOPMENT POTENTIAL	URBAN MIXED-USE CENTER
MID-DENSITY DEVELOPMENT POTENTIAL	COMMERCIAL/INDUSTRIAL CENTER
HIGH-DENSITY DEVELOPMENT POTENTIAL	
MUNICIPAL JURISDICTIONS	

CONSERVATION DEVELOPMENT AREAS

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



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Pictures







Scorecard

SMART GROWTH SCORECARD TOOL

Score each element based on the following: +2 (Strongly Supports), +1 (Somewhat Supports), -1 (Somewhat Does Not Support), and -2 (Strongly Does Not Support). Each category will be totaled and then combined for a final score to evaluate whether the development aligns with the vision and themes of the Master Plan. The following final score ranges will be used in this evaluation.

STRONGLY SUPPORTS	SOMEWHAT SUPPORTS	SOMEWHAT DOES NOT SUPPORT	STRONGLY DISAPPROVE
Score of 20 to 40	Score of 0 to 19	Score of 0 to -19	Score of -20 to -40

SMART GROWTH SCORECARD		SCORE			
Conformity with Surrounding Land Use		2	1	-1	-2
Is the property contiguous to a complementary use or zoning district to what is being proposed?					-2
Does the density/intensity of the proposed use conform to the surrounding area or provide a use that would support the surrounding existing or permitted land uses?				-1	
Does the proposed land use provide a mix of uses or diversity of housing types in the area?	For single use projects evaluate the diversity of uses within 1/2 mile			-1	
Does the proposed land use require building separation and buffers that fit the character of the surrounding area?			1		
Total Land Use Score (out of 10 points)		-3			
Conformity with Master Plan		2	1	-1	-2
Does the location and proposed land use support the need identified in the Master Plan for the surrounding community?					-2
Is the request located in an area identified for development in the Master Plan?	Evaluate the uses identified for the area in the Master Plan not the "equivalent zoning"				-2

Does the size & scale of the proposal fit the recommendations in the Master Plan and the character of the surrounding community?	Evaluate the uses identified for the area in the Master Plan not the "equivalent zoning"				-2
Is the property located within 1/2 mile of a municipal boundary or node identified in the Master Plan?	Rate +2 if property is within 1/2 mile, +1 for 1/2 to 1 mile, -1 for 1 to 1.5 mile, & +2 for outside of 1.5 mile. For "downzoning" requests outside of 1 mile from municipal boundary or node, score +1.			-1	
Does the proposed use provide housing or commercial uses that are consistent with the growth and demand projections for the surrounding area?				-1	
Total Master Plan Score (out of 10 points)					-8
Proximity to Transportation & Utility Infrastructure					
		2	1	-1	-2
Is the property located within 1/2 mile of an existing roadway that is classified appropriately to support the proposed use?	Major projects should be located near collector road or greater. Minor projects should be located near local street or greater.	2			
Does the property allow access from at least two existing or planned streets?	Existing or planned streets located outside of the applicant property.				-2
Are frequently visited uses within 1 mile of the proposed use?	For residential uses, schools/daycares, employment centers, grocery/convenience shopping. For commercial, housing & similar intensity commercial uses. Rate +2 for within 1/2 mile, +1 for 1/2 to 1 mile, -1 for 1 to 1.5 mile, & -2 for greater than 1.5 mile.	2			

Is the proposed use within the service boundary of existing water service?	Rate +2 if within service boundary and adjacent to water main sufficient to serve development, +1 if within service boundary but requires water main upgrade or extension to serve development, -1 for outside of service area but within 1/2 mile of service area, -2 for outside of service area and greater than 1/2 mile.		1		
	Rate +2 if within service boundary and adjacent to sewer main sufficient to serve development, +1 if within service boundary but requires sewer main upgrade or extension to serve development, -1 for outside of service area but within 1/2 mile of service area, -2 for outside of service area and greater than 1/2 mile.		1		
Total Transportation & Utility Score (out of 10 points)					4
Environmental Conditions & Historic Resources					
		2	1	-1	-2
Can the property be reasonably developed without impacting jurisdictional wetlands/streams or buffers?		2			
Can the property be reasonably developed without filling within the floodplain or contributing to a net loss of flood capacity?		2			

Does the proposed use limit growth in environmentally sensitive or flood prone areas?	The more environmentally sensitive the area, the lower the overall density should be. Rate +2 for non-sensitive area, +1 for somewhat sensitive area but density can be clustered to avoid impacts, -1 for moderate sensitive area that would be challenging to avoid impacts, -2 for significantly sensitive area that would be unable to avoid impacts.	2			
Can the proposed use implement a stormwater facility that would aide regional stormwater management?					-2
Would the proposed use have any impacts to historic or cultural resources in the area?		2			
Total Environmental Score (out of 10 points)				6	
TOTAL SMART GROWTH SCORE				-1	
RECOMMENDATION				0	
				0	
				0	
				0	