



Baldwin County Planning & Zoning Department

Baldwin County Commission Staff Report

Case No. Z25-49

Innovative Building Solutions, LLC Property

Rezone from B-1, Professional Business District, to B-3, General Business District

November 18, 2025

Subject Property Information

Planning District: 15
General Location: On Milton Jones Road, west of State Highway 181 in the Daphne community
Physical Address: 9566 Milton Jones Road, Daphne, AL 36526
Parcel Number: 05-43-05-22-0-000-021.012
Existing Zoning: B-1, Professional Business District
Proposed Zoning: B-3, General Business District
Existing Land Use: Vacant
Proposed Land Use: Commercial
Acreage: 1.97 +/- acres
Applicant: Bass & Company – Richard Bass
26241 Equity Drive, Suite 201
Daphne, AL 36526
Owner: Innovative Building Solutions, LLC – Richard Bass
PO Box 1187
Fairhope, AL 36533
Lead Staff: Cory Rhodes, Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Commercial	B-1, Professional Business District
South	Residential	RSF-E, Residential Single Family Estate District
East	Vacant	RSF-E, Residential Single Family Estate District
West	Residential	RSF-E, Residential Single Family Estate District

Summary

The subject property encompasses approximately 1.97 acres and is currently zoned as B-1, Professional Business District. A request has been made to change the designation to B-3, General Business District, for commercial use.

Section 5.1 B-1, Professional Business District

5.1.1 Purpose and intent. The B-1, Professional Business and Office District, is intended to allow a concentration of office type buildings and land uses that are most compatible with, and located near, residential areas. Most B-1 commercial, professional and business office districts will be placed in close proximity to residential areas, and therefore serve as a transitional zoning district between residential areas and higher intensity commercial zoning districts. The types of office uses permitted are those that do not have high traffic volumes throughout the day, which extend into the evening hours. They will have morning and evening short-term peak conditions. The market support for these office uses should be those with a localized basis of market support as opposed to office functions requiring inter-jurisdictional and regional market support. Because office functions have significant employment characteristics, which are compounded when aggregations occur, certain personal service uses shall be permitted, to provide a convenience to office-based employment. Such convenience commercial uses shall be made an integral part of an office building as opposed to the singular use of a building.

5.1.2 Permitted uses. The following uses are permitted as of right, or as uses accessory to permitted uses in the B-1, Professional Business and Office District, conditioned on the Commission Site Plan Approval requirements of *Section 18.10*:

- | | |
|---|--|
| (a) Accessory structures and use | (j) Fire station |
| (b) Bank | (k) Laboratory (scientific, medical, or dental) |
| (c) Barber shop or beauty parlor | (l) Library |
| (d) Childcare center | (m) Office |
| (e) Childcare institution | (n) Optician |
| (f) Church or similar religious facility | (o) Police station |
| (g) Clinic or dentist office (medical, dental, psychiatric) | (p) Post office |
| (h) Club or lodge | (q) School (public or private) |
| (i) Extraction or removal of natural resources on or under land | (r) Silviculture |
| | (s) Studio for dance, music, photography, painting |
| | (t) Water well (public or private) |

5.1.3 Conditional Use Commission Site Plan Approval. The following uses are permissible as Commission Site Plan Approval uses in the B-1 Commercial

Professional and Business Office District, subject to the standards and procedures established in Section 18.10: Commission Site Plan Approval:

- | | |
|-----------------------------|-------------------------------|
| (a) Arboretum | (h) Dwellings, in combination |
| (b) Swimming pool (outdoor) | with commercial uses, |
| (c) Ball field | subject to the standards |
| (d) Tennis court (outdoor) | listed under Section 5.1.4: |
| (e) Golf course | Mixed uses |
| (f) Wildlife sanctuary | (i) Riding academy |
| (g) Park or playground | (j) Gym/Fitness Center |

5.1.4 Mixed uses. Mixed residential and commercial uses may be permissible as Commission Site Plan Approval uses in the (B-1) commercial professional and Business office district, subject to the standards and procedures established in Section 18.10: Commission Site Plan Approval, and subject to the following criteria:

- (a) The commercial uses in the development may be limited in hours of operation, size of delivery trucks, and type of equipment
- (b) The residential uses shall be designed so that they are compatible with the commercial uses
- (c) Residential and commercial uses shall not occupy the same floor of a building
- (d) Residential and commercial uses shall not share the same entrances
- (e) The number of residential dwelling units shall be controlled by the dimensional standards of the B-1 district. A dwelling unit density of .5 (½) dwelling units per 1,000 square feet of the gross floor area devoted to commercial uses, may be allowed (structures with less than 2,000 square feet devoted to commercial uses shall be allowed one dwelling unit). In no case, however, shall the overall dwelling unit density for a mixed-use project exceed 4 dwelling units per acre
- (f) Building height shall not exceed three stories
- (g) A minimum of 30 percent of the mixed-use development shall be maintained as Open Space in accordance with the requirements of Article 17 Open Space, Landscaping, and Buffers.
- (h) The mixed commercial/residential structure shall be designed to enhance compatibility of the commercial and residential uses through such measures as, but not limited to, minimizing noise associated with

commercial uses; directing commercial lighting away from residential units; and separating pedestrian and vehicular access ways and parking areas from residential units to the greatest extent possible, and

- (i) Off-street parking spaces for the mixed residential and commercial uses shall be the sum total of the residential and commercial uses computed separately (See Article 15: Parking and Loading Requirements).

5.1.5 Area and dimensional ordinances.

Maximum Height of Structure	35-Feet
Maximum Height in Habitable Stories	2 ½
Minimum Front Yard	30-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Maximum Ground Coverage Ratio	.60

5.1.6 Lighting standards. The maximum height of exterior lights shall be 25-feet. The intensity, location, and design of lighting shall be such that not more than one foot candle of light is cast upon adjacent property or public rights-of-way. Light fixtures shall be designed to cast light downward. Where necessary, cut-off devices shall be used to minimize glare off premises. No light shall be aimed directly toward a property designated residential, which is located within 200-feet of the source of the light.

5.1.7 Distance between structures. If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15-feet or a distance equal to one-half the sum of their heights, whichever is the greater.

5.1.8 Landscaping and buffering. All B-1, Professional Business and Office District, uses shall meet the requirements of *Article 17: Open Space, Landscaping and Buffers*.

Section 5.3 B-3, General Business District

5.3.1 Purpose and intent. The purpose of this district is to provide for a variety of retail uses and services in free-standing parcels or shopping centers to serve the community's general commercial needs. This district shall only be applied at appropriate locations: to conveniently meet these needs; in conformance with the goals, objectives and policies and location criteria of the Comprehensive Plan; compatible with the surrounding land uses and zoning districts; where it will not adversely impact the facilities and services of the County; where it will not set a precedent for the introduction of inappropriate uses into an area; and so as not to encourage non-residential strip development along streets.

5.3.2 Permitted uses. The following uses are permitted as of right, or as uses accessory to permitted uses in the B-3, General Business District, conditioned on the Commission Site Plan Approval requirements of *Section 18.10: Commission Site Plan Approval*:

- | | |
|--|--|
| (a) All uses permitted by right under the B-2 zoning designation | (dd) Golf course |
| (b) Air conditioning sales and service | (ee) Golf driving range |
| (c) Amusement arcade | (ff) Grocery store |
| (d) Animal clinic/kennel | (gg) Landscape sales |
| (e) Arboretum | (hh) Marine store and supplies |
| (f) Auto convenience market | (ii) Miniature golf |
| (g) Automobile service station | (jj) Mini warehouse |
| (h) Bakery, wholesale | (kk) Night club, bar, tavern |
| (i) Ball field | (ll) Nursery |
| (j) Bicycle sales and service | (mm) Office equipment and supplies sales |
| (k) Bowling alley | (nn) Park or playground |
| (l) Business machine sales and service | (oo) Pawn shop |
| (m) Business school or college | (pp) Pet shop |
| (n) Butane gas sales | (qq) Plumbing shop |
| (o) Cemetery | (rr) Printing/publishing establishment |
| (p) City hall or courthouse | (ss) Restaurant sales and supplies |
| (q) Country club | (tt) Riding academy |
| (r) Department store | (uu) Rug and/or drapery cleaning service |
| (s) Discount/variety store | (vv) Seafood store |
| (t) Drug store | (ww) Sign shop |
| (u) Elevator maintenance service | (xx) Skating rink |
| (v) Exterminator service office | (yy) Stone monument sales |

- (w) Farmer's market/truck crops
- (x) Firing range
- (y) Fitness center or gym
- (z) Florist
- (aa) Fraternity or sorority house
- (bb) Fruit and produce store
- (cc) Funeral home

- (zz) Swimming pool (outdoor)
- (aaa) Taxidermy
- (bbb) Teen club or youth center
- (ccc) Tennis court (outdoor)
- (ddd) Wildlife sanctuary
- (eee) YMCA, YWCA

5.3.3 Conditional Use Commission Site Plan Approval. The following uses are permissible as Commission Site Plan Approval uses in the B-3: General Commercial District, subject to the standards and procedures established in Section 18.10: Commission Site Plan Approval:

- (a) Airport
- (b) Ambulance/EMS service
- (c) Amusement Park
- (d) Armory
- (e) Auditorium, stadium, coliseum
- (f) Automobile parts sales

- (g) Automobile repair
(mechanical and body)
- (h) Automobile storage (parking lot, parking garage)
- (i) Barge docking
- (j) Boat sales and service

- (k) Broadcasting station
- (l) Building materials
- (m) Bus and railroad terminal facility
- (n) College or university
- (o) Convalescent or nursing home
- (p) Correctional or penal institution
- (q) Dog pound
- (r) Electric power substations
- (s) Farm implements
- (t) Flea market
- (u) Freight depot, rail or truck
- (v) Home improvement center
- (w) Hotel or motel
- (x) Hospital
- (y) Landfill
- (z) Maintenance facility/storage yard for schools, government agencies, and telephone and cable companies

- (aa) Manufactured housing sales, service and repair
- (bb) Marina
- (cc) Motorcycle sales service and repair
- (dd) Movie theatre
- (ee) Radio/television tower
- (ff) Railroad facility
- (gg) Recreational vehicle park
- (hh) Recreational vehicle sales service, and repair
- (ii) Restaurant, drive-in
- (jj) Restaurant, fast-food
- (kk) Sewage treatment plant
- (ll) Taxi dispatching station
- (mm) Taxi terminal
- (nn) Telephone exchange
- (oo) Water or sewage pumping station
- (pp) Water storage tank
- (qq) Wireless telecommunication facility
- (rr) Zoo

5.3.4 Area and dimensional ordinances.

Maximum Height of Structure	40-Feet
Maximum Height in Habitable Stories	3
Minimum Front Yard	40-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Maximum Impervious Surface Ratio	.70

5.3.5 *Lighting standards.* The maximum height of exterior lights shall be 25-feet. The intensity, location, and design of lighting shall be such that not more than one foot candle of light is cast upon adjacent property or public rights-of-way. Light fixtures shall be designed to cast light downward. Where necessary, cut-off devices shall be used to minimize glare off premises. No light shall be aimed directly toward a property designated residential, which is located within 200-feet of the source of the light.

5.3.6 *Distance between structures.* If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15-feet or a distance equal to one-half the sum of their heights, whichever is the greater.

5.3.7 *Landscaping and buffering.* All B-3, General Business District, uses shall meet the requirements of *Article 17 Open Space, Landscaping and Buffers.*

Agency Comments

USACE, James Buckelew: Staff reached out 10/13/2025 but received no comments.

ADEM, Scott Brown: Staff reached out 10/13/2025 but received no comments.

City of Daphne, Troy Strunk: “...we strongly recommend prior to any rezoning a thorough traffic study is completed along Milton Jones Road.”

Natural Resources, Ashley Campbell: Site inspection forthcoming; no comments as of now.

Subdivisions, Fabia Waters: A division of property does not appear to be proposed, no further comments.

Civil Engineer, Tyler Austin: No current development proposed. Any future development will require construction and drainage review 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 consists of approximately 1.97 acres and is currently zoned as B-1 (Professional Business). A rezoning request has been submitted to change the designation to B-3 (General Business) to allow for commercial use (HVAC Company). The surrounding areas located north, south, and west of the property are primarily residential, while areas to the north and further east are commercial or industrial.

(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. There is also a small portion of Moderate Development Potential, which allows for single family neighborhoods and amenity-based communities. The subject property also appears to be located in a “transition” area and situated between three activity nodes, all of which are situated approximately ¼ mile from the subject property: an Urban Mixed-Use Center node to the northeast, a Village Center node to the northwest, and a Neighborhood Center node to the southwest of the subject property.

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

The property is located along Milton Jones Road, which is classified as a Local Road. Local Roads provide direct access to adjacent land and to higher classified road systems. Milton Jones Road intersects at State Highway 181, which is classified as a Major Arterial.

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

The subject property appears to be located in a “transitional” development area, with residential land uses located north, west, and south of the property, and commercial and industrial land uses found to the north and east. As mentioned earlier, the property is also situated between three activity nodes: an Urban Mixed-Use Center node to the northeast, a Village Center node to the northwest, and a Neighborhood Center node to the southwest of the subject property.

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

A small area of potential wetlands appear in the far northeast corner of the subject property. A wetland delineation will be required to determine if wetlands are present on the 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.

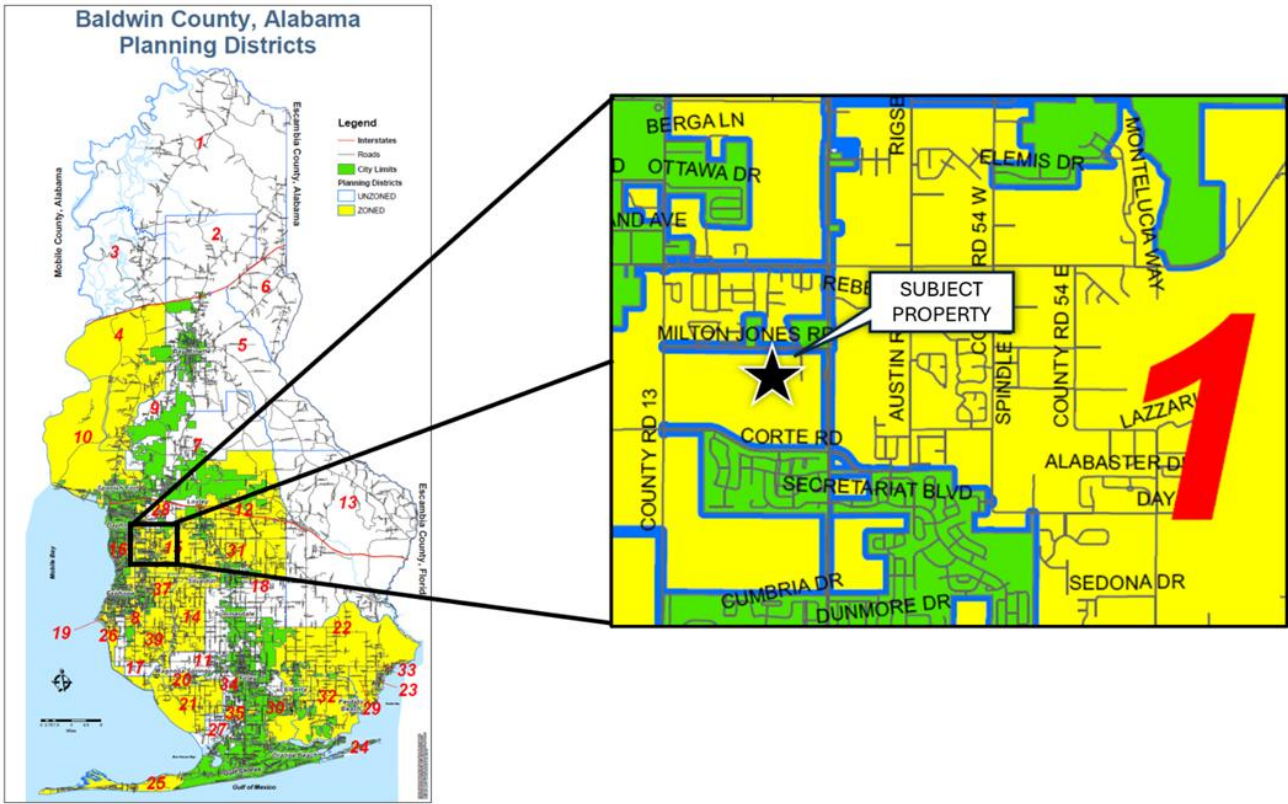
As previously mentioned by the City of Daphne, a traffic study is strongly recommended before any further development occurs along Milton Jones Road.

Staff Comments

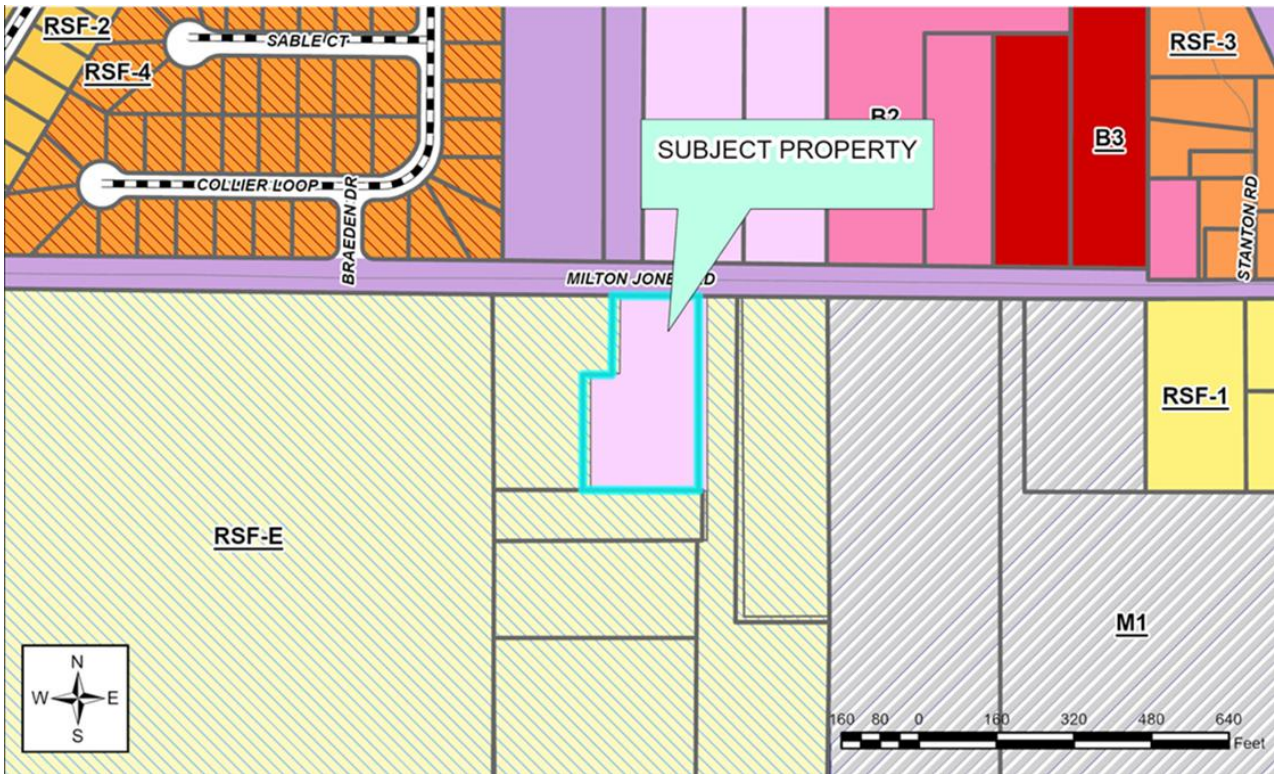
Upon review of the *Factors for Reviewing Proposed Zoning Map Amendments* specified within Section 19.6 of the Baldwin County Zoning Ordinance and themes of the Baldwin County Master Plan, staff has determined that the requested Zoning Map Amendment would be somewhat consistent with the factors specified within the Baldwin County Zoning Ordinance but 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 supports the request.

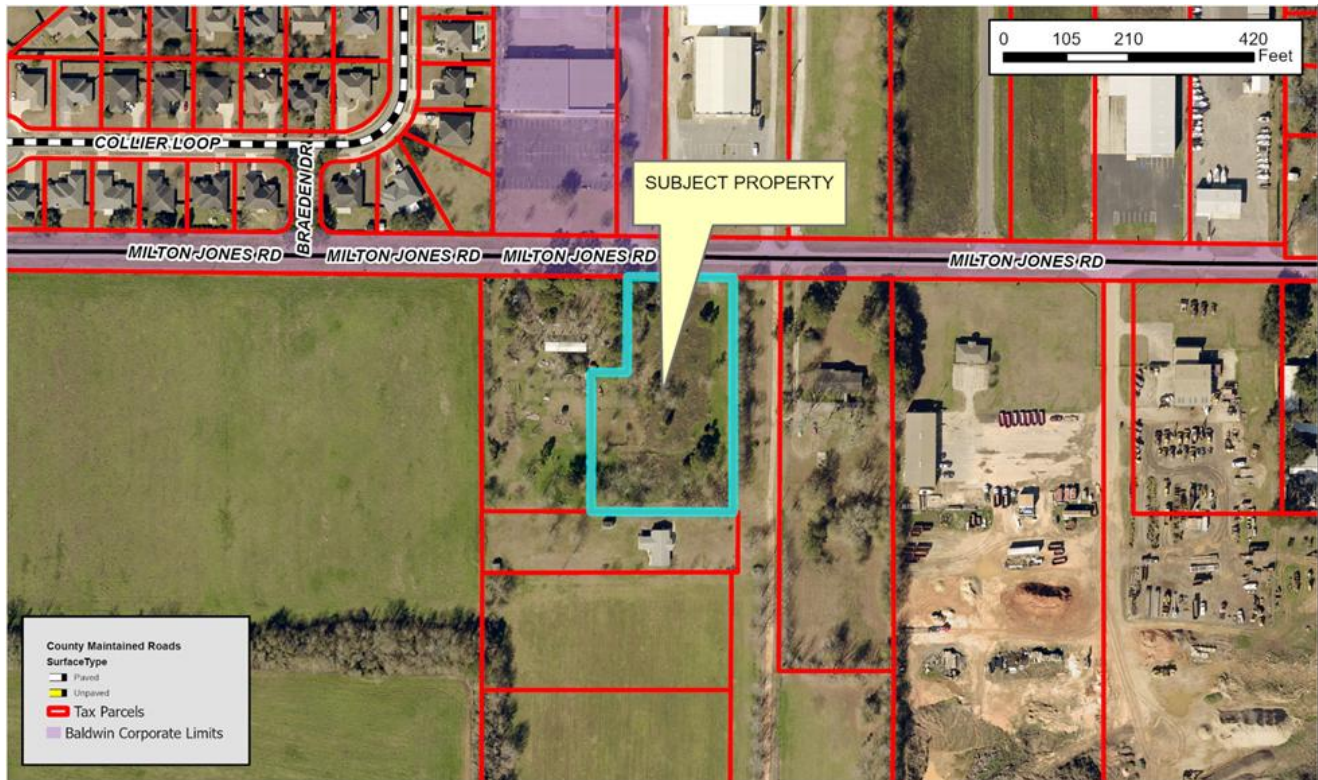
County Map



Locator Map



Site Map



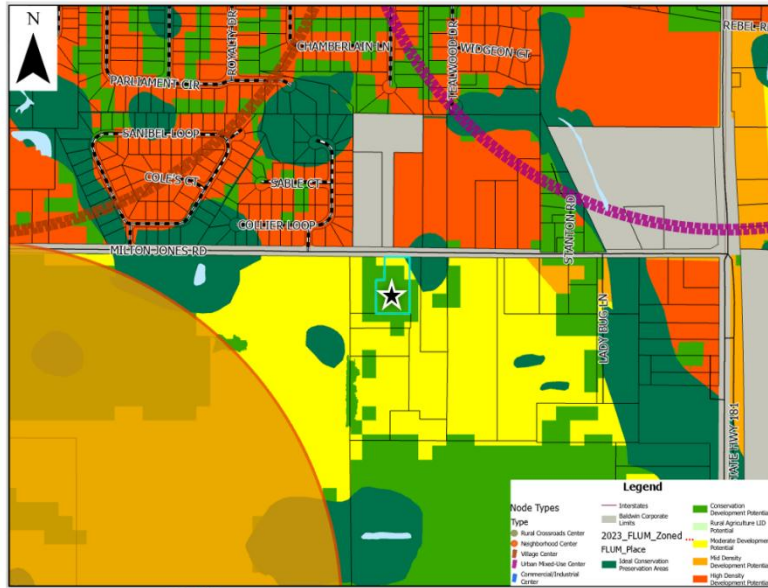
Property Images







FLUM



LEGEND

PLACE TYPES

- IDEAL CONSERVATION/PRESERVATION
- CONSERVATION DEVELOPMENT POTENTIAL
- RURAL/AGRICULTURE/LID POTENTIAL
- MODERATE DEVELOPMENT POTENTIAL
- MID-DENSITY DEVELOPMENT POTENTIAL
- HIGH-DENSITY DEVELOPMENT POTENTIAL
- MUNICIPAL JURISDICTIONS

NODE TYPES

- RURAL CROSSROADS CENTER
- NEIGHBORHOOD CENTER
- VILLAGE CENTER
- URBAN MIXED-USE CENTER
- COMMERCIAL/INDUSTRIAL CENTER

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

MODERATE DEVELOPMENT POTENTIAL AREAS

Moderate Development Potential Areas are suitable for all of the land uses described in the previous place types but may also include a variety of home types from large and medium-lot single-family detached homes to single-family attached homes such as duplexes and townhomes. Subdivision patterns may be amenity-based communities with small gardens, parks and playgrounds within private lots or part of a community space. Neighborhood centers or nodes at key intersections would allow for a combination of retail, office, and service uses to meet the needs of the community.

PRIMARY LAND USES

- Single-family neighborhoods (suburban)
- Amenity-based communities
- Neighborhood center/node

RELATED ZONING DISTRICTS

- RSF-1 Single Family District
- RSF-2 Single Family District

CONNECTIVITY NETWORK

- Suburban street networks/limited use cul-de-sacs
- Open space, parks and amenities provided within neighborhoods
- Streets with sidewalks, bike lanes, and/or side paths based on local character and context
- Suburban greenways and trails

NEIGHBORHOOD CENTER

PRIMARY LAND USES

- Small-scale shops, restaurants and local-serving businesses—neighborhood-scaled retail, gas station, convenience grocery store, farm stand, hardware store.
- Agriculture-support businesses, services
- Public safety and services
- Small parks, playgrounds, and open spaces

RELATED ZONING DISTRICTS

- B-2 Neighborhood Business District

CONNECTIVITY NETWORK

- Gridded walkable streets
- Parking in rear of buildings
- Bus stop locations
- Greenway and trail access

VILLAGE CENTER

PRIMARY LAND USES

- Grocery-anchored retail, including small-scale shops, sit-down restaurants, and local serving businesses—e.g. drug stores, dry cleaners, and banks
- Small office and other employment uses
- Civic uses—e.g. libraries and schools
- Churches
- Small traditional neighborhoods, townhomes and duplexes
- Small parks and playgrounds

RELATED ZONING DISTRICTS

- B-2 Neighborhood Business District

CONNECTIVITY NETWORK

- Urban block pattern and sizes
- Parking in rear of buildings
- Multimodal—supports vehicles, bicycles, and pedestrians—streets with narrow traffic lanes, sidewalks, and bike lanes
- Suburban greenways and trail connections

URBAN MIXED-USE CENTER

PRIMARY LAND USES

- High-density mixed use—lofts and studio units above commercial space
- Multi-family homes—apartments, condominiums
- Regional and small scaled retail shops and sit-down restaurants
- Commercial centers, office and other employment uses
- Civic uses—government offices, courthouses, libraries, schools, etc.
- Churches
- Hotel
- Small parks and playgrounds

RELATED ZONING DISTRICTS

- B-1 Professional Business District
- B-2 Neighborhood Business District
- B-3 General Business District
- RMF-6 Residential Multifamily District
- HDR High Density Residential District

CONNECTIVITY NETWORK

- Urban block patterns and sizes—highly pedestrian
- Parking management solutions
- Parking in rear of buildings
- Multimodal—supports vehicles, bicycles, and pedestrians—streets with narrow traffic lanes, sidewalks, and bike lanes
- Suburban greenways and multi-use path connections

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?

1

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

2

Does the proposed land use require building separation and buffers that fit the character of the surrounding area?

1

Does the proposed land use promote development that fits the character of the surrounding area?

1

Total Land Use Score (out of 10 points)

6

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"			-1	
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"			-1	
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.	2			
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)				-1	
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.			-1	
Does the property allow access from at least two existing or planned streets?	Existing or planned streets located outside of the applicant property.		1		
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.				
Is the proposed use within the service boundary of existing sewer service?	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.				
Total Transportation & Utility Score (out of 10 points)		2			
Environmental Conditions & Historic Resources		2	1	-1	-2
Can the property be reasonably developed without impacting jurisdictional wetlands/streams or buffers?			1		
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.		1		
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)			8		
TOTAL SMART GROWTH SCORE			15		
RECOMMENDATION			0 SOMEWHAT SUPPORTS 0 0		