



Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.c

Case No. Z-21017

Kings Court Trust Property

Rezone RSF-1, Residential Single Family District to RV-2, Recreational Vehicle Park District

June 3, 2021

Agenda Item 8.c

Subject Property Information

Planning District: 21
General Location: Corner of County Road 26 and Grantham Road
Physical Address:
Parcel Number: 05-55-07-35-0-000-009.009, 010, 011
Existing Zoning: RSF-1, Residential Single Family District
Proposed Zoning: RV-2, Recreational Vehicle Park District
Existing Land Use: Vacant
Proposed Land Use: Recreational Vehicle Park
Acreage: 3.0± acres
Applicant: Kings Court Trust
P.O. Box 220
Daphne, AL 36526
Owner: Same
Lead Staff: Celena Boykin, Senior Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Vacant	RSF-1, Single Family District
South	Agricultural and Co Rd 26	RA, Rural Agricultural District County Rd 26
East	Agricultural and RV Park	RA, Rural Agricultural District RV-2, Recreational Vehicle Park District
West	Vacant	RSF-1, Single Family District

Summary

The subject property is currently zoned RSF-1, Residential Single Family District, and is vacant. The requested designation is RV-2, Recreational Vehicle Park District. According to the submitted information, the purpose of this request is to allow for an RV park similar to the one across the street. The property is located next to an active dirt pit and a power substation.

Section 4.2 RSF-1, Single Family District

4.2.1 Generally. This zoning district is provided to afford the opportunity for the choice of a low density residential environment consisting of single family homes on large lots.

4.2.2 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) The following agricultural uses: Silviculture.
- (d) Single family dwellings including manufactured housing and mobile homes.
- (e) Accessory structures and uses.
- (f) The following institutional use: church or similar religious facility.

4.2.3 Conditional uses. 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 conditional uses:

- (a) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.

4.2.4 Special exception. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception:

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

4.2.5 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 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35-Feet
Maximum Height in Habitable Stories	2 1/2
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	30,000 Square Feet
Minimum Lot Width at Building Line	100-Feet
Minimum Lot Width at Street Line	50-Feet
Maximum Ground Coverage Ratio	.35

Section 5.6 RV-2, Recreational Vehicle Park District

5.6.1 *Purpose and intent.* The purpose of this section is to establish a zoning designation for lower density recreational vehicle parks.

5.6.2 *Permitted uses.* The following uses are permitted as of right, or as uses accessory to permitted uses in the RV-2, Recreational Vehicle Park District:

- (a) Extraction or removal of natural resources on or under the land.
- (b) Water well (public or private).
- (c) Silviculture.
- (d) Recreational Vehicle Park.
- (e) Accessory structures and uses.
- (f) Church or similar religious facility.

5.6.3 *Density.* The maximum number of recreational vehicle sites developed under RV-2 shall be 6 sites per acre.

5.6.4 *Land Area.* The minimum land area shall be three (3) acres.

5.6.5 *Standards.* Recreational vehicle parks developed under the RV-2 designation shall meet all standards, procedures and requirements found in Section 13.8 of the zoning ordinance.

Section 13.8 Recreational Vehicle (RV) Parks

13.8.1 *Purpose.* The purpose of this section is to establish minimum standards for recreational vehicle parks.

13.8.2 *Procedures and standards.*

(a) *Land use certificate required.* All recreational vehicle parks are subject to the standards contained in this section and will be required to obtain a land use certificate prior to being granted a building permit.

(b) *Where permitted.* Except as provided in Section 2.3.26.4(b) and Section 2.3.31.4, recreational vehicle parks are permitted as follows:

1. High Density
 - A. RV-1, B-4, M-1 and M-2 by right.
 - B. B-3 by conditional use approval.
 - C. RR, RA and CR by special exception approval.
2. Low Density
 - A. RV-1, RV-2, B-4, M-1 and M-2 by right.

- B. B-2, B-3 and OR by conditional use approval.
- C. RR, RA and CR by special exception approval.

(c) *Occupancy.* A recreational vehicle shall not be occupied as a living quarter unless it is located in a recreational vehicle park as herein provided or as provided in *Section 12.2.2*. No recreational vehicle shall be used as a permanent dwelling. Continuous occupancy extending beyond 4 months in any 12 month period shall be considered permanent occupancy.

(d) *Storage and parking.* Recreational vehicles may be parked or stored in residential districts as provided in *Section 15.3.9: Storage and parking of trailers and commercial vehicles*.

(e) *Maximum density.*

1. High Density: 15 campsites per acre
2. Low Density: 6 campsites per acre

(f) *Land area.* The minimum land area of a recreational vehicle park shall be three (3) acres.

(g) *Use.* Use of spaces in recreational vehicle parks is limited to recreational vehicles.

(h) *Water and sewer facilities.*

1. *Water.* Each recreational vehicle park shall be served with a public/private water supply system capable of providing domestic water use and fire protection.
2. *Sewer.* Each recreational vehicle park shall be served with sanitary sewer facilities meeting all requirements of the Baldwin County Health Department.

(i) *Setbacks.*

1. No space shall be so located that any part intended for occupancy for sleeping purposes shall be within 30-feet of any property line.
2. Recreational vehicles must be separated from each other and from other structures by at least 10-feet.

(j) *Access.*

1. No recreational vehicle park shall be located except with direct access to a paved county, state or federal highway, with a minimum lot width of not less than 50-feet for the portion used for entrance and exit.
2. No entrance or exit shall be through an existing residential subdivision.
3. Access drives must be a minimum of 24-feet wide for a two-way street and 12-feet wide for a one-way street and must be improved with a suitable hard surface permanent type of pavement such as asphalt, concrete, limestone or other similar surface approved by the Planning Commission.

(k) *Accessory uses.* Management headquarters, recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to the operation of a recreational vehicle park are permitted as accessory uses.

(l) *Sites.*

1. Each recreational vehicle site must be at least 1,600 square feet in area.

2. Each recreational vehicle site must contain a parking pad improved with a suitable all-weather surface.

3. Each recreational vehicle site must contain at least one (1) off-street parking space improved with a suitable all-weather surface.

(m) *Buffering*. In the event a recreational vehicle park is located adjacent to residentially zoned property, a landscaped buffer with a minimum width of 30-feet shall be provided. Said buffer shall consist of a combination of canopy trees, understory trees and shrubs which shall be of sufficient height to create a visual barrier. No buffer will be required if the recreational vehicle park is located adjacent to agricultural, commercial, industrial or recreational property.

(n) *Existing recreational vehicle parks*. Recreational vehicle parks which exist at the time of zoning adoption or amendment are grandfathered and may continue to operate lawfully provided that the operation is not discontinued for more than one (1) calendar year or 365 consecutive days. The owner of an existing RV park may conduct maintenance and repairs which may include the replacement of accessory structures, hook-ups and utilities subject to the following conditions:

1. The cost of replacement shall not exceed 50 percent of the value of the park.
2. The recreational vehicle park shall not be expanded.
3. The footprints of accessory structures shall not be enlarged or moved.
4. The number of recreational vehicle spaces shall not be increased.

If the owner of an existing recreational vehicle park wishes to expand the recreational vehicle park, construct additional spaces and facilities or re-arrange spaces and facilities, the park shall at that time be brought into conformity with all requirements of this section.

Agency Comments

Baldwin County Highway Department, Weesie Jeffords:

If the property is to provide RV sites, then they will be subject to the requirements in the Baldwin County Subdivision Regulations regarding the development of property into an RV park. This includes provisions for stormwater and traffic. The site would need a commercial turnout onto either Grantham Rd or CR 26 permitted through the Permits section.

Army Corps of Engineers: No comments received.

ADEM: No comments.

Subdivision:

Mary Booth - My comments are the same as Weesie's

Bufford King - no significant comments on this one, nothing rising to the level that affects your staff report.

Staff Analysis and Findings

The following factors for reviewing zoning amendments are found in Section 19.6 of the *Baldwin County Zoning Ordinance*. These factors are to be considered when an application is being reviewed for rezoning.

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

The subject property is currently zoned RSF-1, Residential Single Family District. The requested designation is RV-2, Recreational Vehicle Park District. The subject properties are vacant. The properties adjoin Grantham

Road to the east and County Road 26 to the south. The adjoining properties are residential, timberland, and agricultural.

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 21 was zoned in June 2009. This area hasn't seen much residential growth. This area has primarily stayed agriculture and the immediate area has had a growth of dirt pits. Since zoning was implemented there have been twelve automatic rezonings to RSF-1 and six rezonings.

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

The Baldwin County Master Plan, 2013, provides future land use designations for properties located within the zoned areas of the County. These categories represent the recommendations for the physical development of the unincorporated areas of the County. They are intended for planning purposes only and do not represent the adoption of zoning designations for areas which have not voted their desire to come under the zoning authority of the Baldwin County Commission. Although not legally binding, the future land use designations are evaluated in conjunction with criteria found in the Baldwin County Zoning Ordinance (Zoning Ordinance), the Baldwin County Subdivision Regulations, the Baldwin County Flood Damage Prevention Ordinance and any other ordinances and regulations which the County Commission may adopt.

A future land use designation of Residential is provided for the subject properties. This category is provided for residential dwelling units including single family dwellings, two family (duplex) dwellings, multiple family dwellings, manufactured homes, manufactured housing parks and Planned Residential Developments. Institutional uses, recreational uses and limited neighborhood commercial uses may be included subject to the provisions of the Zoning Ordinance. To the greatest extent possible, residential areas should be accessible to major thoroughfares connecting with work areas, shopping areas and recreational areas. Zoning designations may include RR, RA, CR, RSF-E, RSF-1, RSF-2, RSF-3, RSF-4, RSF-6, RTF-4, RTF-6, RMF-6, HDR, RMH and PRD.

If the rezoning is approved, the Future Land Use Map will be amended to reflect the designation of Commercial. This category provides for retail and wholesale trade facilities which offer convenience and other types of goods and services. Institutional uses, recreational uses, mixed-use developments and transportation, communication and utility uses may be included in accordance with the Zoning Ordinance. Multiple family developments may also be included. Commercial uses should be located on major streets so as to be accessible to the residential population. Zoning designations may include RR, B-1, B-2, B-3, B-4, LB, RV-1, RV-2, MR and TR.

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

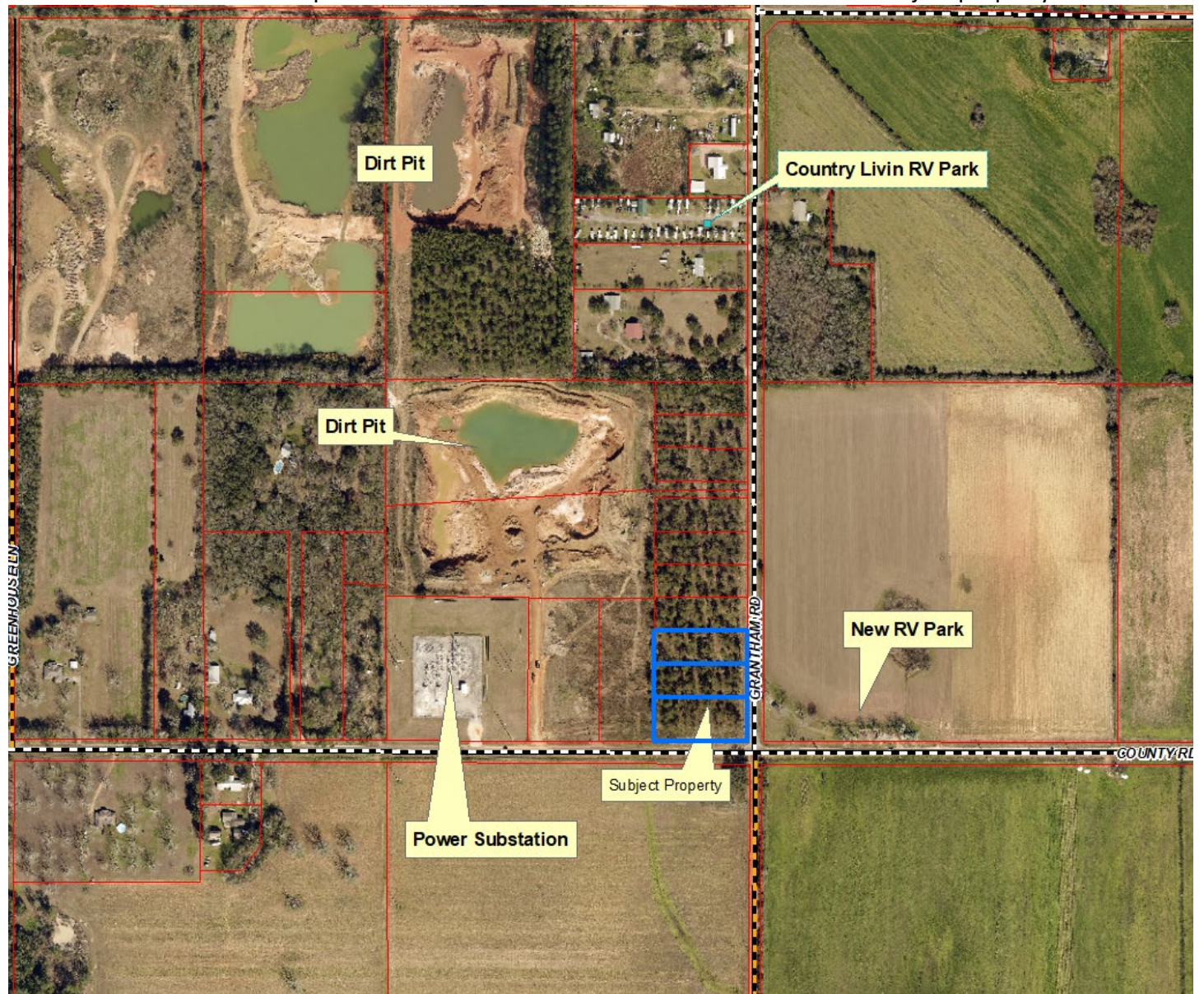
Staff is unaware of any planned public improvements along County Road 26 or Grantham Road.

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

Per the Federal Highway Administration the functional classification of County Road 26 at Grantham Road is local road. Local roads are designed specifically to have high accessibility and to connect to collector and arterial roads and are typically not used for through traffic. The applicant did not submit a proposed site plan showing how many RV sites but could have up to 18 sites. With the maximum of 18 sites staff doesn't anticipate adverse effects on traffic patterns.

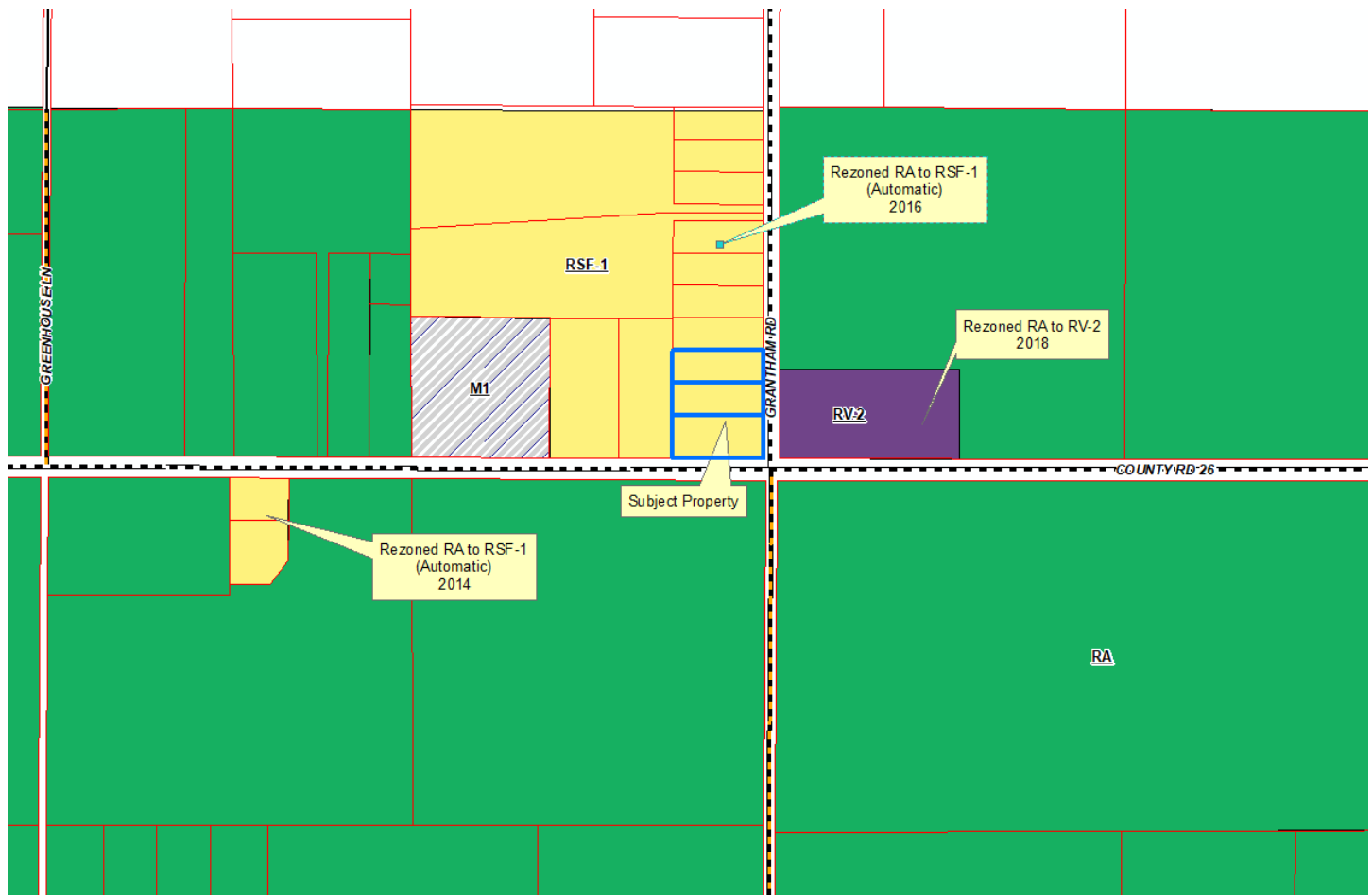
6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community? The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.

The primary surrounding land uses in this area are forested timberland and agricultural. Country Livin RV Park is less than half a mile from the subject property on Grantham Road in Planning District 18 which is un-zoned. There are several active dirt pits in the area and a new RV Park to the east of the subject property.



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

As Stated above, since zoning was implemented there have been twelve automatic rezonings to RSF-1 and six rezonings.



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

There hasn't been much development in this area, except for the expansion of dirt pits.

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

Staff does not anticipate any adverse impacts.

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

Development of the property will be considered as a major project. Prior to the issuance of a Land Use Certificate, staff will evaluate all submitted materials, including building plans, drainage plans, landscaping plans and site plans in order to ensure complete compliance with the requirements of the zoning ordinance. Required landscaped buffers will help to mitigate the potential for adverse impacts (See below required buffering for RV Parks).

(m) Buffering. In the event a recreational vehicle park is located adjacent to residentially zoned property, a landscaped buffer with a minimum width of 30-feet shall be provided. Said buffer shall consist of a combination of canopy trees, understory trees and shrubs which shall be of sufficient height to create a visual barrier. No buffer will be required if the recreational vehicle park is located adjacent to agricultural, commercial, industrial or recreational property.

11.) Other matters which may be appropriate.

If the rezoning is approved the applicant will need to submit an application for Final Site Plan approval in accordance with Section 5.16 of the *Baldwin County Subdivision Regulations*. This application, when submitted, will be considered by the Planning Commission.

The applicant must combine all three lots in order to develop the parcels as an RV park

Staff Comments and Recommendation

As stated previously, the subject property is currently zoned RSF-1, Residential Single Family District, and is vacant. The requested designation is RV-2, Recreational Vehicle Park District. According to the submitted information, the purpose of this request is to allow for an RV park similar to the one across the street. The property is located next to an active dirt pit and a power substation.

Unless information to the contrary is revealed at the public hearing, staff feels this rezoning application should be recommended for **APPROVAL*** *contingent upon the applicant combining all three lots into one, three-acre parcel.*

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

Property Images





May 12, 2021

Properties west of
subject properties

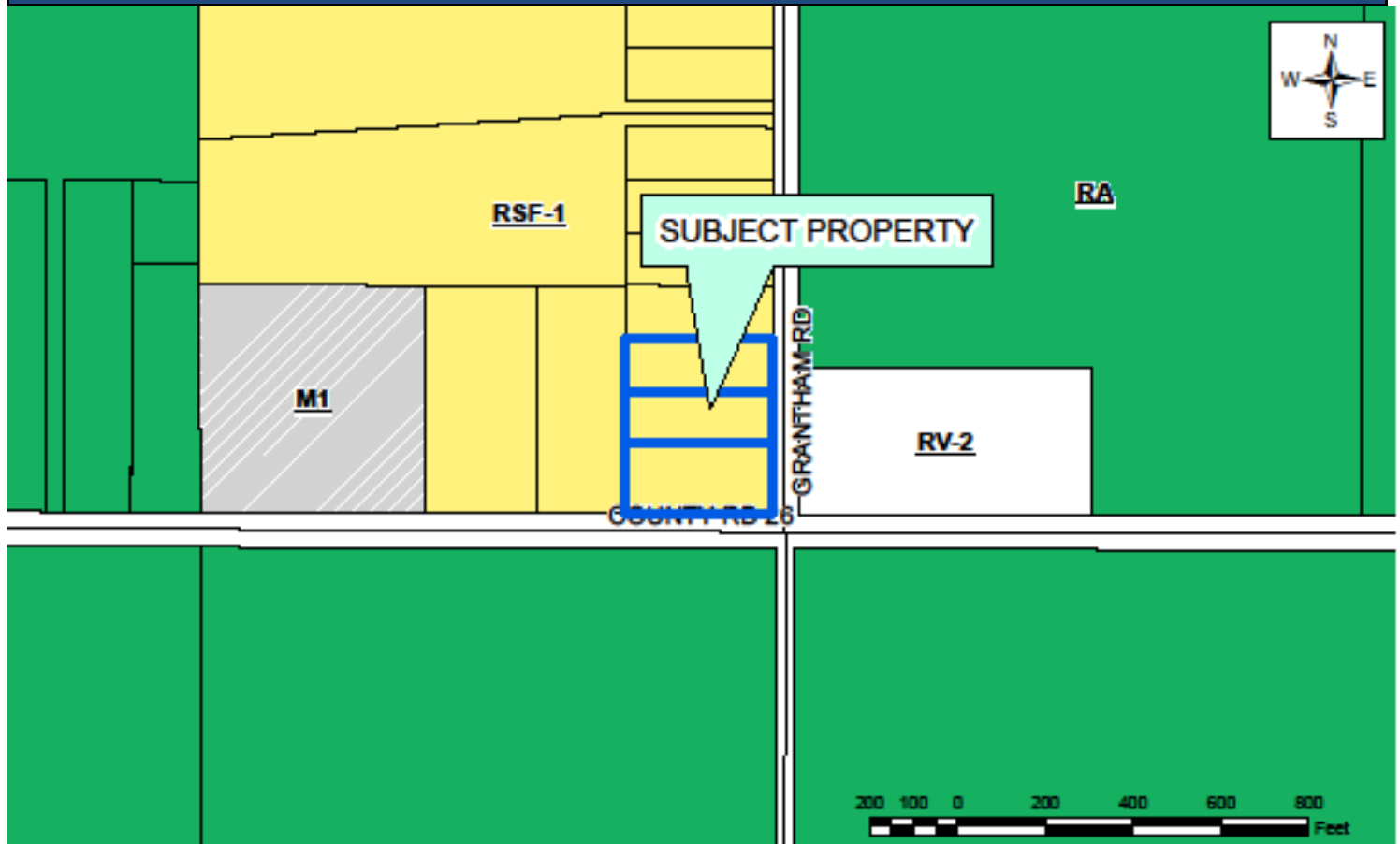


May 12, 2021

Properties north of
subject properties



Locator Maps



Site Maps

