



Baldwin County Commission

Legislation Text

File #: 21-1343, **Version:** 1

Meeting Type: BCC Regular Meeting

Meeting Date: 9/21/2021

Item Status: New

From: Matthew Brown, Planning and Zoning Director

Submitted by: Matthew Brown, Planning and Zoning Director

ITEM TITLE

Case No. TA - 21002 - Amendment to Baldwin County Zoning Ordinance to Incorporate Site Plan Approvals for Certain Developments and Removal of Section 19.7, Agricultural Land

STAFF RECOMMENDATION

Adopt Resolution #2021-102 which APPROVES the amendment to the Baldwin County Zoning Ordinance to incorporate site plan approvals for certain developments and removal of Section 19.7, the allowance to automatically rezone from RA to RSF-1.

BACKGROUND INFORMATION

Previous Commission action/date: N/A

Background:

This amendment proposes to replace the Land Use Certificate, Conditional Use, and Special Exception processes in the Zoning Ordinance with a single site plan approval process. The only variation would be the approver-either staff or the Planning Commission. We believe this would help simplify the options from the public's perspective.

This amendment would require the holding of a public hearing and Planning Commission approval of site plans for developments that meet the following criteria:

- a) All multiple unit developments;
- b) Non-residential projects involving a combined total building square footage of 5,000 square feet or more;
- c) Non-residential development within 200 feet of property that is either zoned or used as residential;
- d) Non-residential development where more than 30% of the lot (excluding the building) is impervious;
- e) All changes to existing structures, other than single family residences, that increase the gross floor area by thirty percent (30%) or more;

f) All changes of use on non-residential properties, unless proposed use would be permitted with an administrative approval.

The additional Planning Commission Site Plan Approval would not create an extra step for the applicant, as it would replace the Land Use Certificate approval process. The public hearing at the Planning Commission meeting would provide the community with an opportunity to work with the developer to modify the site in a manner that meets the community's needs.

Nearly every article of the ordinance had minor changes from this proposed amendment, however the primary articles affected are Articles 3 through 8 and Article 18.

The Planning Commission considered the amendments on September 2, 2021, and voted to recommend APPROVAL to the County Commission, with the following additional requested modifications:

a) Update RV Requirements in the Zoning Ordinance to match the RV requirements proposed in the proposed Subdivision Regulation amendments.

b) Add a requirement that applicants submit, as part of the site plan approval application, an affidavit indicating that no covenants or restrictions will be violated by the proposed use.

The proposed amendments are included with staff report and resolution which are attached to this agenda item. Items highlighted in green represent revisions proposed by the Planning Commission.

FINANCIAL IMPACT

Total cost of recommendation: N/A

Budget line item(s) to be used: N/A

If this is not a budgeted expenditure, does the recommendation create a need for funding?
N/A

LEGAL IMPACT

Is legal review necessary for this staff recommendation and related documents?
N/A

Reviewed/approved by: N/A

Additional comments: N/A

ADVERTISING REQUIREMENTS

Is advertising required for this recommendation? Yes

If the proof of publication affidavit is not attached, list the reason: Forthcoming from staff.

FOLLOW UP IMPLEMENTATION

For time-sensitive follow up, select deadline date for follow up: N/A

Individual(s) responsible for follow up: Planning and Zoning Staff

Action required (list contact persons/addresses if documents are to be mailed or emailed):

Update text and publish amended versions of the *Baldwin County Zoning Ordinance*.

Additional instructions/notes: N/A