



# Baldwin County Planning & Zoning Department

## Baldwin County Commission Staff Report

**Case No. Z25-57**

**Hahn Property**

**Rezone from BCZ, Base Community Zoning District, to B-2, Neighborhood Business District**

**December 16, 2025**

### Subject Property Information

**Planning District:** 14  
**General Location:** South of County Road 32 and west of County Road 9 near the Summerdale community  
**Physical Address:** 13352 County Road 32, Summerdale, AL 36580  
**Parcel Number:** 05-47-09-32-0-000-069.003  
**Existing Zoning:** BCZ, Base Community Zoning District  
**Proposed Zoning:** B-2, Neighborhood Business District  
**Existing Land Use:** Vacant  
**Proposed Land Use:** Commercial  
**Acreage:** 3.3 +/- acres  
**Applicant:** Hahn Construction, LLC – Michael Hahn  
21215 State Highway 181  
Fairhope, AL 36532  
**Owner:** Michael Hahn  
PO Box 1588  
Daphne, AL 36526  
**Lead Staff:** Cory Rhodes, Planner  
**Attachments:** *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Commercial & Institutional	BCZ, Base Community Zoning District & B-1, Professional Business District
South	Vacant	BCZ, Base Community Zoning District
East	Vacant	BCZ, Base Community Zoning District
West	Residential	BCZ, Base Community Zoning District

### Summary

The subject property encompasses approximately 3.3 acres and is currently zoned as BCZ, Base Community Zoning District. A request has been made to change the designation to B-2, Neighborhood Business District, for commercial use.

### 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.

## Proposed Zoning Requirements

### **Section 5.2 B-2, Local Business District**

**5.2.1 Purpose and intent.** The purpose and intent of the B-2 Neighborhood Business District is to provide a limited commercial convenience facility, servicing nearby residential neighborhoods, planned and developed as an integral unit.

**5.2.2 Permitted uses.** The following uses are permitted as of right, or as uses accessory to permitted uses in the B-2, Neighborhood Business District, conditioned on the Commission Site Plan Approval requirements of *Section 18.10*:

- |  |  |
|--|--|
| (a) All uses permitted by right under the B-1 zoning designation | (v) Floor covering sales or service          |
| (b) Antique store  | (w) Florist                                  |
| (c) Apparel and accessory store                                  | (x) Fraternity or sorority house             |
| (d) Appliance store including repair                             | (y) Fruit and produce store                  |
| (e) Art gallery or museum  | (z) Gift shop                                |
| (f) Art supplies   | (aa) Hardware store, retail                  |
| (g) Bait store   | (bb) Ice cream parlor                        |
| (h) Bakery retail  | (cc) Interior decorating shop                |
| (i) Bed and breakfast or tourist home                            | (dd) Laundry, self service                   |
| (j) Bicycle sales and service                                    | (ee) Lawnmower sales and service             |
| (k) Boarding, rooming or lodging house, dormitory                | (ff) Locksmith                               |
| (l) Book store   | (gg) Music store                             |
| (m) Café   | (hh) Neighborhood convenience store          |
| (n) Camera and photo shop  | (ii) News stand                              |
| (o) Candy store  | (jj) Paint and wallpaper store               |
| (p) Catering shop or service                                     | (kk) Picture framing and/or mirror silvering |
| (q) Copy shop  | (ll) Restaurant                              |
| (r) Delicatessen   | (mm) Shoe repair shop                        |
| (s) Discount/variety store (not to exceed 8,000 square feet)     | (nn) Shoe store                              |
| (t) Drug store (not to exceed 8,000 square feet)                 | (oo) Sign shop                               |
| (u) Fixture sales  | (pp) Sporting goods store                    |
|  | (qq) Tailor shop                             |
|  | (rr) Tobacco store                           |
|  | (ss) Toy store                               |

*5.2.3 Conditional Use Commission Site Plan Approval.* The following uses are permissible as Commission Site Plan Approval uses in the B-2, Neighborhood Business District, subject to the standards and procedures established in *Section 18.10: Commission Site Plan Approval*

- |  |  |
|--|--|
| (a) Air conditioning sales and service | (i) Discount/variety store (exceeding 8,000 square feet) |
| (b) Amusement arcade                   | (j) Drug store (exceeding 8,000 square feet)             |
| (c) Animal clinic/kennels              | (k) Exterminator service office                          |
| (d) Arboretum                          | (l) Golf course  |
| (e) Ball field                         | (m) Gym/Fitness Center                                   |
| (f) Business machine sales and service | (n) Liquor store   |
| (g) Car wash                           | (o) Mini warehouse                                       |
| (h) Country club                       | (p) Night club, bar, tavern                              |

- |   |  |
|---|--|
| (q) Office equipment and supplies sales | (z) Swimming pool (outdoor)  |
| (r) Park or playground                  | (aa) Tennis court (outdoor)  |
| (s) Pawn shop                           | (bb) Water storage tank  |
| (t) Pet shop                            | (cc) Wildlife sanctuary  |
| (u) Plumbing shop                       | (dd) Wireless telecommunication facility   |
| (v) Restaurant sales and supplies       | (ee) Dwellings, in combination with commercial uses, subject to the standards listed under Section 5.2.4: Mixed uses |
| (w) Riding academy                      |  |
| (x) Rug and/or drapery cleaning service |  |
| (y) Seafood store                       |  |

*5.2.4 Mixed uses. Mixed residential and commercial uses may be permissible as Commission Site Plan in the B-2 Neighborhood Business 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-2 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.

- (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*)

#### 5.2.5 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 Impervious Surface Ratio	.60

5.2.6 *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.

5.2.7 *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.

5.2.8 *Landscaping and buffering.* All B-2, Neighborhood Business District, uses shall meet the requirements of *Article 17 Open Space, Landscaping and Buffers*.

#### Agency Comments

**USACE, James Buckelew**: Staff reached out 11/10/2025 but received no comments.

**ADEM, Scott Brown**: Staff reached out 11/10/2025 but received no comments.

**Natural Resources, Ashley Campbell**: After inspecting the site, I have the following comments:

1. The site has several RVs located on it.
2. The site is adjacent to the MBNEP Stream Restoration that restored a severely degraded tributary to Fish River to a stable stream.

**Subdivisions, Fabia Waters:** The proposed use does not appear to require a PUD based on the applicant's description. If the proposed buildings are to be leased or occupied by multiple tenants than a PUD site plan approval would be required.

**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 County Road 32 will require permit 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 3.3 acres and is currently zoned as BCZ (Base Community Zoning). A rezoning request has been submitted to change the designation to B-2 (Neighborhood Business) to allow for general commercial use (office with warehouse storage for business). The surrounding areas located south, east, and west of the property are either residential or vacant, while areas to the north and further east (within 1/10<sup>th</sup> of a mile) are institutional or commercial.

**(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 and Rural / Agriculture / Low-Impact Development Potential, which allows for limited development based on low-impact design principles. As mentioned earlier, the area immediately to the west is residentially-developed, while the adjacent property to the east is vacant. Further east, near the intersection of County Road 32 and County Road 9, general commercial uses can be found, including gas and liquor stores. Additionally, uses north of the property include a service shop and fire station.

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

The property is located along County Road 32, which is classified as a Major Collector. Collectors serve a critical role in the roadway network by gathering traffic from Local Roads and funneling them to the Arterial network.

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

The district adopted zoning in 2023 and many of the surrounding parcels remain zoned as Base Community Zoning with residential land use. As previously mentioned, there are general commercial uses to the north and east, towards the intersection of County Road 9 and County Road 32.

**(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 southwest 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.**

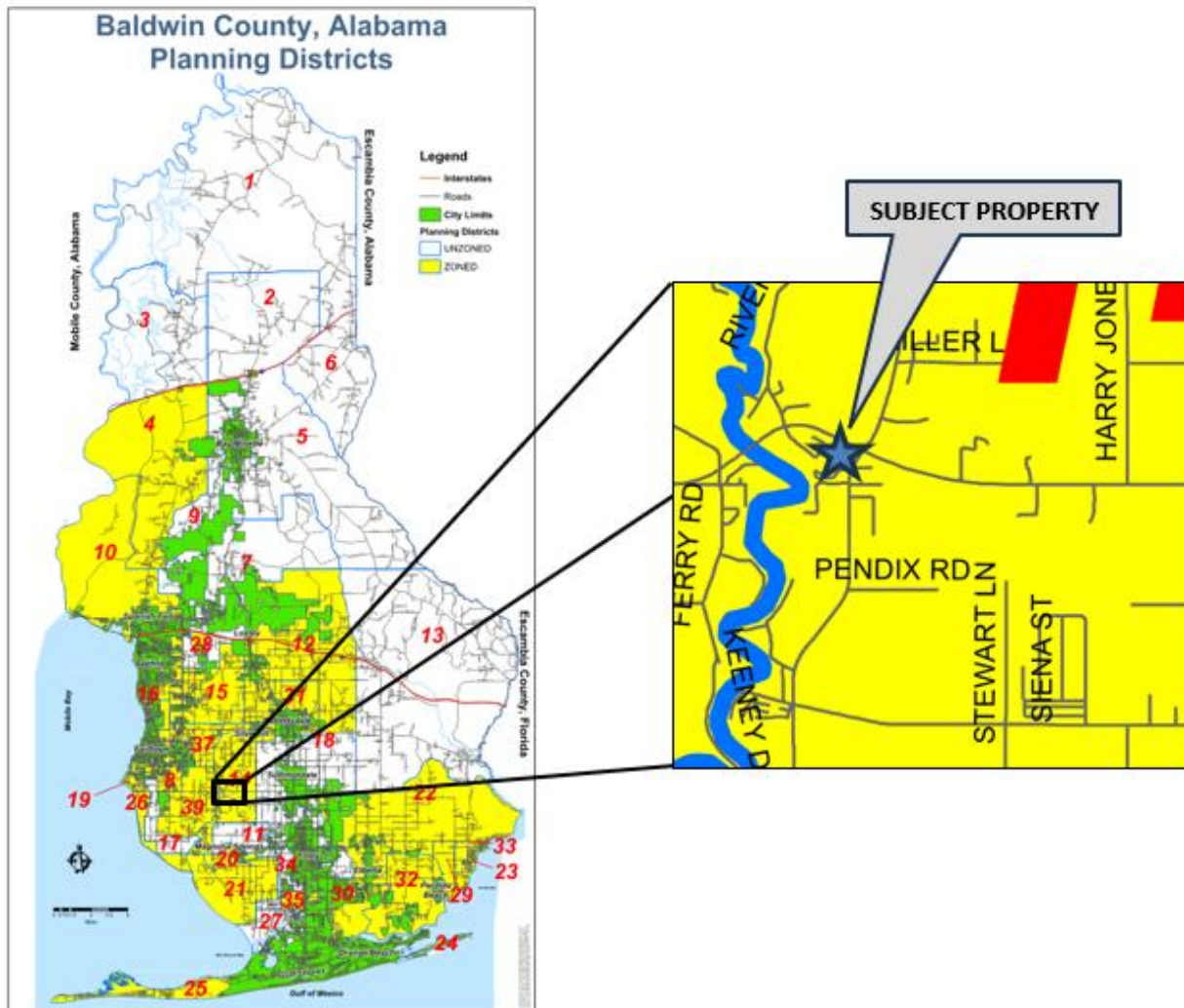
The proposed request should have no impact to the health, safety and welfare of the property or surrounding properties.

**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.

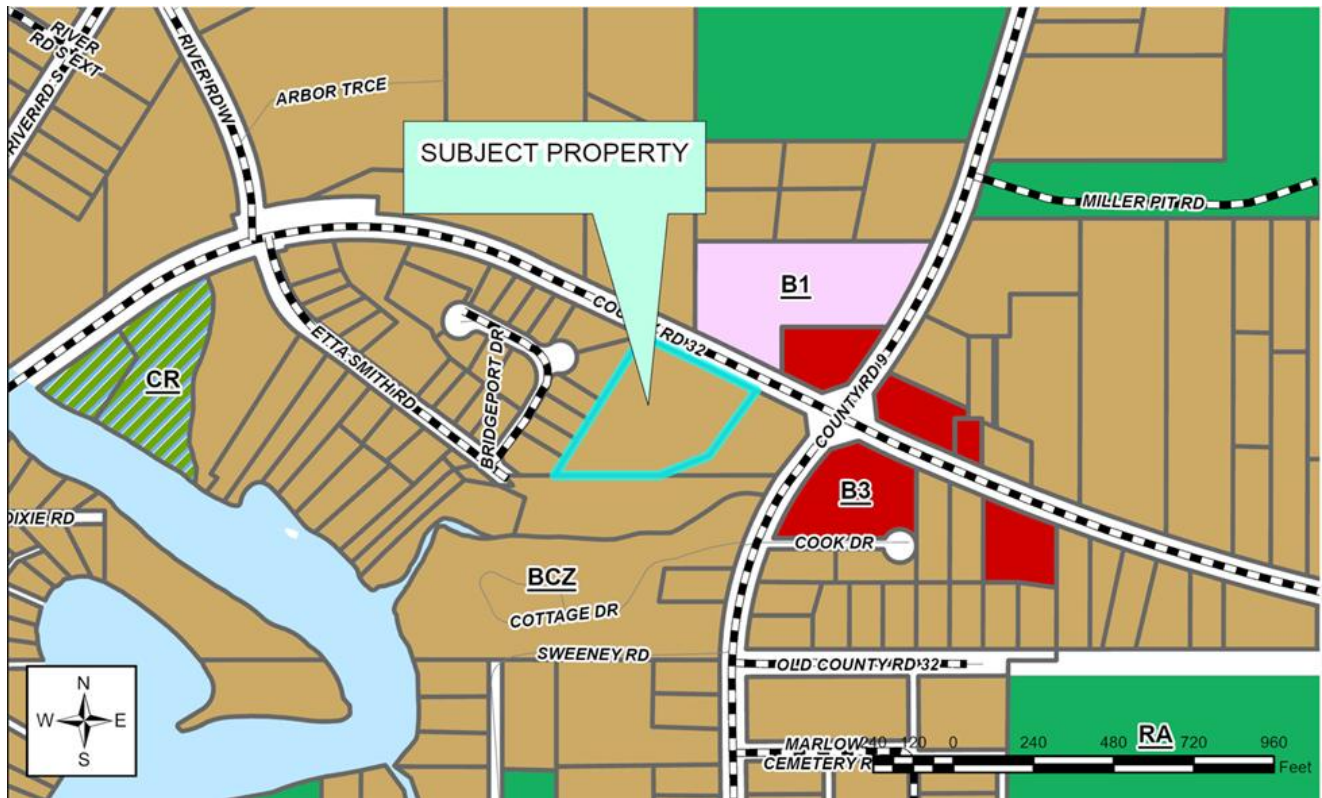
The requested Zoning Map Amendment was also evaluated using the Smart Growth Scorecard (attached) which **somewhat supports** the request.

**County Map**

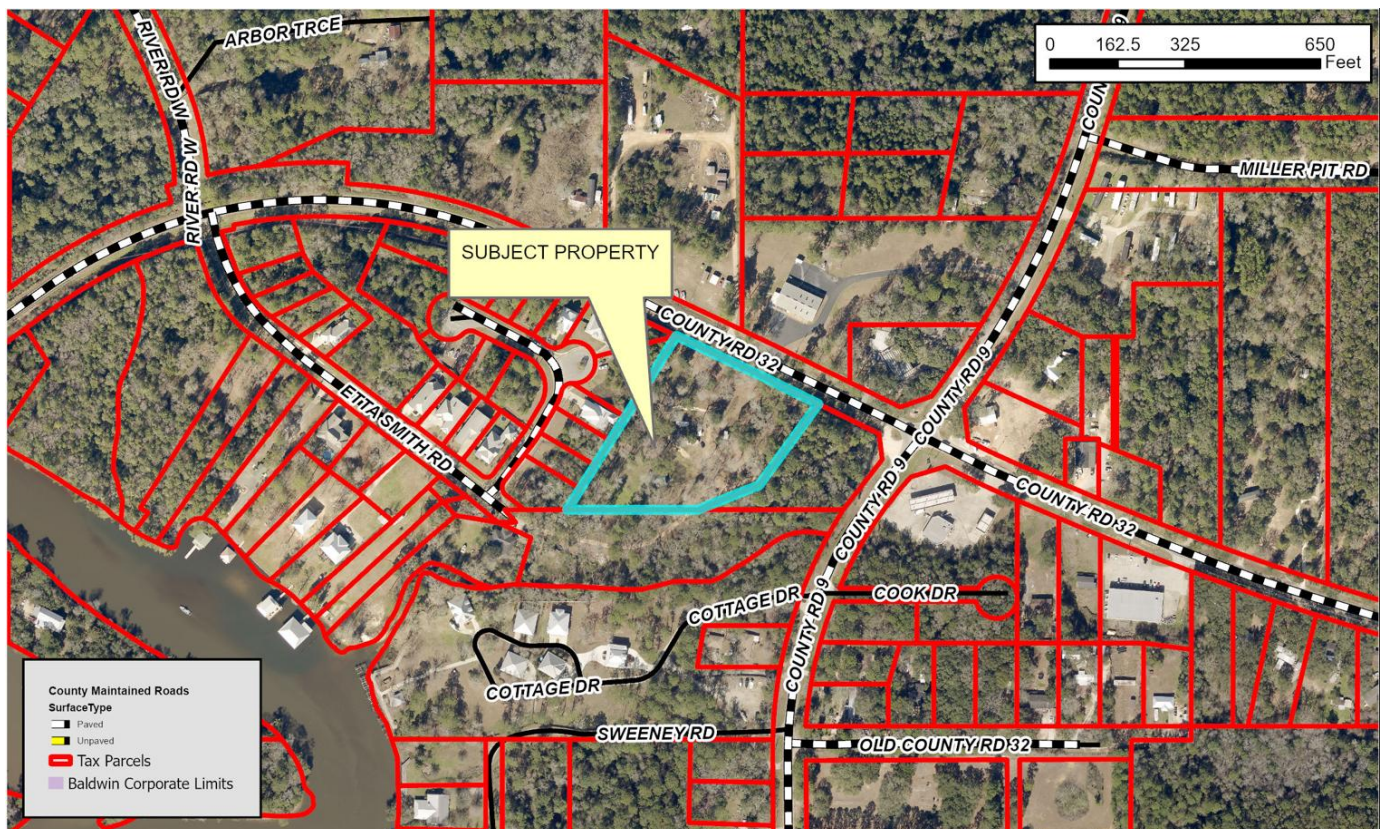




## Locator Map



## Site Map

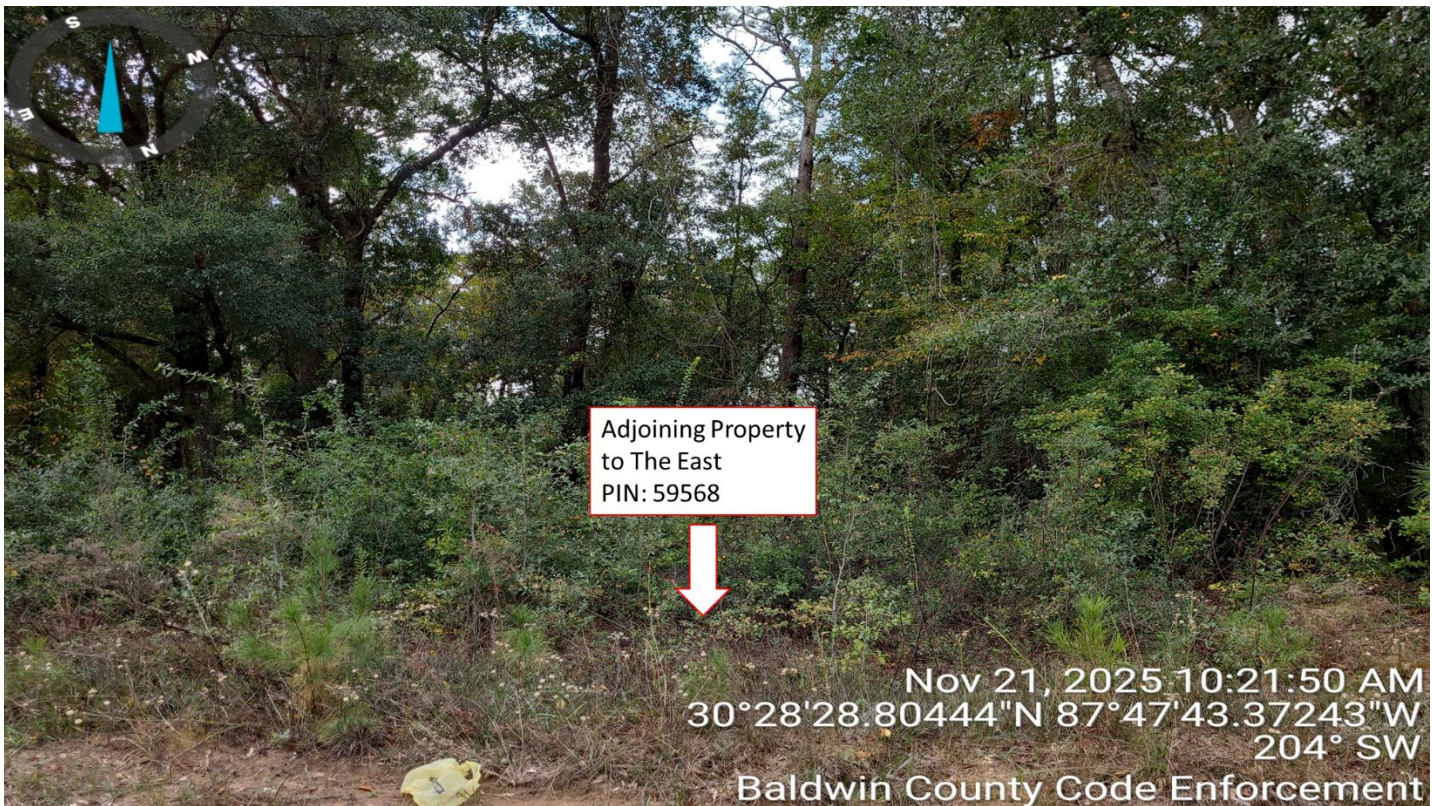




Property Images



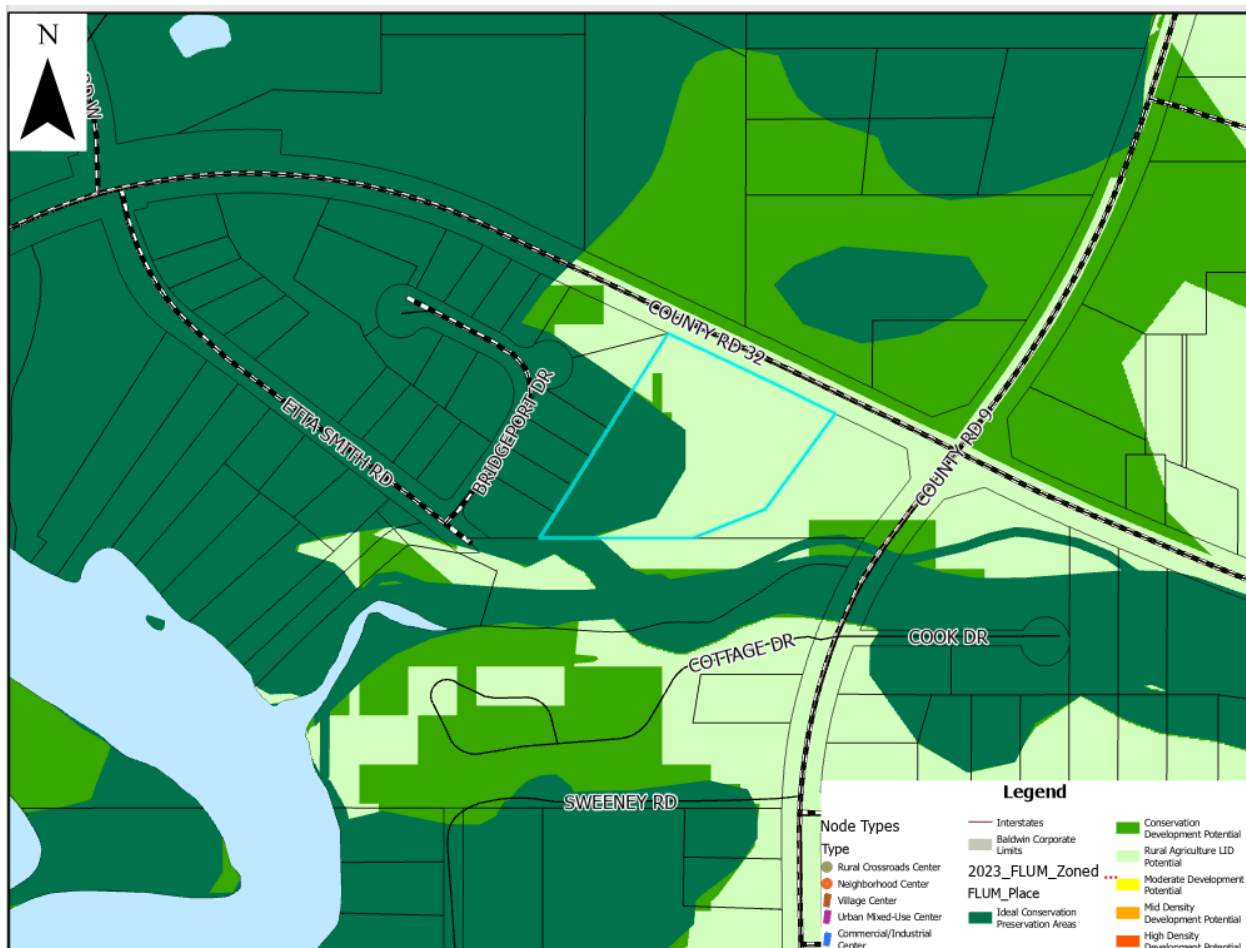








## FLUM



## IDEAL CONSERVATION/ PRESERVATION AREAS

Ideal Conservation or Preservation Areas would include land that is undeveloped, or minimally developed, and protected by local, state, and federal agencies or by public, private, and nonprofit organizations. This could include areas conserved for the protection of critical habitat, clean water, open space, or cultural heritage.

### PRIMARY LAND USES

- 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 corridors

### RELATED ZONING DISTRICTS

- Environmental Conservation

### CONNECTIVITY NETWORK

- Greenways and trails

## RURAL/AGRICULTURE/LOW IMPACT DEVELOPMENT POTENTIAL AREAS

Rural Development Potential Areas include large lots, open space views, and a large buffer distance between buildings. Residential homes may be on large tracts and could include estate homes and working farmland. The development pattern may also include conservation-based subdivisions to 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. Lands within these areas should be developed with additional Low Impact Development (LID) standards and buffers to limit the impact to adjacent critical environments. At key rural crossroads, rural centers or nodes could allow for a combination of retail and service uses to meet the needs of the community.

### PRIMARY LAND USES

- Single-family detached homes
- Hobby farms
- Agri-hoods
- Cultivated farmland, timber/managed forest, pastureland
- Clustered manufactured housing communities
- Rural crossroads center/node

### RELATED ZONING DISTRICTS

- RR Rural District
- RA Rural Agricultural District
- RSF-E Residential Single Family Estate

### CONNECTIVITY NETWORK

- Rural streets with sidewalks, paved shoulders, bike lanes, and/or side paths based on local character and context
- Rural greenways and trails along environmental buffers



# 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)		4			
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?				-1	

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)				-6	
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.		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.				
<b>Total Transportation &amp; Utility Score (out of 10 points)</b>		<b>5</b>			
<b>Environmental Conditions &amp; Historic Resources</b>		<b>2</b>	<b>1</b>	<b>-1</b>	<b>-2</b>
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?			1		

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?			1		
Would the proposed use have any impacts to historic or cultural resources in the area?		2			
<b>Total Environmental Score (out of 10 points)</b>			<b>6</b>		
<b>TOTAL SMART GROWTH SCORE</b>			<b>9</b>		
<b>RECOMMENDATION</b>			<b>0</b>		
			<b>SOMEWHAT SUPPORTS</b>		
			<b>0</b>		