



# Baldwin County Planning & Zoning Department

## Baldwin County Commission Staff Report

Case No. Z26-20

Smith Property

Rezone from RA, Rural Agriculture District to B-4, Major Commercial District

July 21, 2026

### Subject Property Information

**Planning District:** 12  
**General Location:** North of State Highway 59 and south of Railroad Avenue in Loxley  
**Physical Address:** 0 State Highway 59, Loxley, AL 36551  
**Parcel Numbers:** 05-42-06-14-0-000-018.002  
**Existing Zoning:** RA, Rural Agricultural District  
**Proposed Zoning:** B-4, Major Commercial District  
**Existing Land Use:** Vacant  
**Proposed Land Use:** Commercial(temporary produce truck or stand, weekend market, car-lot or lot for parking vehicles for sale)  
**Acreage:** 1.36 ± acres (86'x700')  
**Applicant/Owner:** Randy Smith  
 PO Box 301  
 Loxley, AL 36551  
**Lead Staff:** Celena Boykin, Planning Manager  
**Attachments:** *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Vacant	RA, Rural Agricultural
South	Vacant	B-3, General Business
East	Industrial	M-2, General Industrial and RA, Rural Agricultural
West	Commercial	B-3, General Business and B-4, Major Commercial

### Summary

The subject properties encompass approximately 1.36 acres and are currently zoned as RA, Rural Agricultural District. A request has been made to change the designation to B-4, Major Commercial District, for commercial use such as a temporary produce truck or stand, weekend market, or a car lot for parking vehicles for sale. The subject property is 86'x700'. Staff does have some concern with the narrowness of this lot and if developed a variance and/or a highway construction setback appeal may need to be applied for.

## Section 3.2 RA, Rural Agricultural District

**3.2.1 Generally.** This zoning district provides for large, open, unsubdivided land that is vacant or is being used for agricultural, forest or other rural purposes. Low-density residential development that maintains the rural character of the district is permitted in accordance with the permitted uses and area and dimensional requirements of this section.

**3.2.2 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) Outdoor recreation uses.
- (d) The following general commercial uses: animal clinic and/or kennel; farm implement sales; farmers market/truck crops; nursery; landscape sales; country club.
- (e) The following local commercial uses: fruit and produce store.
- (f) The following institutional uses: church or similar religious facility; school (public or private).
- (g) Agricultural uses.
- (h) Single family dwellings including manufactured housing and mobile homes.
- (i) Accessory structures and uses.

**3.2.3 Permit Exemptions for Agricultural Uses and Agriculture Buildings.** Agricultural uses and Agriculture Buildings, as defined in this ordinance, within the RA zoning district, shall be exempt from the Zoning Site Plan and Zoning Land Disturbance permitting requirements of this ordinance.

**3.2.4 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

**3.2.5 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:

- (a) Transportation, communication, and utility uses not permitted by right.
- (b) Institutional uses not permitted by right.
- (c) The following general commercial uses: low density recreational vehicle park (see *Section 13.8: Recreational Vehicle Parks*).
- (d) The following local commercial uses: bed and breakfast or tourist home (see *Section 13.10: Bed and Breakfast Establishments*).

*3.2.6 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.

Minimum Front Yard	40-Feet
Minimum Rear Yard	40-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	3 Acres
Minimum Lot Width at Building Line	210-Feet

*3.2.7 Area and dimensional modifications.* Within the RA 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	40,000 Square Feet
Minimum Lot Width at Building Line	120-Feet

**Section 5.4 B-4, Major Commercial District**

*5.4.1 Purpose and intent.* The B-4, Major Commercial District, is intended for business uses which require a location with access to an arterial or major collector road (as defined by the Functional Classification System attached as Appendix) or which have close proximity to major intersections. Due to the nature of the businesses permitted within the B-4 district, this zoning designation should be limited to property fronting on principal arterials, major arterials, or minor arterials. Ingress and egress to a roadway should promote safe and smooth traffic flow for the general traveling public. It is also the intent of this district to provide areas for businesses which, because of their intensity, outside storage areas, or large volumes of traffic, would have significant negative impacts on adjoining properties. These uses often have an actual or potential negative impact on surrounding properties due to late hours of operation, noise, and or light.

*5.4.2 Permitted uses.* The following uses are permitted as of right, or as uses accessory to permitted uses in the B-4, Major Commercial District, conditioned on the Commission Site Plan Approval requirements of *Section 18.10*:

- |  |  |
|--|--|
| (a) All uses permitted by right under the B-3 zoning designation | (l) Flea market                                    |
| (b) Amusement Park   | (m) Home improvement center                        |
| (c) Auto convenience market                                      | (n) Hotel or motel                                 |
| (d) Automobile parts sales                                       | (o) Manufactured housing sales, service and repair |
| (e) Automobile repair (mechanical and body)                      | (p) Marina   |
| (f) Automobile sales   | (q) Motorcycle sales service and repair            |
| (g) Automobile service station                                   | (r) Movie theatre                                  |
| (h) Automobile storage (parking lot, parking garage)             | (s) Recreational vehicle park                      |
| (i) Boat sales and service                                       | (t) Recreational vehicle sales, service and repair |
| (j) Building materials   | (u) Restaurant, drive-in                           |
| (k) Farm implements  | (v) Restaurant, fast food                          |

*5.4.3 Conditional Use Commission Site Plan Approval.* The following uses are permissible as Commission Site Plan Approval uses in the B-4, Major Commercial District, subject to the standards and procedures established in *Section 18.10*:  
*Commission Site Plan Approval:*

- (a) Airport
- (b) Ambulance/EMS service
- (c) Armory
- (d) Auditorium, stadium, coliseum
- (e) Barge docking
- (f) Broadcasting station
- (g) Bus and railroad terminal facility
- (h) College or university
- (i) Convalescent or nursing home
- (j) Correctional or penal institution
- (k) Dog pound
- (l) Electric power substations
- (m) Freight depot, rail or truck
- (n) Hospital
- (o) Landfill
- (p) Maintenance facility/storage yard for schools, government agencies, and telephone and cable companies
- (q) Racetrack
- (r) Radio and television station and transmitting tower
- (s) Railroad facility
- (t) Sewage treatment plant
- (u) Taxi dispatching station
- (v) Taxi terminal
- (w) Telephone exchange
- (x) Water or sewage pumping station
- (y) Water storage tank
- (z) Wireless telecommunication facility
- (aa) Zoo

*5.4.4 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

*5.4.5 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.

*5.4.6 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.

*5.4.7 Landscaping and buffering.* All B-4, Major Commercial District, uses shall meet the requirements of *Article 17 Open Space, Landscaping and Buffers*.

## Agency Comments

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

**ALDOT, Jason Shaw:** Hey Celena, I don't think we will oppose the re-zoning, but we do have concerns with traffic at the Hinote Glass connection. For the type of usage allowed by this zoning we will likely get a traffic impact study to determine if additional improvements will be required, and based on frontage, they will only get one connection to AL59. Depending on where the owner pursues access this could be limited to directional only...right-in/right-out.

**City of Loxley, Greg Smith:** The Hwy Setback would make this parcel unbuildable.

**City of Loxley, Mayor Teal:** Staff reached out but received no comments.

**Subdivisions, Fabia Waters:** Based on the zoning pre application meeting with the applicant, a subdivision is not proposed at this time. I have no further comments.

## 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 properties encompass approximately 1.36 acres. An application has been submitted to rezone the property to B-4 to permit major commercial uses. Surrounding properties are predominantly zoned for commercial or industrial use, with commercial zoning classifications ranging from B-2 to B-4.

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

The Future Land Use Map (FLUM) reflects a combination of development potential and environmental suitability factors that guide growth and development patterns within the County's unincorporated areas. The FLUM identifies the subject property and much of the surrounding area as primarily designated for Conservation and Moderate Development. Conservation Development areas are intended for limited development that follows low-impact design principles, while Moderate Development areas support a variety of residential housing types. Within these areas, neighborhood activity nodes allow for service-oriented uses that are designed to meet the needs of the surrounding community.

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

The subject property is located north of a Principal Arterial, a roadway designed to provide a high level of mobility and to facilitate travel through both urban and rural areas.

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

The subject properties are currently vacant. Surrounding parcels are zoned primarily for commercial use, and the applicant intends to develop the property for major commercial purposes.

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

No impact on historic resources are proposed.

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

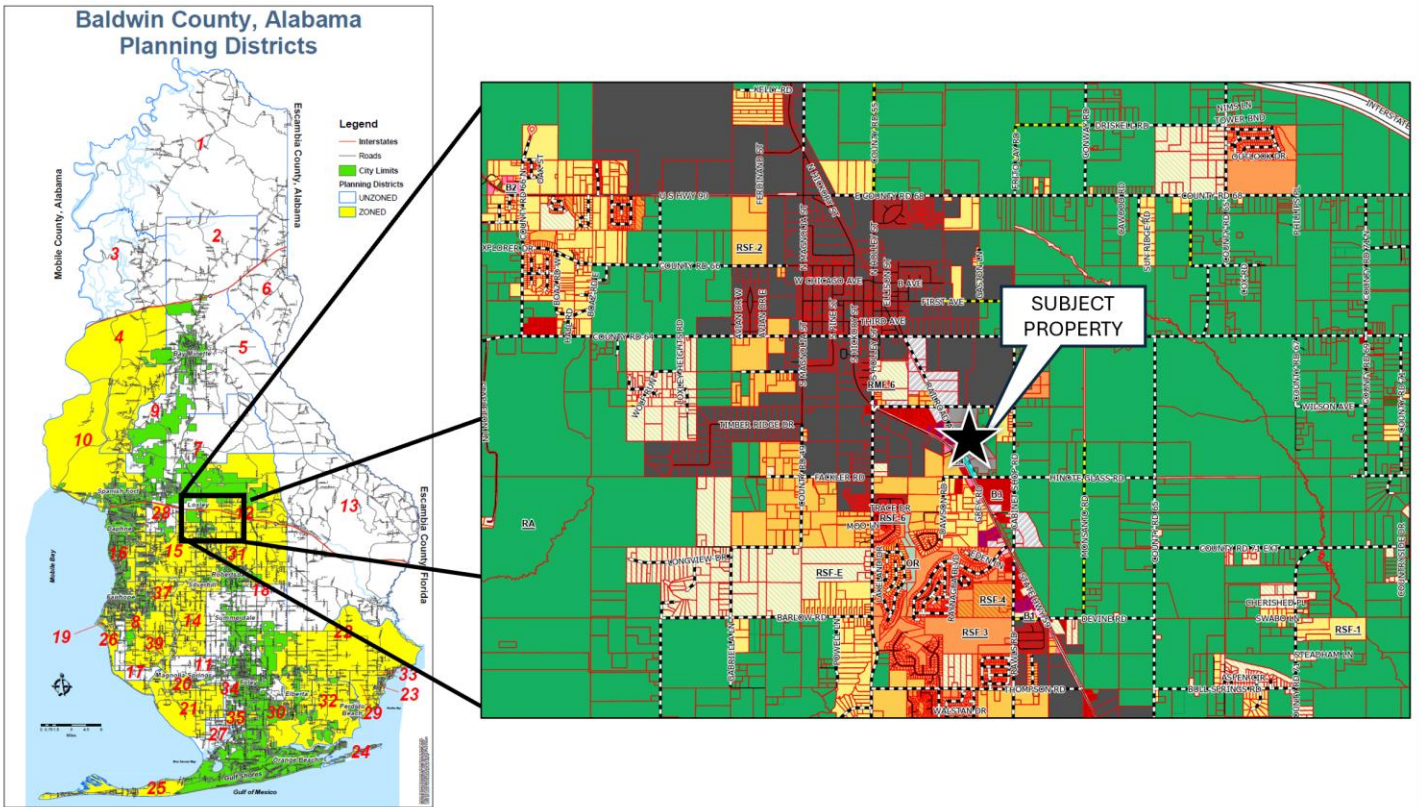
The proposed request should have no impact on the health, safety and welfare of the property or surrounding properties.

### Staff Comments and Recommendation

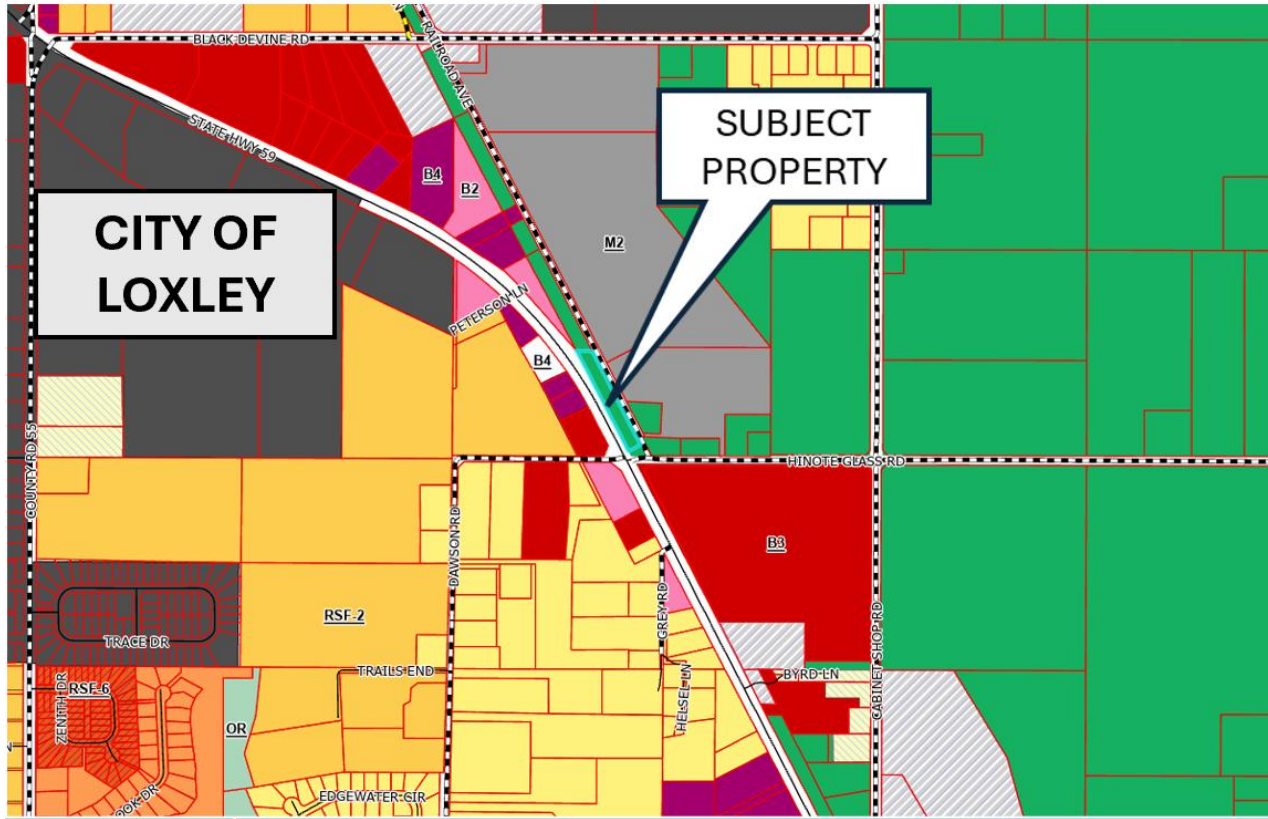
Upon review of the *Factors for Reviewing Proposed Zoning Map Amendments* specified within Section 19.6 of the Baldwin County Zoning Ordinance and themes of the Baldwin County Master Plan, staff has determined that the requested Zoning Map Amendment is **consistent** with the factors specified within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

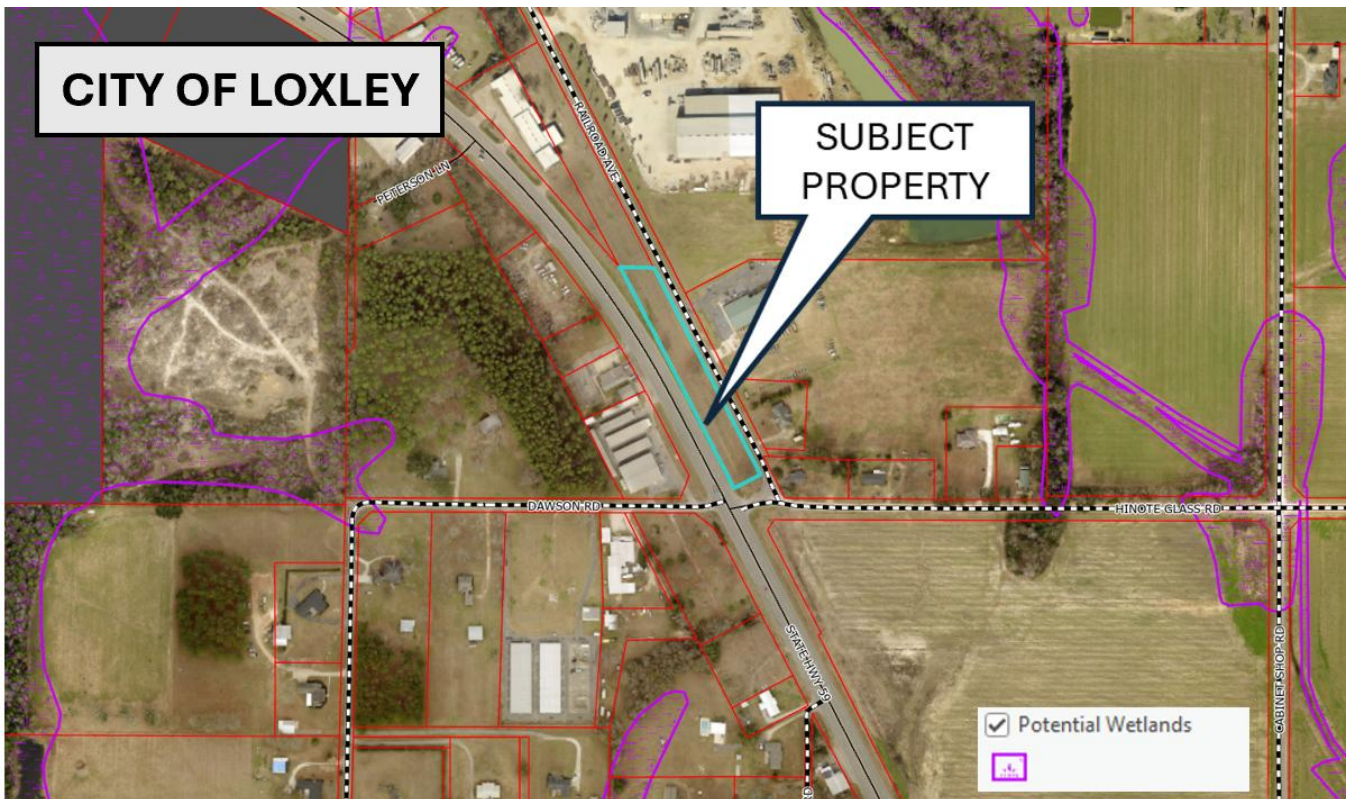
### County Map



# Locator Map



# Site Map



Property Images



Saved to this PC

Property to  
the South  
PIN: 20141



Jun 24, 2026 8:44:22 AM  
16799 Hinote Glass Road  
Loxley  
Baldwin County  
Alabama

Property to the  
East  
PIN: 309202

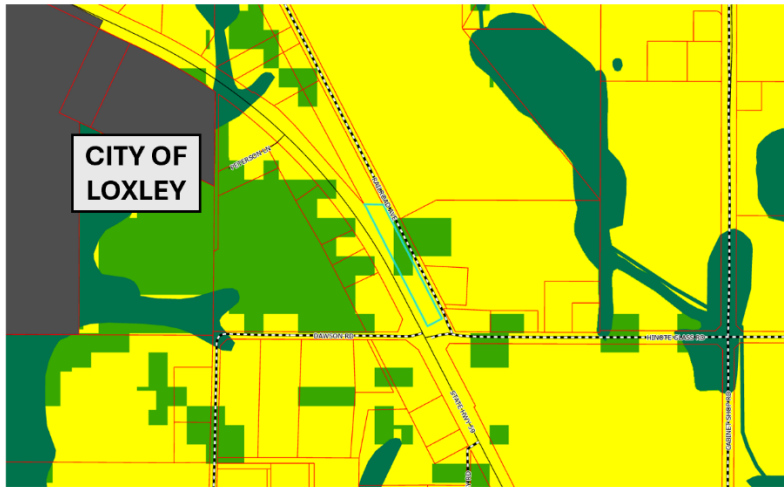


Jun 24, 2026 8:40:44 AM  
26115 Railroad Avenue  
Loxley  
Baldwin County  
Alabama

Property to the West  
PIN: 65641



**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

**NODE TYPES**

- RURAL CROSSROADS CENTER
- NEIGHBORHOOD CENTER

■ 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

**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

# 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.

<b>STRONGLY SUPPORTS</b>	<b>SOMEWHAT SUPPORTS</b>	<b>SOMEWHAT DOES NOT SUPPORT</b>	<b>STRONGLY DISAPPROVE</b>
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?	2			
Does the proposed land use provide a mix of uses or diversity of housing types in the area?		1		
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?	2			

<b>Total Land Use Score (out of 10 points)</b>	<b>8</b>			
--	----------	--	--	--

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.	2			
Does the proposed use provide housing or commercial uses that are consistent with the growth and demand projections for the surrounding area?			1		

<b>Total Master Plan Score (out of 10 points)</b>	<b>-3</b>			
---	-----------	--	--	--

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.	2			
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.	2			
<b>Total Transportation &amp; Utility Score (out of 10 points)</b>		<b>10</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?		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?			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>9</b>			
<b>TOTAL SMART GROWTH SCORE</b>		<b>24</b>			
<b>RECOMMENDATION</b>	<b>STRONGLY SUPPORTS</b>				
	0				
	0				
	0				