



Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Case No. Z26-34

5 Rivers Capital LLC Property

Rezone RSF-1, Residential Single Family to B-2, Neighborhood Business District

September 15, 2026

Subject Property Information

Planning District: 22
General Location: North of US 98 and south of Barclay Ave.
Physical Address: N/A
Parcel Numbers: 05-52-07-26-0-001-108.002
Existing Zoning: RSF-1, Residential Single Family District
Proposed Zoning: B-2, Neighborhood Business District
Existing Land Use: Vacant
Proposed Land Use: Commercial
Acreage: 1.19 ± acres
Applicant: S. E. Civil Engineering & Surveying
9969 Windmill Rd
Huntsville, AL 35804
Owner: SR Development LLC
PO BOX 18968
Fairhope, AL 36532
Lead Staff: Celena Boykin, Planning Manager
Attachments: *Within Report*

Adjacent Land Use		Adjacent Zoning
North	Residential	RSF-E, Single Family Estate District
South	Vacant	B-2, Neighborhood Business District
East	Residential	RSF-1, Single Family District
West	Vacant	RSF-1, Single Family District

Summary

The subject property encompasses approximately 1.19 acres and is currently zoned as RSF-1, Residential Single Family District. A request has been made to change the designation to B-2, Neighborhood Business District, to match the parcel to the south so that a car wash can be built on both parcels.

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.
- (g) Agricultural uses, on RSF-1 zoned parcels that otherwise meet the minimum area and dimension requirements for Rural Agricultural District under Section 3.2.6 herein, agricultural uses shall be permitted uses, except that the minimum front yard for barns and other agricultural structures shall be 100 feet when constructed on an RSF-1 zoned parcel where no primary dwelling currently exists.

4.2.3 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) 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.
- (d) The following local commercial use: bed and breakfast or tourist home (see Section 13.10: *Bed and Breakfast Establishments*).

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: Not Applicable

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

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
Minimum Lot Area	30,000 Square Feet
Minimum Lot Width at Building Line	100-Feet
Maximum Ground Coverage Ratio	.35

Proposed Zoning Requirements

Section 5.2 B-2, Neighborhood 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 18.9*:

- | | |
|--|--|
| (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 18.9: Commission Site Plan Approval*:

- | | |
|--|--|
| (a) Air conditioning sales and service | (q) Park or playground |
| (b) Amusement arcade | (r) Pawn shop |
| (c) Animal clinic/kennels | (s) Pet shop |
| (d) Arboretum | (t) Plumbing shop |
| (e) Ball field | (u) Restaurant sales and supplies |
| (f) Business machine sales and service | (v) Riding academy |
| (g) Car wash | (w) Rug and/or drapery cleaning service |
| (h) Country club | (x) Seafood store |
| (i) Discount/variety store (exceeding 8,000 square feet) | (y) Swimming pool (outdoor) |
| (j) Drug store (exceeding 8,000 square feet) | (z) Tennis court (outdoor) |
| (k) Exterminator service office | (aa) Water storage tank |
| (l) Golf course | (bb) Wildlife sanctuary |
| (m) Liquor store | (cc) Wireless telecommunication facility |
| (n) Mini warehouse | (dd) Dwellings, in combination with commercial uses, subject to the standards listed under Section 5.2.4: Mixed uses |
| (o) Night club, bar, tavern | |
| (p) Office equipment and supplies sales | |

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 18.9: 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. The following may be used to satisfy the open space requirements: areas used to satisfy water management requirements, landscaped areas, recreation areas, or setback areas not covered with impervious surface or used for parking (parking lot islands may not be used unless existing native vegetation is maintained).
- (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 of Structure in Habitable Stories	2½
Minimum Front Yard	30-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.60
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	60-Feet

Agency Comments

USACE, James Buckelew: Staff reached out but received no comments.

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

Subdivisions, Fabia Waters: Based on the applicant's stated intent in the project description to pursue a commercial use of the property for a car wash, it does not appear that subdivision review is warranted 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 property encompasses 1.19 acres and is currently zoned as RSF-1, Residential Single Family District. A request has been submitted to rezone the property to B-2, Neighborhood Business District. The applicant plans to develop a car wash on this parcel, in conjunction with the southern parcel already designated as B-2.

(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 identifies the subject property as Conservation Development Area. 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.

The subject property is also located in a Neighborhood Center. The primary land uses are Small-scale shops, restaurants and local-serving businesses—neighborhood-scaled retail, gas station, convenience grocery store, farm stand, hardware store. The related zoning to this district is B-2, Neighborhood Business District.

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

The subject property is situated on a local road, Barclay Ave., maintained by the County. The adjacent parcel to the south, also owned by the same applicant, is located on US Highway 98, which is a principal arterial.

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

Planning District 22 was established a zoning map in 2002. The area has been a mix of residential with local and neighborhood business along the corridor of US Hwy 98.

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

There is a small area of potential wetlands on the subject property, which should have no effect on the proposed development. 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 on the health, safety and welfare of the property or surrounding properties.

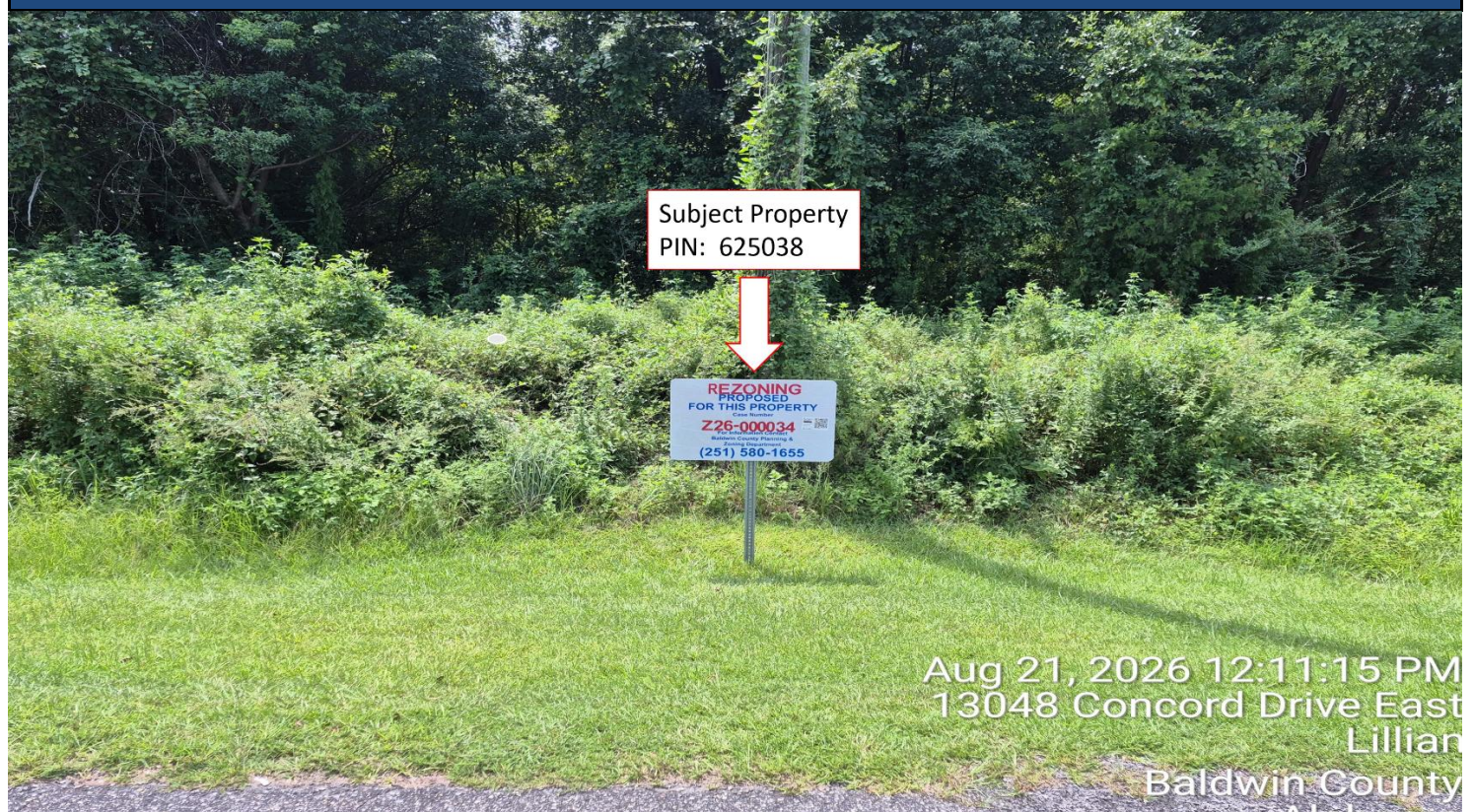
Staff Comments and Conclusion

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 and **somewhat 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.

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

Property Images





Adjoining Property
to the West
PIN: 36061

Aug 21, 2026 12:12:01 PM
13024 Concord Drive East
Lillian
Baldwin County
Alabama



Adjoining Property
to the East
PIN: 21179

Aug 21, 2026 12:15:15 PM
34173 U.S. 98
Lillian
Baldwin County
Alabama



Adjoining Property
to the South
PIN: 11722

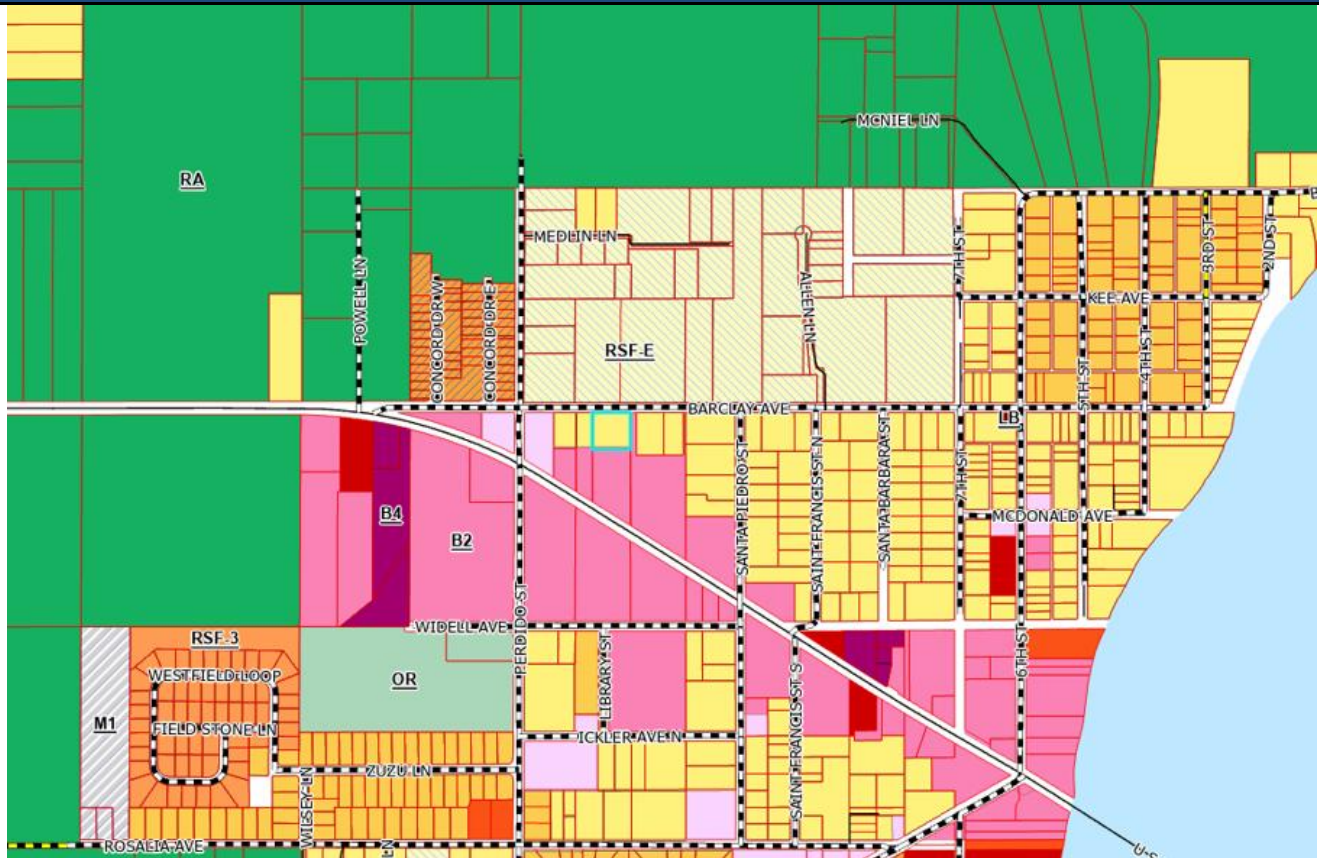
Aug 21, 2026 12:18:29 PM
34173 U.S. 98
Lillian
Baldwin County
Alabama



Property to
the North
PIN: 620630

Aug 21, 2026 12:12:22 PM
13024 Concord Drive East
Lillian
Baldwin County
Alabama

Locator Map



Site Map



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



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

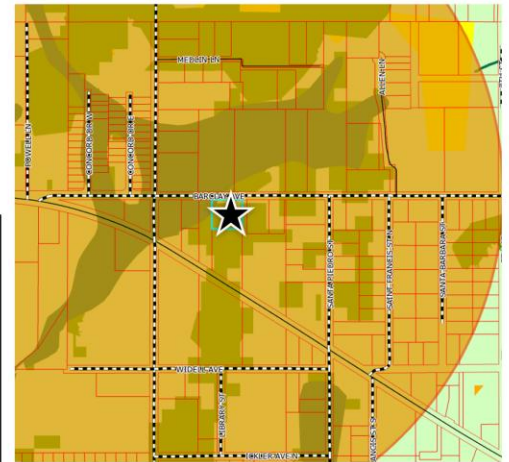
- B-2 Neighborhood Business District

CONNECTIVITY NETWORK

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



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LEGEND

PLACE TYPES	NODE TYPES
IDEAL CONSERVATION/PRESERVATION	RURAL CROSSROADS CENTER
CONSERVATION DEVELOPMENT POTENTIAL	NEIGHBORHOOD CENTER
RURAL/AGRICULTURE/LID POTENTIAL	VILLAGE CENTER
MODERATE DEVELOPMENT POTENTIAL	URBAN MIXED-USE CENTER
MID-DENSITY DEVELOPMENT POTENTIAL	COMMERCIAL/INDUSTRIAL CENTER
HIGH-DENSITY DEVELOPMENT POTENTIAL	
MUNICIPAL JURISDICTIONS	

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?		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?			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?		2			
Does the proposed land use promote development that fits the character of the surrounding area?			1		
Total Land Use Score (out of 10 points)		8			
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?		2			
Total Master Plan Score (out of 10 points)		3			
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			
Total Transportation & Utility Score (out of 10 points)		10			
Environmental Conditions & Historic Resources		2	1	-1	-2
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			
Total Environmental Score (out of 10 points)		9			
TOTAL SMART GROWTH SCORE		30			