



BALDWIN COUNTY, ALABAMA

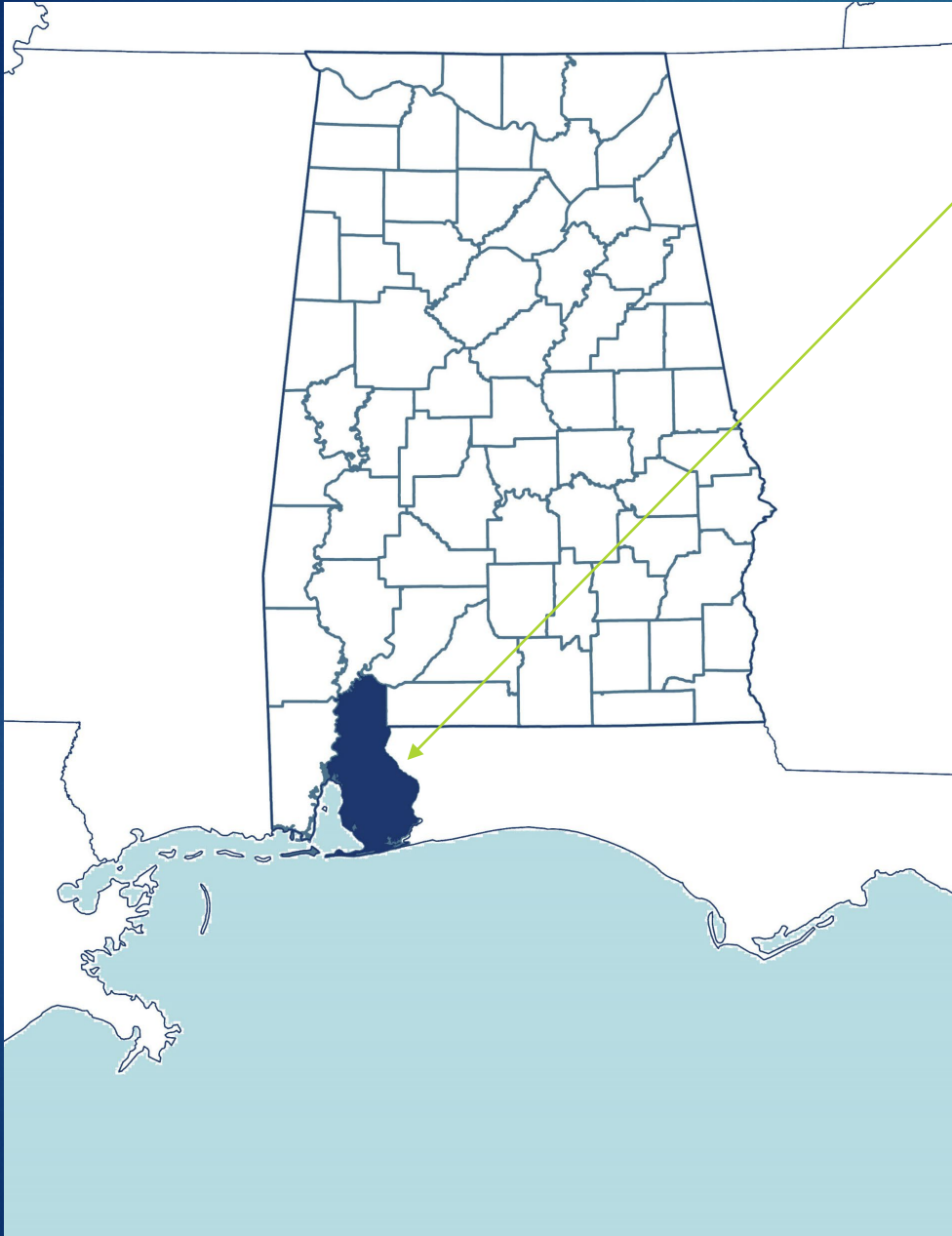
Planning and Zoning Department

THE ROLE OF COUNTY ZONING IN ENVIRONMENTAL PROTECTION



Alabama 67 Counties

- Alabama is a Dillon's Rule State-Counties have limited powers-only powers and structures provided by state legislature
- Some counties (9) have been granted limited powers for growth management activities by the state legislature (Title 45 Local Laws-Chapter-County Name-Article 26-Zoning & Planning), which authorizes them to administer certain local affairs and government structure and services so long as they are not in opposition to state law.



Baldwin County, AL

Area

- Total 2,027 sq mi
- Land 1,590 sq mi
- Water 37 sq mi 21.6%

2020 Census Population

- 231,767
- Ranked 4th in Alabama
- 2020 U.S. Census data ranks Baldwin County as the 7th fastest-growing metropolitan area in the country
 - ~27% population increase from 2010 to 2020

Urbanized Area Along the Eastern Shore

- Phase II MS4

August 8, 1991, the Alabama State Legislature passed the Baldwin County Planning and Zoning Act (Act No. 91-719).

- Legislation and its subsequent amendments provide the basic framework for the County's growth management activities
- The Act authorized the development of the Baldwin County Planning and Zoning Commission and Boards of Adjustment
- County Commission created planning districts within the unincorporated areas of the County
- Citizens in planning districts may petition for a vote for their Planning District to come under County planning and zoning authority
- Requires the development and maintenance of a "master plan" for the use and development of the unincorporated areas of Baldwin County

In 1996 Baldwin County Planning Zoning Department was established to oversee the County's growth management activities.

- Planning & Zoning Department staff supports
 - Planning and Zoning Commission
 - Boards of Adjustment in the zoned areas
 - Environmental Advisory Committee
 - Historical Development Commission
- Planning and Zoning Department
 - Develops long range, comprehensive land use plans
 - Implements and enforces zoning and subdivision regulations adopted by the Baldwin County Commission in the County's unincorporated areas.

These land development programs strive to ensure that the rich quality of life enjoyed by the citizens of Baldwin County today will be maintained, if not enhanced, for future generations.

Steps to Coming Under the Planning and Zoning Jurisdiction of Baldwin County

1. Citizen(s) send letter to Baldwin County Commission requesting zoning referendum and request staff to prepare a proposed district map.
2. Probate Judge will prepare a preliminary estimate of the number of registered voters in the proposed district.
3. County Commission review and approval.
4. Citizens have 120 days to collect signatures from 10 percent of the registered voters in the newly proposed district.
5. The Probate Judge verifies signatures and if the petition signatures are sufficient, the County Commission will instruct the Probate Judge to schedule an election within the district no later than 90 days after the signatures are approved.
6. Notice of the election will be published in the newspaper four times during the 30 days prior to the scheduled election.

Steps to Coming Under the Planning and Zoning Jurisdiction of Baldwin County Continued

8. Notice of the election published in the newspaper & notice is mailed to all registered voters within the district.

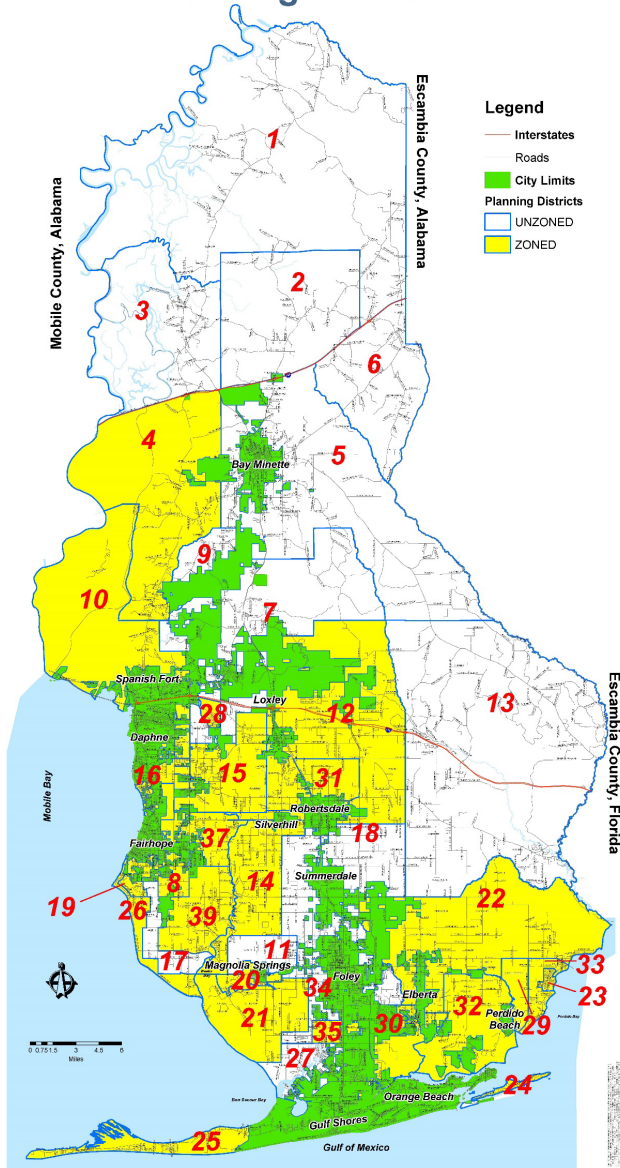
9. Majority of vote in the affirmative, then the district will become subject to the zoning and planning jurisdiction of the Baldwin County Commission.

10. The County Commission will appoint an advisory committee

- Five registered voters from the district which reflect the geography of the district as nearly as practical.
- Advisory Committee works with staff to prepare a zoning map and draft text amendments to the ordinance for the new district.

11. The Advisory Committee will make a recommendation to the Planning Commission, which will make a recommendation to the County Commission for final approval decision.

Baldwin County, Alabama Planning Districts



37 Planning Districts

Zoned – 23

Un-zoned - 14

Since 2021

10 - Zoning Requests

6 - Passed

4 - Failed



Baldwin County Zoning Ordinance Environmental Protections

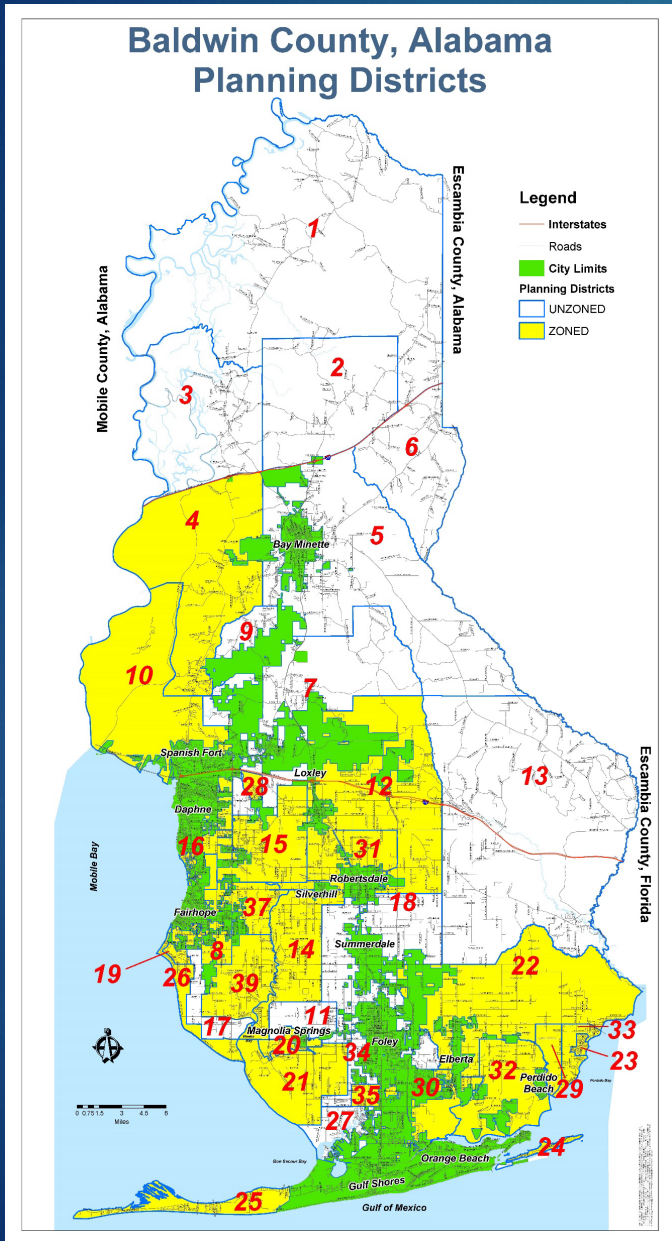
Ordinance for all Zoned Planning Districts

- Wetland and Stream Overlay District requiring 30' Non-disturbed Wetland Setbacks
- Construction Best Management Practices for Land Disturbance
- Special Flood Hazard Areas Protections
- Farmland Protection with Vegetated Buffers
- Enhanced Subdivision Regulations

Local Provisions for Planning Districts

- Good Neighbor Stormwater Management Practices
- Native Tree Protections
- Native Tree Planting Requirements
- Enhanced Farmland Protection with Vegetated Buffers
- Wetland Fill limited to 1/10 Acre in Planning District 26
- Fish River and Bon Secour River-100' River Setbacks

Un-zoned Baldwin County



Un-zoned Planning District Regulations

- Subdivision Regulation
- Building Codes
- Flood Plain Management-Flood Permits
- Land Disturbance in Territories with Probable Exposure to Flooding (flood zones and potential wetlands areas)

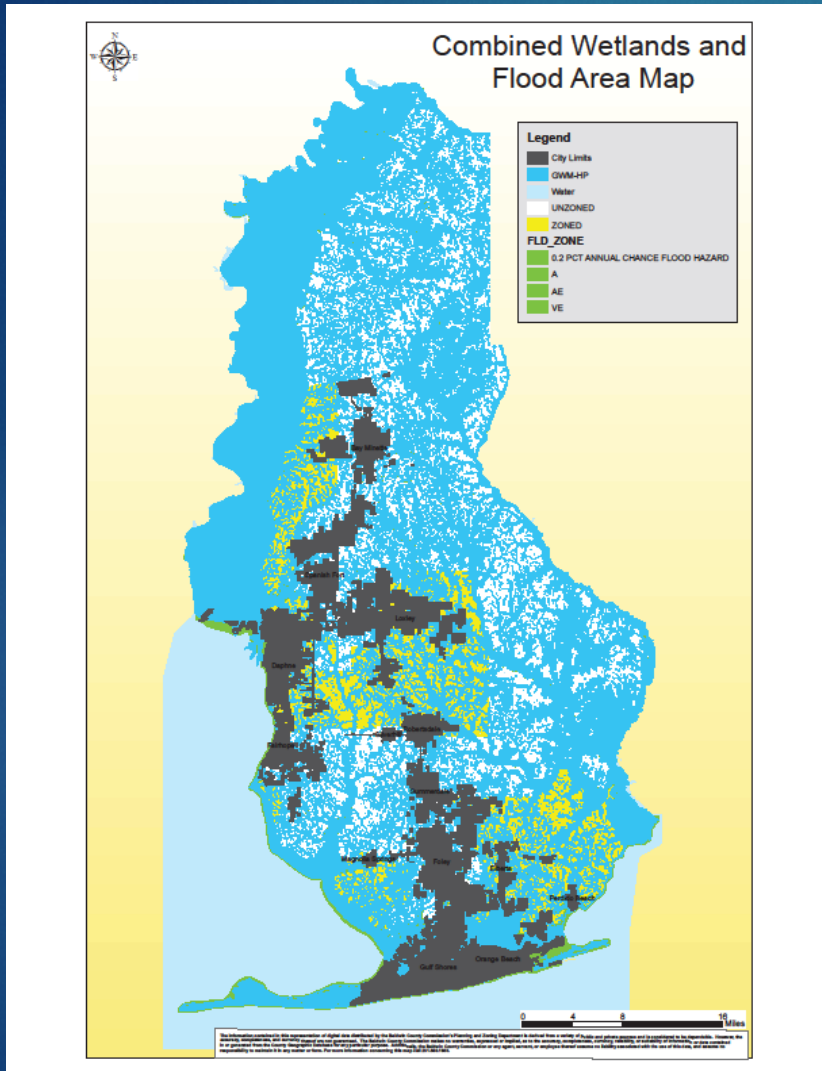


I am SO SORRY, but you are UN-ZONED.....



BALDWIN COUNTY,
ALABAMA
Planning and Zoning Department

Flood Land Disturbance Ordinance



RESOLUTION #2022-016
OF THE BALDWIN
COUNTY COMMISSION
WHICH ESTABLISHES
THE LAND
DISTURBANCE
ORDINANCE FOR
FLOOD PRONE AREAS
OR TERRITORIES WITH
PROBABLE EXPOSURE
TO FLOODING IN
UNINCORPORATED
BALDWIN COUNTY,
ALABAMA.

Statutory Authorization

Code of Alabama Section 11-19-1-Comprehensive Land-use Management in Flood-prone Areas

Purpose

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses on land with probable exposure to flooding, pursuant to

Alabama Code 11-19-4, by land use provisions designed to:

- (1) control filling, grading, dredging and similar land disturbance activities which may increase flood damage or erosion;
- (2) prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands; and
- (3) control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters.



Flood Land Disturbance Requirements

Any land disturbance within a flood zone or territory with probable exposure to flooding must apply for a County Flood Land Disturbance Permit and submit the following:

- Construction Best Management Practices Plan
- Wetland delineation, if required
- If wetlands will be filled copy of all State and Federal Permits

This ordinance was implemented to promote public health, safety and general welfare and to minimize public and private losses on land with probable exposure to flooding, but it also aids in protecting wetlands which in turn helps protect and improve water quality.



BALDWIN COUNTY, ALABAMA

Planning and Zoning Department

Questions:

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