

Article 1 Purpose, Enactment and Title

Section 1.1 Purpose

The purpose of these ordinances is to promote the health, safety, morals and general welfare; to encourage the use of lands and natural resources in Baldwin County in accordance with their character and adaptability; to limit the improper use of land; to provide for the orderly development and growth of Baldwin County; to reduce hazards to life and property; to establish the location and size of and the specific uses for which dwellings, buildings and structures may hereafter be erected or altered, and the minimum open spaces and sanitary, safety and protective measures that shall be required for such buildings, dwellings, and structures; to avoid congestion on the public roads and streets; to provide safety in traffic and vehicular parking; to facilitate the development of an adequate system of transportation, education, recreation, sewage disposal, safe and sufficient water supply and other public requirements; to conserve life, property and natural resources and the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources and properties, for the general good and benefit to the people of Baldwin County.

Section 1.2 Short Title

These ordinances shall be known and may be cited as the “Baldwin County Zoning Ordinances.”

Section 1.3 Authority

The rules and ordinances herein set forth are hereby adopted in accordance with the requirements of Act 91-719 of the Alabama Legislature as amended by Act No. 93-668, Act No. 98-665, Act No. 2006-609 and Act No. 2010-719.

Section 1.4 Jurisdiction

These zoning ordinances shall be in force and effect in those planning districts established in Baldwin County in compliance with the requirements of Act 91-719, as amended, which elect to come within the planning and zoning authority of the Baldwin County Commission.

1.4.1 Temporary Moratoriums after Zoning Referendum Approvals

- (a) A temporary one hundred eighty (180) day moratorium is imposed regarding structures and land uses located in any planning district which has voted to institute county zoning.

(b) During said one hundred eighty (180) day period, the Advisory Committee of the district, Baldwin and County Planning and Zoning Commission, and staff shall work diligently to develop and present to the Baldwin County Commission a proposed zoning map and comprehensive development ordinances for adoption.

(c) If zoning and development ordinances are adopted by the Baldwin County Commission prior to the expiration of the one hundred eighty (180) day temporary moratorium period, said moratorium shall then terminate without further action of the Commission.

(d) This moratorium shall not be applicable to applications for structures and uses properly submitted prior to an affirmative vote for zoning, a family division of land, subdivision of land by court order, single family homes and attachments/additions thereto.

Section 1.5 Repeal of Regulations and Ordinances

This is a comprehensive enactment of zoning ordinances for Baldwin County in compliance with the requirements of Act 91-719, as amended. All prior zoning regulations and ordinances adopted pursuant to Act 91-719, as amended, are hereby superseded and repealed.

Section 1.6 Conflict with Other Laws

Whenever the requirements of these ordinances are at variance with the requirements of any other lawfully adopted statutes, rules, regulations or ordinances, the more restrictive, or that imposing the higher standards, shall govern.

Section 1.7 Validity

Each phrase, sentence, paragraph, section or other provision of these ordinances is severable from all other such phrases, sentences, paragraphs, sections and provisions. Should any phrase, sentence, paragraph, section or provision of these ordinances be declared by the courts to be unconstitutional or invalid, such declaration shall not affect any other portion or provision of these ordinances.

Section 1.8 Disclaimer of Liability

These ordinances shall not create liability on the part of the Baldwin County Commission or its assigns, the Baldwin County Planning & Zoning Commission, the Baldwin County Planning District Advisory Committees, the Baldwin County Boards of Adjustment, or any officer or employee thereof for any damages that

may result from reliance on these ordinances, or any administrative decision lawfully made hereunder.

Section 1.9 Adoption

The *Baldwin County Zoning Ordinances* were adopted by the Baldwin County Commission on the 6th day of April 1999 (Resolution No. 99-46). They shall take effect and be in force from and after the date of adoption. The zoning maps approved for each planning district that elects to come within the planning and zoning authority of the Baldwin County Commission are hereby adopted and made a part of these ordinances.

This ordinance was most recently amended by the Baldwin County Commission on the 21st day of September 2021 (Resolution #2021-102).

County Commission Chairman

County Administrator