



# Baldwin County Commission

## Legislation Details (With Text)

**File #:** 21-1089      **Version:** 1  
**Type:** Other Staff Recommendations      **Status:** Agenda Ready  
**File created:** 7/12/2021      **In control:** Baldwin County Commission Regular  
**On agenda:** 7/20/2021      **Final action:**  
**Title:** Agreements with Baldwin County Municipalities Regarding the Exercise of Subdivision Regulations within the Planning Jurisdiction of the Municipal Planning Commissions  
**Indexes:**  
**Attachments:**

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
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**Meeting Type:** BCC Regular Meeting  
**Meeting Date:** 7/20/2021  
**Item Status:** New  
**From:** Wayne Dyess, County Administrator  
**Submitted by:** Kristen M. Rawson, Assistant Administrative Services Manager

### ITEM TITLE

Agreements with Baldwin County Municipalities Regarding the Exercise of Subdivision Regulations within the Planning Jurisdiction of the Municipal Planning Commissions

### STAFF RECOMMENDATION

Hope Hicks, County's Legal Counsel, will be present at the work session to discuss the proposed Agreements between the Baldwin County Commission, the municipalities, and the Planning Commissions of the municipalities concerning the exercise of subdivision regulations within the planning jurisdiction of each municipal planning commission.

### BACKGROUND INFORMATION

**Previous Commission action/date:** During its regularly scheduled meeting held on July 6, 2021, the BCC approved the following related to Act 2021-297 concerning the exercise of subdivision regulations within the planning jurisdiction of each Baldwin County municipality:

1) Pursuant to Act 2021-297, provide notice to the municipalities in Baldwin County that the Baldwin County Commission currently enforces regulations regarding the inspection of construction, building permits and enforcement of the building codes and that as of July 26, 2023, the Baldwin County Commission will enforce these regulations in the areas of Baldwin County outside of municipal corporate limits, unless agreements are reached with municipalities.

2) Provide notice to the municipalities in Baldwin County that the Baldwin County Commission would like to enter into agreements with the municipalities to allow the municipalities who were regulating

subdivision planning on January 1, 2021, to continue to regulate subdivision planning in areas outside of their municipal corporate limits that are inside the police jurisdiction as it lawfully existed on January 1, 2021, and for agreements to be considered by this Commission at the next meeting on July 20, 2021.

3) Provide notice to the municipalities of Baldwin County that the Baldwin County Commission adopted subdivision regulations in 1984 and currently regulates subdivision developments within the unincorporated areas of Baldwin County and that on July 26, 2023, the Baldwin County Commission will begin regulating subdivision developments in all areas of Baldwin County outside municipal corporate limits pursuant to §11-52-30 as modified by Act 2021-297, unless agreements are made with municipalities.

4) Authorize the Chairman to send written notice to each of the municipalities notifying them of the three previous votes.

**Background:** N/A

### **FINANCIAL IMPACT**

**Total cost of recommendation:** N/A

**Budget line item(s) to be used:** N/A

**If this is not a budgeted expenditure, does the recommendation create a need for funding?**  
N/A

### **LEGAL IMPACT**

**Is legal review necessary for this staff recommendation and related documents?**  
N/A

**Reviewed/approved by:** N/A

**Additional comments:** N/A

### **ADVERTISING REQUIREMENTS**

**Is advertising required for this recommendation?** N/A

**If the proof of publication affidavit is not attached, list the reason:** N/A

### **FOLLOW UP IMPLEMENTATION**

**For time-sensitive follow up, select deadline date for follow up:** N/A

**Individual(s) responsible for follow up:** Commission Administration

**Action required (list contact persons/addresses if documents are to be mailed or emailed):**  
TBD

**Additional instructions/notes:** N/A