

1 SB250  
2 197431-3  
3 By Senator Elliott (N & P)  
4 RFD: Local Legislation  
5 First Read: 09-APR-19

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4 With Notice and Proof

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6 ENGROSSED

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT

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13 Relating to Baldwin County; to provide a procedure  
14 to study the impact certain new subdivisions or multi-family  
15 developments will have on the student capacity of its school  
16 district.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. (a) This act applies only to the adoption  
19 and approval of a proposed subdivision or multi-family  
20 development within the unincorporated or incorporated areas of  
21 Baldwin County.

22 (b) As used in this act, the term granting authority  
23 means the county commission or municipal planning commission,  
24 as appropriate.

25 (c) (1) In addition to any other requirements under  
26 existing law and except as provided in subdivision (2), a  
27 person petitioning for the approval of a multi-family

1 development of more than 100 units or a residential  
2 subdivision of more than 100 lots in any combination of phases  
3 to a granting authority shall submit all of the following to  
4 the local county superintendent:

5 a. A copy of the map or plat of the proposed  
6 development or subdivision.

7 b. The phases, units, and lots of the proposed  
8 development or subdivision.

9 c. The expected number of school-age children.

10 d. The specification and size of units or homes to  
11 be developed.

12 (2) A person petitioning for the approval of a  
13 multi-family development of more than 100 units or a  
14 residential subdivision of more than 100 lots in any  
15 combination of phases to the granting authority of the City of  
16 Gulf Shores shall submit all of the following to the Gulf  
17 Shores City School Superintendent:

18 a. A copy of the map or plat of the proposed  
19 multi-family development or subdivision.

20 b. The phases and lots of the proposed multi-family  
21 development or subdivision.

22 c. The expected number of school-age children.

23 d. The specification and size of units or homes to  
24 be developed.

25 (d) Except as provided in subsection (e), no map or  
26 plat of any multi-family development or residential  
27 subdivision shall be recorded, and no property shall be sold

1 in reference to the map or plat, unless and until it has first  
2 been submitted to the local county or city superintendent as  
3 provided in subsection (c), who shall examine the same and  
4 shall provide the granting authority with a letter stating to  
5 what extent the proposed multi-family development or  
6 residential subdivision shall impact the student capacity of  
7 the school district for which the proposed multi-family  
8 development or residential subdivision will be zoned. The  
9 letter shall also state what actions, if any, the local school  
10 board of education may need to take to address any student  
11 capacity issues, including overcrowding, that may arise by the  
12 approval of the subdivision or multi-family development. The  
13 letter shall be postmarked not later than 30 calendar days  
14 after receipt of the required submissions under subsection  
15 (c). The granting authority may consider this letter in their  
16 review of the subdivision or multi-family development.

17 (e) If the local county or city superintendent fails  
18 to send the letter as required under subsection (d), the local  
19 county or city superintendent shall be deemed to have no  
20 objection to the proposed subdivision or multi-family  
21 development and the granting authority may proceed with the  
22 approval process as provided by law.

23 Section 2. This act shall become effective on the  
24 first day of the third month following its passage and  
25 approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate  
committee on Local Legislation..... 09-APR-19

Read for the second time and placed on the calen-  
dar..... 16-APR-19

Read for the third time and passed as amended .... 18-APR-19

Yeas 33  
Nays 0

Patrick Harris,  
Secretary.