

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

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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 90 calendar days
14 after receipt of the required submissions under subsection
15 (c). The granting authority shall consider this letter in
16 their 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.