City of Scottsboro, Alabama

Subdivision and Site Plan Regulations

Adopted on April 3, 2012
By the Scottsboro Planning Commission

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A. Council increased fees to $200.00. Revision reflected on page 7-1, Article 7.3

Prepared by the
Scottsboro Planning Commission
With the assistance of
KPS Group, Inc.

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Article 1 General Provisions

§1.1. Short Title

This Document shall be known and may be cited as: The Subdivision and Site Plan Regulations of the City of Scottsboro, Alabama.

§1.2. Purpose and Authority

1.2.1. The purpose of this Document is to protect the public health, safety and general welfare, by establishing a process and standards for the development of sites and the subdivision of land within the subdivision jurisdiction of the City.

1.2.2. The provisions in these regulations shall be administered to ensure orderly growth and development without danger to health, or peril from fire, flood, erosion, excessive noise, air pollution, or any other menace, and facilitate the provisions in the Comprehensive Plan and Zoning Ordinance.

1.2.3. This regulation is adopted pursuant to the authority of Title 11, Chapter 52, Article 2, Sections 30-54 inclusive of the Code of Alabama 1975 and its amendments, which sections are hereby made a part of these regulations, the Scottsboro Planning Commission, at its regular meeting on April 3, 2012, adopted by resolution the following regulations, a copy of which has been certified to the Probate Judge of Jackson County. These regulations shall apply only to subdivisions as defined in Title 11, Chapter 52, Article 1 of the Code of Alabama 1975 as amended.

§1.3. Jurisdiction

From and after the date of adoption, these regulations shall govern all subdivisions of land within the boundary of the City; provided however, that where the City is authorized to exercise subdivision control outside its municipal boundaries, such areas shall be included in the jurisdiction of these regulations. The Site Plan review and approval requirements in these Regulations shall apply to all multi-family and non-residential developments proposed within the City regardless of whether the development involves any subdivision of land or not.

1.3.1. Any owner of land within the limits of said subdivision jurisdiction wishing to subdivide land shall submit to the Commission a plat of the proposed subdivision, which shall conform to the minimum requirements set forth in Article 3 Procedure.

1.3.2. No plat or part thereof shall be filed or recorded in the Office of the Probate Judge, and no subdivider may proceed with the sale of lots in a subdivision until such subdivision plat shall have been approved by the Commission and such approval entered in writing on the plat by the Chairman of the Commission (see Article 3 Procedure).

1.3.3. No public officer, authority or county governing body shall accept, layout, open, improve, grade, pave or light any street, lay or authorize the laying of water or sewer mains or line, or the construction of other facilities or utilities in any street within the City unless such street shall have been accepted, opened, or otherwise received the legal status of a public street prior to the adoption of these regulations, or unless such street corresponds in its location and lines to a street shown on a subdivision plat approved by the Commission, or on a street plan adopted by the Commission.

1.3.4. No Building Permit shall be issued and no building shall be erected on any lot in a subdivision unless a Final Plat of such subdivision has been approved and recorded as required by these regulations and unless the property fronts on a public street.

1.3.5. No grading, excavation, or other disturbance of land; and no construction of any public or private improvements for the purpose of constructing a subdivision shall take place or be commenced except in conformity with these regulations.

1.3.6. Any building or structure erected or to be erected in violation of this section shall be deemed an unlawful building or structure, and the Building Inspector, City Clerk, Subdivision Official, City Attorney or other official designated by the City may bring action to enjoin such erection or cause it to be vacated or removed.

§1.4. Interpretation, Conflict and Separability

1.4.1. In their interpretation and application, the provisions of these Regulations shall be held to be minimum requirements. More stringent provisions may be required if it is demonstrated that different standards are necessary to promote the public health, safety, and welfare.

1.4.2. Where any provision of these Regulations is in conflict with another provision, regulation or law, the regulations that are more restrictive or impose higher standards shall prevail.

1.4.3. The provisions of these Regulations are separable. If a section, sentence, clause, or phrase of these Regulations is adjudged by a Court of Competent Jurisdiction, to be invalid, the decision shall not affect the remaining portions of these Regulations.

Article 2 Definitions

§2.1. General

2.1.1. Certain terms used in these Regulations shall have the meanings provided herein. Terms not defined herein shall have the meaning provided in the Zoning Ordinance, the City Code, or Sections 11-52-30 through 11-52-36 of the 1975 Code of Alabama. Otherwise, they shall have the customary dictionary meaning.

Words used or defined in one tense or form shall include other tenses and derivative forms. The singular number includes the plural, and the plural includes the singular. The word "person" includes a firm, corporation, association, organization, trust or partnership. The word "lot" includes "plot" or "parcel." The word "building" includes "structure". The word "shall" is mandatory. The word "may" is permissive.

2.1.2. Interpretation. The Subdivision Official is hereby authorized to make a final determination of any term used in these Regulations. In case of a dispute over such interpretation a written appeal of the Subdivision Official's determination may be filed with the Commission. Such appeal must be filed within fifteen (15) days of such determination.

2.1.3. In case of any conflict between the text of these Regulations and any caption, illustration, figure, or other graphic material, the text shall govern.

§2.2. Specific Definitions

2.2.1. *Access Management*: The preservation of level of service, road capacity and safety on public streets through the regulation of intersections and driveways along such streets.

2.2.2. *Aisle*: The traveled way by which cars enter and depart parking spaces.

2.2.3. *ALDOT Standard Specifications*: The Standard Specifications for Highway Construction of the Alabama Department of Transportation, as amended.

2.2.4. *Alley*: A public way providing access to the side or rear of properties.

2.2.5. *Applicant*: A property owner, including his or her heirs, successors and assignees, or developer authorized to represent a property submitting an application for site plan approval, subdivision, resubdivision or development.

2.2.6. *Application*: The documents required when seeking approval of a subdivision plat. A "complete application" includes all information and materials required by these Regulations.

2.2.7. *Approving Authority*: The Commission unless a different agency is designated by the City Council by Ordinance.

2.2.8. *Bicycle Path*: A pathway usually separated from the roadway designed specifically to satisfy the physical requirements of bicycling in accordance with AASHTO standards.

2.2.9. *Bike Lane*: An on-street lane designed and intended for use by bicyclists

2.2.10. *Bioswale*: A constructed watercourse shaped or graded in earthen materials and stabilized with specific types of vegetation, for the conveyance and filtering of storm runoff.

2.2.11. *Block*: A tract or parcel of land entirely surrounded by public streets other than alleys or a combination of streets, public land, public parks, cemeteries, railroad rights-of-way, bodies of water or watercourses, or any other barrier to the continuity of development..

2.2.12. *City*: The incorporated community of Scottsboro, Alabama.

2.2.13. *City Clerk*: The duly designated clerk of the City of Scottsboro, Alabama.

2.2.14. *City Council*: The City Council of the City of Scottsboro, Alabama.

2.2.15. *City Specifications*: All engineering and construction specifications for public improvements, which have been adopted by the City Council, the Planning Commission, applicable City departments, and Utility Boards.

2.2.16. *Comprehensive Plan*: The official public document prepared in accordance with §11-52-8 of the Code of Alabama 1975, as amended, consisting of maps, charts, and textual material, that constitutes a policy guide to decisions about future development and conservation within the City.

2.2.17. *Cross Access*: A driveway providing access between two or more abutting lots so that a driver need not enter the public street to access one of said sites from another. In contrast to an alley, cross access is generally privately owned and maintained.

2.2.18. *Cul-de-sac*: A local street with only one outlet and having a vehicular turnaround at the closed end.

2.2.19. *Culvert*: A structure designed to convey water under a structure, street, driveway or walkway.

2.2.20. *Curb*: A vertical or sloping edge of a roadway intended to prevent encroachments and used in conjunction with gutters to aid in directing the flow of stormwater.

2.2.21. *Dedication*: The act of transmitting property or interest thereto.

2.2.22. *Detention Basin* or *Detention Pond:* A basin designed to drain completely after retarding stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate.

2.2.23. *Drainage Easement:* A right granted by a landowner to a grantee, allowing the use of private land for storm water management purposes.

2.2.24. *Drainage Facilities:* Structural and nonstructural elements designed to collect stormwater runoff and convey it away from structures and through the street right-of-way or off-street drainageways in a manner, which adequately drains sites and streets and minimizes the potential for flooding and erosion.

2.2.25. *Driveway*: A means of access between a street and a property or between two adjacent properties.

2.2.26. *Easement*: Authorization by a property owner of the use by another and for a specified purpose of any designated part of that owner's property. These Regulations recognize only those easements created through valid legal instruments and recorded in the Office of the Probate Judge and those established by the City through continuous and historic use.

2.2.27. *Engineer or Registered Engineer:* A professional engineer registered and in good standing with the State of Alabama Board of Registration for Professional Engineers and Surveyors.

1. *City Engineer:* That engineer, whether on staff or contract, so designated by the City Council, or his/her designee.
2. *Project Engineer:* That engineer retained by the applicant.

2.2.28. *Engineering Plan:* Plans prepared by the Project Engineer showing details of the design and construction of required improvements in a proposed subdivision or site plan.

2.2.29. *Final Plat Approval*: The official action taken by the Commission on a preliminarily approved subdivision, after all conditions, engineering plans, and other requirements have been completed or fulfilled and the required improvements have been installed, or guarantees properly posted for the completion, or approval conditioned upon the posting of such guarantee.

2.2.30. *Final Plat*: The final map or plan or record of all or a portion of a subdivision, and any accompanying materials, which is presented for Final Plat Approval as required in these Regulations.

2.2.31. *Floodplain*: Any land area susceptible to inundation by water from any source including at a minimum, that area subject to a one (1) percent or greater chance of flooding in any given year.

2.2.32. *Frontage Road:* See "Street, Frontage Road".

2.2.33. *Grade*: The slope of land or a built feature such as a street, specified in percentage terms.

2.2.34. *Grading Plan*: A topographic map of a planned subdivision, prepared by a Registered Engineer, with sufficient perimeter area to provide a clear definition of the initial elevations, watercourses, vegetative cover and drainage patterns and which is sufficient in detail and scale to determine limits and depths of excavations, fills and removal of native vegetation.

2.2.35. *Gutter*: A shallow channel usually set along a curb or the pavement edge of a street for the purpose of catching and carrying off stormwater.

2.2.36. *Half Street*: A street parallel and contiguous to a property line and of lesser right-of-way width than is required by these Regulations.

2.2.37. *Hardship*: An unusual situation on a property, which prevents the full utilization of the property as enjoyed by others within the City. A hardship exists only when it is not self-created, or when it is not economic in nature.

2.2.38. *Health Department*: The Jackson County and/or State Health Department.

2.2.39. *Improvement Bond*: Financial security filed by the applicant with the City to assure the construction of all required improvements at a specified time in the future.

2.2.40. *Improvements:* Those physical additions and changes to the land that may be necessary to produce usable and desirable development, including but not limited to, driveways, landscaping, streets, sidewalks, and stormwater management and sewer facilities.

2.2.41. *Lot*: A parcel of land in one ownership, used or set aside and available for use as the site of one or more buildings and accessory structures or for any other permitted purpose..

2.2.42. *Maintenance Bond:* Financial security filed by the applicant with the City to secure the functionality and structural integrity of all required improvements for a specified period of time.

2.2.43. *Major Subdivision.* A subdivision other than a Minor Subdivision.

2.2.44. *Master Development Plan:* A plan for a development within a P-1, P-2 or Planned Industrial District that has been approved by the Council.

2.2.45. *Median*: That portion of a divided street separating lanes of traffic according to direction of travel.

2.2.46. *Minor Subdivision*: A subdivision requiring no street improvements, utilities extensions or other public improvements and as otherwise described in §3.3 Minor Subdivisions, Procedure.

2.2.47. *Monument*: Any permanent object serving to indicate a limit or to mark a boundary.

2.2.48. *Passage, Pedestrian*: A pedestrian-only or combined pedestrian and bicycle connector that provides transverse access through a long block or from the bulb of a cul-de-sac to an adjacent street.

2.2.49. *Planning Commission*: The duly appointed Planning Commission of the City of Scottsboro, Alabama.

2.2.50. *Planned Development*: An area to be planned, developed, operated, and maintained as a single entity containing one or more structures to accommodate a mixture of uses incidental to each other. Refer also to Article 8 of the Zoning Ordinance.

2.2.51. *Plat*. A map of a subdivision.

2.2.52. *Pre-Application Conference*. An initial meeting between the applicant and city representatives which affords the applicant the opportunity to present a subdivision or site plan proposal informally.

2.2.53. *Preliminary Plat*: A map and related materials indicating the proposed layout of a proposed subdivision submitted to the Planning Commission for its consideration.

2.2.54. *Preliminary Plat Approval*: The conferral of certain rights prior to Final Plat Approval after specific elements of a proposed subdivision have been agreed upon by the Planning Commission and the applicant.

2.2.55. *Probate Judge*: The Probate Judge of Jackson County, Alabama.

2.2.56. *Public Improvement*: Any improvement, facility, or service, together with customary improvements and appurtenances thereto, necessary to provide for public needs such as: vehicular and pedestrian circulation systems, storm sewers, flood control improvements, water supply and distribution facilities, sanitary sewage disposal and treatment, public utility and energy services.

2.2.57. *Reserve Strip:* A strip of land, smaller than a lot, serving as a means of controlling access to land dedicated or intended to be dedicated to street or other public use.

2.2.58. *Resubdivision*: A combination, recombination, or splitting of previously recorded lots or tracts of contiguous land for the purpose of creating additional lots or enlarging existing ones.

2.2.59. *Retention Basin* or *Retention Pond*: A basin designed to capture and store stormwater runoff.

2.2.60. *Right of way*: A strip of land occupied by a street, pedestrian or bicycle passage, railroad, electric transmission lines, gas pipelines, water main, sanitary or storm sewer main, and or other special uses and dedicated to the City, State or Federal government in fee simple, or by other legal means such as prescription.

2.2.61. *Runoff*: That part of precipitation, which flows over the land.

2.2.62. *Setback*: The distance from the property lines to the building or projections thereof, excluding uncovered steps or other projections specified by the Zoning Ordinance. Depending on context, setback may refer to a minimum required distance or an as-built distance.

2.2.63. *Shared Access*: A driveway, alley or similar accessway connecting two or more contiguous sites to a public street.

2.2.64. *Shoulder*: A reserved, graded portion of the right-of-way, whether paved or unpaved, that lies between the edge of the main pavement and curbline or swale.

2.2.65. *Sidewalk*: A paved path or walkway constructed for use by pedestrians, usually located at the side of the street and inside the right-of-way.

2.2.66. *Sight Distance:* The length of street visible to a motorist at a given point when viewing is unobstructed by traffic.

1. *Intersection Sight Distance*: The length of the line of sight between a motorist, stopped at an intersection, and the nearest intersection, driveway, alley or other signalized or non-signalized access point to the left or to the right of the motorist.

2. *Stopping Sight Distance:* The distance required by a motorist to stop a vehicle traveling at or near the design speed of a thoroughfare before reaching a traffic-controlled intersection or stationary object in their path.

2.2.67. *Significant Increase in Trip Generation*: A change in the use of a property, including land, structures or facilities, or an expansion of the size of structures or facilities causing an increase in the trip generation of the property exceeding ten (10) percent, either peak or daily, and 100 vehicles per day more than the existing use for all streets under city or county jurisdiction; or exceeding twenty-five (25) percent, either peak or daily, and 100 vehicles per day more than the existing use for all roads under State of Alabama jurisdiction.

2.2.68. *Site Plan*: A development plan of a multi-family residential or non-residential development, drawn to scale, illustrating existing conditions and details of a proposed development.

2.2.69. *Sketch Plan*: A preliminary presentation and attendant documentation of a proposed subdivision to be used for review and discussion prior to application for a Preliminary Plat.

2.2.70. Street: A vehicular way dedicated for public use including all land within the right-of-way. Streets are further classified as:

1. *Arterial*: A major street serving as a primary artery, intended to mainly carry through traffic and to connect major activity centers in the City, and as further classified following:
   a. *Major Arterials* include US 72, AL 279 (south of Broad Street), and AL 35 (from B.B. Comer Bridge to US 72).
   b. *Minor Arterials* include AL 79, AL 279 (north of Broad Street), AL 35 (north of US 72), and Broad Street.
2. *Collector*: A street that collects traffic from an area and moves it to the arterial network while providing some access to abutting property, including but not limited to: Bob Jones Road, Goose Pond Drive, County Park Road, Clemons Road, Woods Cove Road, Snodgrass Road, Scott Street, and Jefferson Drive.
3. *Frontage Road*: A minor street that parallels and adjacent to an arterial and that provides access to abutting properties.
4. *Local Street*: A minor street used primarily for access to abutting properties.

2.2.71. *Street Stub* or *Stub Street*: A portion of a street used as an extension to an abutting property that may be developed in the future.

2.2.72. *Subdivision*: The division of a lot, tract, or a parcel of land into two (2) or more parcels, lots, plats, sites or other divisions of 1and, whether described by metes and bounds or by another description, for the purpose, whether immediate or future, of subdividing or resubdividing or selling.

2.2.73. *Subdivision Official*: That official, designated by the City Council, to administer and enforce these regulations, including his/her designee.

2.2.74. *Subdivision Regulations* or *These Regulations*: The Subdivision Regulations of the City of Scottsboro, Alabama together will all applicable design and construction standards of the City.

2.2.75. *Subgrade*: The level layer of rock or earth upon which the foundation of a street is laid.

2.2.76. *Surveyor* or *Land Surveyor*: A Land Surveyor registered by and in good standing with the State of Alabama Board of Registration for Professional Engineers and Land Surveyors.

2.2.77. *Swale*: A constructed watercourse shaped or graded in earthen materials, grassed, and which conveys storm runoff.

2.2.78. *Thoroughfare Plan*: That element of the Comprehensive Plan of the City which sets forth the freeways, arterials, and major collector streets in the City, provides for their approximate alignment, minimum right-of-way and paving width, and is to be used as a guide for all future development.

2.2.79. *Travelway*: That part of a street between the established curb lines, or that part of the street devoted to vehicular traffic.

2.2.80. *Variance*: A waiver from compliance with a specific provision of these Regulations granted by the Planning Commission because of unnecessary hardships that would be imposed by the strict application of that provision of these Regulations.

2.2.81. *Watercourse*: A permanent or intermittent stream, river, brook, run, creek, channel, swale or bioswale, pond, lake or other body of surface water, carrying or holding surface water, whether natural or manmade.

2.2.82. *Zoning Ordinance*: The officially adopted ordinance and map of the City which provides for the delineation of districts, permitted uses in each district, and for controls of such factors as lot coverage and density.

§2.3. Abbreviations Used in These Regulations.

2.3.1. AASHTO: American Association of State Highway and Transportation Officials

2.3.2. ALDOT: Alabama Department of Transportation

2.3.3. CAD: Computer aided drafting

2.3.4. ft: Feet

2.3.5. lf: Linear feet

2.3.6. max.: Maximum

2.3.7. min.: Minimum

2.3.8. mph: miles per hour

2.3.9. MUTCD: Manual on Uniform Traffic Control Devices

2.3.10. NFIP: National Flood Insurance Program

2.3.11. PDF: Portable Document Format

2.3.12. ROW: Right-of-way

2.3.13. sf: Square feet

2.3.14. yd.: Yard

Article 3 Procedure

§3.1. Purpose

The purpose of this article is to establish an orderly, expeditious procedure for review and action, by the Planning Commission, on applications for subdivisions and/or site plans.

Whenever any subdivision is proposed, before any contract is made for the sale of any part thereof, and before any building permit may be granted thereon, the property owner or authorized agent shall apply for and secure approval of such proposed subdivision in accordance with the following procedures.

3.1.1. Exempt Subdivisions. The following types of subdivisions are exempt from any requirement for approval by the Commission in accordance with these Regulations. The City may require documentation to substantiate a claim of exemption:

1. Subdivision of land by testamentary or in testate provisions; and
2. Subdivision of land by court order including, but not limited to, judgments of foreclosure.

3.1.2. For subdivisions, see §3.2 Pre-Application through §3.7 Improvements and Bonding. For site plans, refer to §3.9 Site Plan Approval.

§3.2. Pre-Application

3.2.1. Whenever a subdivision or development within the City is proposed, the applicant is urged to consult early and informally with City staff and, as appropriate, a designated member of the Planning Commission. This informal consultation will usually save time and money as the application proceeds through preliminary and final approvals, as applicable. No formal application is required.

3.2.2. Following such consultation, the applicant may proceed to prepare the preliminary plat. Neither the applicant nor the Planning Commission shall be bound by the pre-application review; and it is expressly understood that favorable consideration at the pre-application stage of the process shall not be construed as preliminary or tentative approval, nor bind either party.

3.2.3. Submittal of a Sketch Plan prior to the Preliminary Plat application is encouraged and may be required by the Subdivision Official for Planned Unit Developments and similar large scale developments. This shall not be required of Minor Subdivision as defined in §3.3 Minor Subdivision, Procedure. Following submission to the Subdivision Official and tentative approval, the applicant may then apply for Preliminary Plat review and approval. The Sketch Plan shall be prepared at a scale of 1”=100’ and shall include the following, at a minimum:

1. A vicinity map, at 1”=400’ or as otherwise approved by the Subdivision Official
2. Name of the proposed subdivision and adjoining subdivisions
3. Boundary of the subdivision with approximate tie points accepted corner based upon the Public Land Survey System
4. Topography at five (5) ft contour or smaller intervals
5. Location of existing and proposed improvements within 200 ft of the proposed subdivision
6. Approximate locations and widths of all existing and proposed rights-of-way
7. Approximate locations and dimension of all proposed lots
8. Approximate locations of all parcels of land to be set aside for public uses and common areas

§3.3. Minor Subdivisions, Procedure

3.3.1. The following types of subdivisions shall be considered Minor Subdivisions and shall be subject to a streamlined review and approval process as described in this §3.3:

1. The division of a tract of land of legal record into lots of not less than ten (10) acres each, for the purpose of selling said lots but no for development of the same, and involving no street improvements, utilities extensions or other public improvements;
2. The division of a tract of land into no more than five (5) lots all fronting on an existing paved public street and not requiring the construction or extension of any new streets, municipal facilities or public improvements;
3. The sale or exchange of parcels of land between owners of adjoining property in which no additional lots are created and where the resulting lots or tracts are not reduced below the minimum requirements of the Zoning Ordinance; or
4. Instruments correcting surveying data or other details of a previously recorded subdivision plat.

3.3.2. Procedure. Applications shall be submitted to the Subdivision Official twenty-one (21) days in advance of the next regularly scheduled Planning Commission meeting. Incomplete applications shall be denied by the Subdivision Official and the reasons for such denial shall be provided to the applicant. Following review of a completed application, the Subdivision Official shall report his findings and recommendations to the Planning Commission, which shall afford a public hearing on the Plat. Notice of the hearing shall be provided by registered or certified mail to the applicant and owners of land adjoining the proposed subdivision at least five (5) days in advance of the hearing. Minor Subdivisions applications may include a request for Final Approval as provided in §3.8 Combined Preliminary and Final Plat Approval.

3.3.3. The Plat shall be prepared by a Land Surveyor and shall be drawn at a scale of not less than 1”=100’ and shall provide, at a minimum, the following:

1. The name of the proposed subdivision OR the words “Resubdivision of,” as applicable
2. The name, address and Deed Book and Page of record of the legal owner and the name and address of the agent(s) acting for the legal owner, if any
3. The name, address and seal of the Project Land Surveyor or Project Engineer
4. The names and addresses of owners of adjoining parcels of land as they appear on current tax records, including Deed Book and Page.
5. Date, North Point, graphic scale and the total acreage of the subdivision
6. The location of the subdivision by Public Land Survey System legal description including sufficient description to clearly define the lands; and lot, block, subdivision name, parcel numbers and legal Deed Book and Page of all portions that are part of previously approved subdivision of legal record.
7. A vicinity map showing the location of the proposed subdivision and all existing and approved streets within 1,200 ft of the perimeter of the proposed plat.
8. The exact length (to the nearest hundredth of a foot) and bearing (to the nearest tenth of a second of arc) of the exterior boundaries of the proposed plat
9. Dimensions and areas of all lots and other land areas and the bearings of the respective sides with all lots and blocks numbered where applicable
10. Approximate radii, central angle, arc distance, chord lengths and points of tangency of all curves

11. Zoning classification of the subject land and all adjoining tracts.
12. The location, widths and names of all existing and platted streets, alleys, pedestrian ways or other public ways and easements, railroad and utility rights-of-way, parks, cemeteries, drainage ditches, water courses, bridges, and other permanent or temporary buildings or structures, and other public places on or adjacent to the subject land.
13. Private property to be held in common and land intended to be dedicated to public use, or to be reserved by deed covenant for use of all property owners in the subdivision with conditions, if any, of such dedication or reservations.
14. Floodplain boundaries, including the contour line of the floodway, the flood profile elevation (100 year flood) and the contour line two (2) feet above the flood profile elevation.

3.3.4. The application shall also be accompanied by the following executed endorsements:

1. Project Surveyor's or Engineer's Certificate and description of land platted
2. Notarized dedication
3. Any restrictions or special notations that may be required by these Subdivision Regulations
4. Certification by the City Engineer that the property and the plat has been inspected and reviewed and that it is found in compliance with applicable City regulations
5. Certificate of approval from the electric, water, gas, and sanitary sewer providers, and any other interested City, County or State Departments
6. Certificate of Approval form for execution following approval by the Planning Commission and
7. Any additional certificates or endorsements as may be required.

3.3.5. Planning Commission Action. The Planning Commission shall approve, approve conditionally, or disapprove the plat within thirty (30) days after the submission thereof at its regular meeting. If approved conditionally, the conditions and reasons therefore shall be stated and if necessary the Planning Commission may require the applicant to submit a revised plat. If any of the requirements are modified or waived, the reasons for such shall be specified. If the Planning Commission should disapprove the plat, the reasons for such action shall be stated and if possible recommendations be made on the basis of which the subdivision may be approved. One (1) copy of the plat as acted upon by the Planning Commission shall be retained at City Hall, one (1) copy forwarded to the City Engineer, and one (1) copy returned to the Applicant.

§3.4. Major Subdivisions, Procedure

For approval of a subdivision not otherwise classified as a Minor Subdivision, the following procedure shall apply:

3.4.1. The applicant shall first submit an application for Preliminary Plat approval in accordance with §3.5 Preliminary Plat Approval. Approval of the Preliminary Plat is authorization that the subdivider may proceed with the staking of streets and lots in preparation for construction of improvements and for Final Platting pursuant to the bonding requirements set forth in §3.7 Improvements and Bonding.

3.4.2. Where the site of a proposed subdivision is believed to include natural or man-made hazards or sensitive environmental features, the Subdivision Official may require a Site Assessment be prepared as part of the Preliminary Plat Application. Site Assessments shall be prepared and submitted with the Preliminary Plat application as follows:

1. A Site Assessment Map shall be prepared at a scale of 1'=100' and shall include the approximate locations and indication of size and condition of all natural and man-made hazards and sensitive environmental features found within the site including but not limited to:
    a. geologic formations, soil classifications, colluvium, caves, sinkholes, landslides (active or inactive), and lineaments
    b. springs, streams (perennial, intermittent and wet weather), wetlands, seeps and ground water recharge points
    c. endangered or threatened species habitats as determined by the Subdivision Official from U.S. Fish and Wildlife Service documents.
    d. evidence of above or below ground mining or quarry operations
    e. spoils and other dumping areas, fill and excavation areas
    f. wells, above or below ground storage tanks
    g. historic or archaeological features
2. A written and illustrated report shall clearly describe:
    a. names and qualifications of those performing the site assessment
    b. methods used in the site assessment
    c. findings for all features, including where appropriate, descriptive lists of features, illustrations and photographs
    d. conclusions as to how the findings may impact development of the site
    e. recommendations for mitigating hazards and sensitive environmental features
3. Site Assessment Certification, as provided in Appendix
4. Geotechnical Investigation and Testing Plan. Where construction is proposed on lands or portions of land where colluvium, evidence of mine operations, dump sites, existing fill and excavation areas and similar hazards are present or when in the professional opinion of the geotechnical engineer of record, geotechnical testing should be performed, a Geotechnical Investigation and Testing plan shall be prepared and submitted.

3.4.3. Clearing, grubbing, erosion control, and rough grading may be subject to permitting by the Alabama Department of Environmental Management or other agencies and, if performed prior to Preliminary Plat Approval shall be at the owner's risk and may require re-work. Installation of any permanent structures such as storm pipe, utility pipe, storm structures, etc. shall not be permitted without prior approval of the City.

3.4.4. Preliminary Plat Approval is revocable and is to be considered only as tentative approval of the design, with the understanding that the Planning Commission, the City Engineer, utility providers, and Health Department will examine the grades of streets, the types of improvements, the layout of drainage and sewerage systems and the water system, and may modify any engineering or construction details submitted by the applicant when required for the protection of the public interest.

3.4.5. Upon approval of the Preliminary Plat, the applicant shall then submit an application for Final Plat Approval in accordance with §3.6 Final Plat Approval.

§3.5. Preliminary Plat Approval

The Planning Commission review of the Preliminary Plat for Major Subdivisions shall be governed by the procedure set forth in Section 11-52-31 and 32, Code of Alabama 1975 as amended. Prior to the cutting or grading of any street or the making of any street improvement or the installation of utilities, the applicant shall submit a preliminary plat of the proposed subdivision in accordance with the following procedure:

3.5.1. Following pre-application review and/or Sketch Plan review, if applicable, the applicant shall submit to the Subdivision Official at least thirty (30) days prior to the next regular meeting of the Planning Commission, a preliminary plat application. The application shall include four (4) print copies and an electronic version (in a format acceptable to the Subdivision Official) of the Preliminary Plat and other documents, as specified herein. The applicant shall consult with and request preliminary approval from all concerned utility providers and shall include documentation of such preliminary approval with the application.

For multi-phase subdivisions, the Preliminary Plat shall include all proposed phases of subdivision, which shall include a Phasing Plan. The Phasing Plan shall show the order of the phases and the requirements to be satisfied in each phase. The Phasing Plan must show that the degree and extent of streets, water supply, sewage disposal, stormwater management, and other required improvements must be sufficient to serve or handle all development within each phase, in the event that subsequent phases are abandoned or remain undeveloped for an extended period of time. After Preliminary Plat Approval, an individual phase may be modified, if approved by the Planning Commission, at the time of Final Plat Approval for that phase as provided in §3.8 Combined Preliminary and Final Plat Approval.

3.5.2. The Subdivision Official shall check the proposed plat for conformance with applicable City regulations. Incomplete applications shall be denied by the Subdivision Official and the reasons for such denial shall be provided to the applicant. Following review of a completed application, the Subdivision Official shall report his findings and recommendations to the Planning Commission, which shall afford a public hearing on the Preliminary Plat. Notice of the hearing shall be provided by registered or certified mail to the applicant and owners of land adjoining the proposed subdivision at least five (5) days in advance of the hearing.

3.5.3. Planning Commission Action. The Planning Commission shall approve, approve conditionally, or disapprove a Preliminary Plat within thirty (30) days after the submission thereof at its regular meeting unless the Applicant agrees to an extension of that time. If approved conditionally, the conditions and reasons therefore shall be stated and if necessary the Planning Commission may require the applicant to submit a revised Preliminary Plat. If any of the requirements are modified or waived, the reasons for such shall be specified. If the Planning Commission should disapprove the Preliminary Plat, the reasons for such action shall be stated and if possible recommendations be made on the basis of which the proposed subdivision may be approved. One (1) copy of the Preliminary Plat as acted upon by the Planning Commission shall be retained at City Hall, one (1) copy forwarded to the City Engineer, and one (1) copy returned to the Applicant. The approval of the Preliminary Plat shall not be deemed final acceptance but rather an expression of approval of the subdivision layout as proposed on the Preliminary Plat.

3.5.4. Time Limit. Preliminary Plat approval shall be null and void if the Final Plat is not approved by the Planning Commission within twelve (12) months after the date of approval, unless application for an extension of time is made in writing during said period to the Planning Commission and granted. If the Final Plat is not submitted within this time limit, the Preliminary Plat must be resubmitted for approval as a new application. However, if a Final Plat of a part of the subdivision has been approved within said period, approval of the Preliminary Plat shall automatically be extended for twelve (12) months from the date of Final Plat Approval of that

part of the subdivision, and the same automatic extension shall apply in subsequent cases of submission of a Final Plat of part of the subdivision. In such cases and at any time after the initial twelve (12) months during which the Preliminary Plat Approval is effective, the Planning Commission may notify the Applicant of changes it may require to meet new or changed conditions. A corrected Preliminary Plat with all conditions fulfilled shall be submitted prior to the construction or installation of any improvements.

3.5.5. The Preliminary Plat shall be prepared by a Land Surveyor or Engineer and shall contain, at a minimum, the following information:

1. A vicinity map showing the location of the proposed subdivision and all existing and approved streets within 1,200 ft of the perimeter of the proposed plat
2. The name of the proposed subdivision OR the words "Resubdivision of," as applicable
3. The location of the subdivision by Public Land Survey System legal description including sufficient description to clearly define the lands; and lot, block , subdivision name, parcel numbers and legal Deed Book and Page of all portions that are part of previously approved subdivision of legal record
4. The name, address and Deed Book and Page of record of the legal owner and the name and address of the agent(s) acting for the legal owner, if any
5. The name, address and seal of the Project Land Surveyor or Engineer
6. Date, North Point, a graphic scale and the total amount of acreage in the subdivision
7. The exact length (to the nearest hundredth of a foot) and bearing (to the nearest tenth of a second of arc) of the exterior boundaries of the proposed plat
8. The location of existing platted property lines, streets, driveways, buildings, watercourses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public utility easements, both on the land subdivided and on the adjoining land
9. The names of adjacent subdivisions and the names and addresses of owners of adjoining parcels of land as they appear on the current tax records, including Deed Book and Page
10. The names, locations, widths, and other dimensions of proposed streets, alleys, easements, parks and other open spaces, reservations, lot lines, and buildings. Dimensions, bearings and area in acres shall be provided for each lot and other land area
11. Profiles of all streets showing natural and finished grades to a scale of not more than one (1) inch equals one (100) feet horizontal and one (1) inch equals ten (10) feet vertical when required by the Planning Commission and such plans as may be specifically required under another section of these regulations
12. Proposed plans or utility layouts (sewer, water, gas, electricity and street lights) showing connections to existing and proposed systems
13. If the proposed subdivision does not lie within the jurisdiction of the Zoning Ordinance, the Preliminary Plat shall be accompanied by a plan which indicates the restrictions and proposed use of the lots.
14. Minimum building front, rear, and side yard setbacks
15. The present and proposed (if applicable) zoning classification on the land to be subdivided and on adjoining properties
16. Contour lines shown at five (5) foot intervals, except that where deemed necessary the Planning Commission may require contour lines at two (2) foot intervals

17. Drainage plan showing existing drainage conditions and proposed improvements and including engineering calculations on which the drainage design is based
18. Street cross sections with right-of-way and pavement widths
19. Approximate radii, central angle, arc distance, chord lengths and points of tangency of all curves
20. The boundaries of any regulatory floodplain on the site with FIRM panel number and effective date. If the property is overlaid by a Special Flood Hazard District A (unstudied), the applicant shall conduct a flood study delineating a floodway and base flood elevations. Minimum finished floor elevations shall be provided for all lots located within a 100-year floodplain
21. Lot numbers and block letters
22. Inscription stating "NOT FOR FINAL RECORDING"
23. Certificates. The following certificates and any additional endorsements as may be required (refer to samples provided in the Appendix):
    a. If the proposed subdivision will not be served by municipal sewer facilities, a certificate from the State and\or County Health Department indicating their approval
    b. Certificate of approval from the electric, water, gas, and sanitary sewer providers, and any other interested City, County or State Departments
    c. Certificates of Approval shall be inscribed on the plat, (refer to samples provided in the Appendix), which shall be signed by the Planning Commission Chairperson, Subdivision Official, City Engineer and others as may be required.

3.5.6. One copy of the Preliminary Plat shall be retained in the Planning Commission files.

§3.6. Final Plat Approval

3.6.1. Following Preliminary Plat Approval of a Major Subdivision the subdivider shall submit to the Subdivision Official an application requesting review and approval of a Final Plat of the proposed subdivision. The request for Final Plat Approval shall be submitted within one year of Preliminary Plat Approval and thirty (30) days prior to the next regular meeting of the Planning Commission. The Final Plat shall consist of the original plat and five (5) printed copies with signed certifications, one copy of the Final Plat in reproducible form and any other documents specified herein. Submission of electronic copies of the proposed Final Plat in CAD, PDF or similar formats is encouraged as well.

3.6.2. The Subdivision Official shall review the plat for conformance with the approved Preliminary Plat and these regulations and report his findings and recommendations to the Planning Commission. The Planning Commission shall afford a public hearing on the Final Plat, notice of the time and place shall be sent by registered or certified mail to the applicant, not less than five (5) days prior to the date of the hearing.

3.6.3. Improvements. Prior to the approval of the Final Plat, an agreement shall be reached between the applicant and the City with regard to the installation of any street improvements or utility construction called for on the subdivision plat. The applicant shall be required to have installed at his expense the improvements specified in Article 5 Improvements Standards except as otherwise approved in accordance with §3.7 Improvements and Bonding.

3.6.4. Planning Commission Action. The Planning Commission shall approve or disapprove of the Final Plat within thirty (30) days after the date of submission unless the Applicant agrees to an extension of that time. If the Final Plat is disapproved, the grounds for disapproval shall be stated in the records of the Planning Commission. The action of the Planning Commission shall be

shown on the Final Plat with the date of action shown over the signature of the person authorized by the Planning Commission to sign such plats.

Final Plat Approval carries with it the condition that the Planning Commission must be notified in writing by the Subdivision Official that either: (1) all required improvements have been satisfactorily installed and completed by the Applicant, or: (2) a bond has been posted to secure the same, before such Final Plat is signed as approved by the Planning Commission and before any public ways or lands are accepted by the City.

3.6.5. Time Limit. Final Plat Approval shall be null and void if the plat is not recorded in the Office of the Probate Judge within sixty (60) days after the date of approval, unless application for an extension of time is made in writing during said period to the Planning Commission and granted.

3.6.6. Final Plat Specifications. The Final Plat shall conform to and meet the specifications of the Preliminary Plat with the following additions, which shall be sufficient to readily determine and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line, easement line and building setback line whether straight or curved. Curves shall be described by radius, central angle, point of tangency, tangent distance, arc and chord:

1. Bearings and distances to the nearest existing street lines or bench marks or other permanent monuments (not less than three (3) shall be accurately described on the plat)
2. Exact boundary lines of the tract, determined by a survey, giving distances to the nearest second, which shall be balanced and closed with an error closure not to exceed one (1) to ten thousand (10,000)
3. Exact location, widths and names of all streets and alleys, including those within adjoining tracts
4. Street centerlines showing angles of deflection, angles of intersection, radii, and lengths of tangents
5. Lot lines with dimensions to the nearest one-hundredth (1/100) of a foot and bearings
6. Lots numbered in numerical order and blocks lettered alphabetically
7. Location, dimensions and purposes of easements and any areas to be reserved or dedicated for common or public use
8. Accurate location, material and description of existing and proposed monuments and markers
9. A statement, either directly on the plat or in an identified attached document, concerning any private covenants
10. If any portion of the land being subdivided is subject to flooding, as defined in the Flood Damage Prevention Ordinance, the limit of such area(s) and minimum finished floor elevations for all lots within a 100-year floodplain
11. Any modifications, limitations and approval by the Health Department
12. Certificates. The following endorsements, certificates and dedications shall be placed on the Final Plat:
    a. Certification of title showing that applicant is the landowner
    b. Certificate of Land Surveyor and description of plat
    c. Mortgage holder’s certificate
    d. Where a street or alley has been vacated, a note shall be shown on the plat indicating such and referring to the recorded instruments of vacation by deed book and page number

e. Notary's acknowledgment of dedication certificates, surveyor's certificate and mortgage holder's certificate

f. Certification from Project Engineer that all public improvements, including streets and drainage improvements, have been designed in accordance with these and all other applicable regulations and have been constructed in accordance with the approved plans

g. Certificate of approval by the Planning Commission

h. Certificates of approval by the City Engineer and Street Superintendent

i. Certificate for utility providers

j. Certificate of approval for recording by Probate Judge

k. Certificate of dedication, indicating whether there is a dedication of property for public purposes or not

l. Where an improvement bond is posted, a Certificate of Bond Approval signed by the City Engineer and City Clerk

3.6.7. As-Built Engineering Plan. At the time of Final Plat approval, if applicable, the applicant shall also submit an as-built engineering plan, along with copies of all required permits, inspections and test data (including compaction test data for subgrade, base and core thickness), giving details of construction and locations of the improvements which have been installed. The as-built engineering plan provides the City with a record of the location, size, and design of streets, drainage facilities, utilities and other improvements for the City's use in the course of maintaining such improvements. Said as-built plan shall be presented in an electronic file format acceptable to the Subdivision Official and a paper hard copy. If the installation of improvements is completed under an Improvement Bond, the plan shall be submitted to the City upon request of release of the Improvement Bond by the applicant and/or the developer's request for City acceptance of the improvements. No improvements shall be accepted for City maintenance until all such materials have been received.

3.6.8. Recording of Final Plat. Planning Commission approval of the Final Plat shall be null and void if the Final Plat is not recorded in the office of the Probate Judge within sixty (60) days after approval, unless a request for extension is made in writing and is granted by the Planning Commission during said period. No lot in the subdivision shall be sold prior to recording of the Final Plat with the Probate Judge. Five (5) copies of the Final Plat as recorded with the Probate Judge and a copy of any protective covenants or deed restrictions shall be provided by the applicant to the City for the records of the Planning Commission. An electronic copy of the Final Plat, covenants and deed restrictions, in a format acceptable to the Subdivision Official, shall also be provided.

§3.7. Improvements and Bonding

3.7.1. Improvements. No Final Plat shall be approved by the Planning Commission or accepted for recording by the Probate Judge until one of the following conditions has been met and certified by the City Clerk:

1. All required improvements have been constructed or installed in a manner satisfactory to the appropriate department and approved by the Planning Commission; or

2. The Planning Commission has accepted an improvement bond in the form of a Cashiers Check, or irrevocable Letter of Credit from a bank or lending institution, or an Escrow Account with the City of Scottsboro in accordance with the following:

   a. The bond method shall be approved by the City Attorney and City Council.

b. The applicant and any guarantor(s) shall be severally and jointly liable for completing the improvements according to specifications.

c. The request to post an improvements bond shall be made in writing at least thirty (30) days prior to the Planning Commission meeting at which the Final Plat is to be considered.

d. Improvement bonds shall be equal to 125% of the estimated cost of the installation of the required improvements.

e. A schedule of estimated costs for all items to be bonded shall be submitted by the Project Engineer for review by the City Engineer. This schedule shall clearly describe the items, quantities, unit cost and total cost of the remaining improvements.

f. Bonds shall be retained by the City Clerk until the Council accepts dedication of the improvements and maintenance bonds have been filed.

g. All improvement bonds required to be posted must be posted and accepted within thirty (30) days after the date of Final Plat Approval or the Final Plat shall automatically be voided.

3.7.2. Completion and Acceptance of Improvements.

1. Upon completion of required improvements, the City Engineer and utilities providers shall file with the Planning Commission a statement either certifying that the improvements have been completed in the specific manner or listing the defects in those improvements.
2. Upon completion of the improvements, the applicant shall file with the Planning Commission a statement stipulating the following:
   a. that all required improvements are complete
   b. that the improvements are in compliance with the standards specified for their construction
   c. that the applicant knows of no defects from any cause in those improvements
   d. that the improvements are free and clear of any encumbrances or lien.
3. If the Project Engineer has certified that the contracted improvements are complete and free from defect, and said improvements have passed inspection, then upon receipt of the other statements and agreements detailed above, the City shall accept the dedication of those improvements. The City may, at its discretion, accept the dedication of any portion of the improvements, provided that all statements and agreements specified above have been received for that portion of the improvements. Improvements to be dedicated to the Scottsboro Waterworks, Sewer and Gas Board shall be accepted by the Board according to its rules. In no instance, however, shall the City accept improvements within any subdivision or part thereof until after water and sanitary sewer improvements have been accepted by said Board.
4. Failure to be Accepted. If any portion of required improvements fails to be accepted for dedication within the allocated time period, either for reason of incompletion or for reason of substandard construction, then the Planning Commission shall take the following action:

   Where improvements have been guaranteed, the Planning Commission shall declare whatever bond has been pledged to be forfeit. Where the Planning Commission is not already in possession of said bond, it shall immediately take the actions necessary to obtain it. Upon receipt, the Planning Commission shall use them, or receipts from their sale if necessary, to finance the completion of contracted improvements or the rebuilding of such improvements to the proper specifications. Unused portions of these securities shall be returned to the applicant, bonding company, or crediting institution, as appropriate.

3.7.3. Maintenance Bond. In the event the subdivider has constructed all of the required improvements and no improvement agreement is required, the subdivider shall execute a maintenance agreement. Such agreement shall be on a form furnished by the Planning Commission and shall warrant all materials and workmanship on the requirements and shall provide for maintenance on the requirements for a period of one (1) year after the acceptance of such improvements by the City, provided that for major streets and subdivision entrance streets, a longer period may be required by the Planning Commission.

A bond shall be required to insure the fulfillment of such agreement and shall be in the form provided by the Planning Commission. Such maintenance bond shall be in an amount of $5,000 or twenty-five (25) percent of the total cost of all improvements, whichever is greater. A schedule of costs for all items to be bonded shall be submitted by the Project Engineer for review and approval by the Subdivision Official. This schedule shall clearly describe the items, quantities, unit cost and total cost of the required improvements.

§3.8. Combined Preliminary and Final Plat Approval

An applicant may submit a combined request for both Preliminary Plat and Final Plat approval. In such cases all requirements for both Preliminary and Final Plat approval shall be met.

§3.9. Site Plan Approval

3.9.1. Whenever any multi-family or non-residential development or change or expansion of such uses of a site is proposed or whenever any changes are proposed that differ from an existing approved Site Plan; before any construction, land clearing, building development or change in use is begun and before any building permit or authorization for development on such site shall be granted, the property owner or his authorized agent shall apply for and secure from the Planning Commission Site Plan approval in accordance with the procedures outlined herein.

1. The following shall require Site Plan approval (where there is any doubt as to whether or not Site Plan Review is required, the affected party should request a determination from the Subdivision Official.):
    a. New construction of non-residential or multi-family development
    b. Any change of an existing use to multi-family or non-residential
    c. A development proposal involving external modifications or construction, including parking lots (except for single family or duplex residential)
    d. A development proposal involving expansion of a building or intensification of multi-family or non-residential uses that would result in a change in traffic volume or patterns in the area, noise, parking, lighting, etc.
    e. A development involving a property that has never received Site Plan approval for previous non-residential or multi-family use
2. The following shall not require Site Plan approval:
    a. Single-family and duplex residential developments
    b. Proposals that involve no change in use or level of activity
    c. Internal building modifications that do not affect the scale or impact of the existing use
    d. Re-use of a premise with an approved Site Plan, provided the new use is not different in type or impact

3.9.2. Procedure, Planning Commission Action.

1. The Subdivision Official shall review the plan for conformance with applicable regulations and report his findings and recommendations to the Planning Commission.
2. The Planning Commission shall approve or disapprove of the Site Plan within thirty (30) days after the date of submission unless the Applicant agrees to an extension of that time. If the Site Plan is disapproved, the grounds for disapproval shall be stated in the records of the Planning Commission. The action of the Planning Commission shall be shown on the approved Site Plan with the date of action shown over the signature of the person authorized by the Planning Commission to sign such plans.
3. Site Plan Approval shall become null and void if within one (1) year from the date of approval, a Building Permit has not been applied for, unless a request for extension is made in writing and is granted by the Planning Commission during said period.

3.9.3. Clearing, grubbing, erosion control, and rough grading may be subject to permitting by the Alabama Department of Environmental Management or other agencies and, if performed prior to Site Plan Approval shall be at the owner's risk and may require re-work. Installation of any permanent structures such as storm pipe, utility pipe, storm structures, etc. shall not be permitted without prior approval of the City.

3.9.4. Submittal Requirements. A Site Plan application shall contain the following, at a minimum:

1. The name, address and Deed Book and Page of record of the legal owner and the name and address of the authorized agent, if any
2. The name, address and seal of the Project Land Surveyor, Engineer, or other designer as applicable
3. Names and addresses of all owners of abutting property as they appear on current tax records
4. Names and addresses of all holders of restrictions and easements on the property
5. A vicinity map showing the location of the development and all existing and proposed streets within 1,200 ft of the perimeter of the development site
6. Date, north point, a graphic scale and the area of the premises in square feet and acres
7. Locations of property lines, streets, driveways, sidewalks, buildings, watercourses, railroads, sewers, bridges, culverts, drain pipes, and water mains on the site and on abutting property
8. The names, locations, widths, and other dimensions of proposed drives, lot lines, buildings and other improvements
9. Location, dimensions, and design of garbage collection areas
10. Grading plan including existing and proposed contour lines shown at one (1) ft intervals, unless otherwise permitted by the Subdivision Official
11. Drainage plan showing existing drainage conditions and proposed improvements and including engineering calculations on which the drainage design is based
12. Identification of all accesses to the site, sight distance at access points, dimensions of curb cuts and distances from intersections and driveways on adjacent properties
13. Proposed utility layouts
14. If not to be served by municipal sewer facilities, a certificate or letter from the State and\or County Health Department indicating their approval
15. Certificate of approval from the electric, water, gas, and sanitary sewer providers, and any other interested City, County or State Departments

16. All existing and proposed easements, deed restrictions, and reservations on the site
17. Minimum building front, rear, and side yard setbacks
18. The zoning classification of the site and on abutting properties
19. Location and total number of parking and loading spaces
20. A landscape plan, describing the number, location, types and size of all landscape elements, buffers and screening
21. The location, type and nature of all exterior lighting and signage
22. Base flood elevations and flood hazard areas, based on available FEMA maps

    For multi-phase developments, grading, drainage and similar plans for each phase may be required by the Subdivision Official for review and approval by the Planning Commission.

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Article 4 Subdivision Design Standards

All proposed subdivisions shall conform to all applicable state and local regulations, including the Zoning Ordinance where in effect. The design standards of this Article shall be the minimum standards allowable for development. Standards above the minimum may be required by the Planning Commission or the Subdivision Official. Detailed construction specifications and engineering requirements may be obtained from the Subdivision Official. Prior to the Planning Commission's consideration of any request for a variance, modification, or waiver of the requirements of this Article, the Subdivision Official shall provide its recommendation to the Planning Commission regarding such request.

§4.1. Purpose

The purpose of good subdivision and site design is to ensure functional and attractive developments, to minimize adverse impacts, and make projects assets to the community. To promote this purpose, the subdivision and/or site plan shall conform to the following standards, which are designed to result in a well-planned community without adding unnecessarily to development costs.

§4.2. General Subdivision Design Standards

4.2.1. Site Analysis. An analysis shall be made of characteristics of the proposed site, such as site context; geology and soil; topography; existing vegetation; structures, and street networks; visual features; and use of the site. Development of the site shall be based on the site analysis. To the maximum extent practicable, development shall be located so as to preserve the natural features of the site, to avoid or protect areas of environmental sensitivity, and to minimize negative impacts and alteration of natura1 features.

4.2.2. Suitability of the Land. The Planning Commission may not approve the subdivision of land, if from adequate investigation conducted by all public agencies concerned, it has been determined that in the best interest of public health, safety and welfare, the site is not suitable for platting and development as proposed. However, an applicant may nonetheless propose a new plat with a different layout, change in use or intensity, or other change in response to the issues raised by the applicable public agencies during review of a previous plat proposal.

4.2.3. Stormwater Drainage Design. The rate of stormwater runoff from any development resulting from the twenty-five (25) year rainfall occurring within the space of one hour shall not exceed the predevelopment stormwater runoff rate for a twenty-five (25) year rainfall occurring within the space of one hour.

4.2.4. Development in Flood Zones. The development of land, subject to flooding, shall be done in accordance with the Flood Damage Prevention Ordinance and the applicable regulations of the National Flood Insurance Program (NFIP). Development in a designated floodway is prohibited unless certification by the Project Engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

4.2.5. Conformity with Other Plans and Regulations. Design of the development shall take into consideration all existing local and regional plans and shall conform to the Zoning Ordinance where in effect.

1. No Final Plat of land within the force and effect of the Zoning Ordinance shall be approved unless the building restrictions to be established conform to the applicable regulations of the Zoning Ordinance.

2. Public Uses. If public sites are shown in the Comprehensive Plan to be set aside or if such sites are recommended as essential by the Planning Commission or City Council, such sites shall be

reserved for such purpose for a period of two (2) years from the date the subdivision is recorded. If at the end of two (2) years the City has not taken action to acquire the property, the applicant may request a hearing before the Planning Commission to waive the reservation or to otherwise determine the fate of said site.

4.2.6. Preservation Areas. The following specific areas should be preserved as undeveloped open space, to the extent consistent with the reasonable use of the land and in accordance with applicable state or local regulations:

1. Significant trees or stands of trees;
2. Lands in the flood plain, as defined and or depicted on the Flood Maps provided by the Federal Emergency Management Agency, and as outlined in the Flood Damage Prevention Ordinance.
3. Steep slopes in excess of twenty (20) percent as measured over a ten (10) foot interval unless appropriate engineering measures concerning slope stability, erosion, and resident safety are taken.
4. Habitats of endangered wildlife.
5. Historically significant structures and sites, as listed on federal, state or local registers of historic places.

4.2.7. The development shall be laid out to avoid adversely affecting ground water; to reduce cutting and filling; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and mitigate adverse effects of noise, odor, traffic, drainage, and utilities on neighboring properties.

4.2.8. The street, parcel and block pattern of all proposed developments shall be adapted appropriately to the uses anticipated.

4.2.9. Where applicable, a proposed phasing plan shall provide for continuity of development through phases of reasonable proportions.

4.2.10. Lot and block size, shape and orientation shall be appropriate for the location of the subdivision, its environmental systems and for the type of development anticipated.

4.2.11. When land is subdivided into parcels larger than ordinary building lots, such parcels should be arranged and designed so as to allow for future resubdivision and extension of future streets.

4.2.12. The proposed street layout shall be appropriate for the type of development proposed and appropriately integrated with the surrounding street system.

4.2.13. The proposed street layout shall conform substantially to a development pattern for the subject and surrounding area that will be in accord with the Comprehensive Plan, as interpreted by the Planning Commission.

4.2.14. Where community or public facilities, existing or as proposed in the Comprehensive Plan, are to be located in whole or in part in a proposed subdivision or development, such area(s) necessary to accommodate these facilities shall be reserved.

§4.3. Residential Subdivision Design Standards

4.3.1. All residential lots shall abut a public street unless otherwise permitted for planned developments in accordance with the Zoning Ordinance.

4.3.2. Every lot shall have sufficient access to it for emergency vehicles, as required by the adopted Fire Code.

4.3.3. The placement of dwelling units shall take into consideration topography, privacy, building height, orientation, drainage, and aesthetics.

4.3.4. Buildings shall be spaced so that adequate privacy is provided for units.

For the purposes of applying subdivision standards in a manner that is sensitive to the type of development proposed, residential subdivisions are hereby classified as: Low Density (R-1 zoning or minimum average lot size of 15,000 sf); Medium Density (R-2 zoning or a minimum average lot size between 10,500 and 15,000 sf) and High Density (all other residential zoning classifications or any multifamily or townhouse development or single-family lots less than 10,500 sf).

§4.4. Non-residential Subdivision Design Standards.

Except as otherwise specified, all commercial and industrial subdivisions shall be subject to all design standards in this Article 4 and shall be designed according to the same principles governing the design of residential developments; namely, that buildings and streets shall be located according to topography, with environmentally sensitive areas avoided to the maximum extent practicable; factors such as drainage, noise, odor, and surrounding land uses shall be considered in citing buildings; sufficient access shall be provided; and adverse impacts buffered or otherwise mitigated.

Following subdivision of the land, non-residential developments shall also be reviewed in accordance with §3.9 Site Plan Approval and the Site Design Standards in Article 6 to assure that the subdivision will accommodate the requirements of the uses contemplated and the requirements of the Zoning Ordinance.

§4.5. Circulation System Design

The street system shall be designed to permit the safe, efficient, and orderly movement of traffic; to meet the needs of the present and future population served; to have a simple and logical pattern; to respect natural features and topography; and to present an attractive streetscape.

4.5.1. Streets.

1. Whenever land to be subdivided embraces any part of a highway or street so designated on any county or regional plan, such part of the proposed public way shall be platted by the same width as indicated on the county or regional plan.
2. All streets shall be platted along contour elevations, which will result in minimum grades and greater visibility wherever practical, with consideration given to the anticipated use of the land.
3. The proposed street layout shall be made according to good land planning practices for the type development proposed and shall be coordinated with the street systems of the surrounding areas.
4. Proposed new streets shall extend existing streets or their projections at the same or greater width, but in no case less than the minimum required width.
5. To assure proper circulation and emergency response, all residential subdivisions containing fifty (50) or more lots shall have a minimum of two access points on external streets.
6. To ensure future street connections where a proposed development abuts unplatted land or a future development phase of the same development, street stubs shall be provided for access to abutting properties or to logically extend the street system as determined by the Planning Commission.
    a. All street stubs shall be provided with temporary turnarounds except where the street stub is 200 feet or less in length. The area necessary for the temporary turnaround outside the normal right-of-way shall be contained within a temporary easement, which shall automatically

dissolve when the street is extended and approved by the City. The length of the turnaround shall be in accordance with §4.5.4.4 Dead End Streets.

b. Street improvements shall extend to within five (5) ft of the boundary of the property. Rights-of-way shall extend to the boundary.

c. Paving and utilities shall be extended far enough to serve the developing lots and, unless approved otherwise by the City Engineer, shall be extended the same distance.

d. The restoration and extension of the street shall be the responsibility of the future developer of the abutting land.

The Planning Commission may waive this provision if in their determination, there is no feasible way to continue the street in the foreseeable future.

4.5.2. The platting of any land, the purpose of which is to deny access to rights-of-way is prohibited, except as otherwise provided herein. There shall be no reserve strips controlling access to streets, except where the control of such strips is specifically placed with the City and under conditions approved by the Planning Commission.

4.5.3. Private Streets. There shall be no private streets platted in any subdivision.

4.5.4. Street Design Requirements. Minimum street right-of-way, pavement width, and cross-section elements shall be as provided in Table 4-1 and as illustrated in Figure 4.1. All streets shall include curb and gutter.

1. Additional Widths on Half Streets. Subdivisions that adjoin existing half streets shall dedicate additional right-of-way to meet the minimum street width requirements. The entire right-of-way shall be dedicated where any part of the subdivision is on both sides of the half street; and where the subdivision is located on only one (1) side of a half street, the amount of right-of-way to be dedicated is as follows:

   a. If the land across the roadway from the proposed subdivision has not been subdivided or developed, the subdivider is only required to dedicate one-half (1/2) of the required right-of-way, measured from the center line of the existing roadway.

   b. If the land across the roadway has been subdivided or developed, the subdivider is required to provide enough additional right-of-way on his side of the roadway to bring the total right-of-way to the required width.

2. Topographic Conditions and Street Grades. In general, streets shall be planned to conform to existing topographic conditions. Unless a steeper grade is approved by the Fire Marshall, maximum street grades shall be: 6.0% on arterials and 10.0% on collectors, local streets and alleys, with no grades exceeding the maximum for any length of street. Grades of dead end streets shall not exceed 5.0% for the cul-de-sac bulb or hammerhead. To allow for proper drainage, no tangent street grade shall be less than one (1) percent..

3. Street Intersections. Insofar as practical, acute angles at street intersections shall be avoided. Where an acute angle of less than seventy-five (75) degrees occurs between streets at their intersections, the Planning Commission may require the property lines to be rounded or otherwise setback to permit curb construction of desirable radius without curtailing the sidewalk at the street corner to less than normal width. Submission of a grading plan showing existing and proposed contours at intervals of one (1) foot and a detailed design for the intersection may be required by the Subdivision Official.

4. Dead End Streets. Streets designed to have one end permanently closed (cul-de-sac), shall be provided at the closed end with a turnaround with a minimum right-of-way radius of fifty (50)

feet, and a minimum driving surface radius of forty (40) feet. The maximum permitted length of a cul-de-sac is six hundred (600) feet.

5. Medians. Medians, where provided, shall have a minimum width of five (5) ft to allow for planting.
6. On-street Parking. Lanes for on-street parking shall be provided on streets as required or as approved by the Planning Commission in accordance with the requirements in Table 4-1 and the following.
    a. Generally, on-street parking is appropriate along local streets serving non-residential, mixed-use, and high density residential uses.
    b. Parking lane width shall be measured from the face of curb.
7. Planting Strips. Planting strips shall be provided between the curb and sidewalk, or in the absence of sidewalk, between the curb and right-of-way line. Along residential streets, the planting strip shall be grassed or otherwise vegetative. Along non-residential streets, the planting strip may include regularly spaced street tree wells and an extension of the sidewalk to the curb. On non-residential streets with minimal pedestrian traffic expected, the Planning Commission may approve a continuous grassed or vegetative planting strip between the curb and sidewalk.
8. Street Elevations. The Planning Commission may require, where necessary, profiles and elevations of streets in areas subject to flood, as defined in these regulations and the Flood Damage Prevention Ordinance and as identified on the Flood Maps provided by the Federal Emergency Management Agency (FEMA). Fill may be used, except within identified floodways, where such fill does not increase flood heights.

4.5.5. Street Names. Proposed street names shall be subject to approval of the Planning Commission. Proposed streets obviously in alignment with existing and named streets shall bear the names of the existing streets. In no case shall the name for the proposed streets duplicate existing street names.

4.5.6. Horizontal Curvature. The minimum radii of centerline curvature shall be as provided in Table 4-2 and as necessary to meet the applicable minimum sight distance. See also Figure 4.2.Between reverse curves there shall be a tangent having a length of not less than one hundred (100) feet.

4.5.7. Vertical Alignment. Vertical alignment shall be such that the minimum stopping and intersection sight distances in Table 4-2 are met. Stopping sight distance shall be determined using a height of eye of 3.5 feet and two (2) feet object height. The intersection sight distance shall be determined using a height of eye of 3.5 feet and 4.25 feet object height. See also Figure 4.2.

Table 4-1 Street Design Standards

Specifications are based on two-lane road sections. The Planning Commission, upon a recommendation by the City Engineer, may require a median, turn lanes, acceleration and deceleration lanes, or additional travel lanes where trips generated by anticipated uses or where City, County, or regional plans require increased design improvements (see also Figure 4.1).

Street Type	Residential Local	Residential Collector
Posted Speed	15-25	25-35
Design Speed	20-30 mph	30-40 mph
Drainage Facility Width/Type	18"; curb/gutter	18"; curb/gutter
Min. Planting Strip	4 ft both sides	4 ft both sides
Parking Lane Width [1]	7 ft	7 ft
Actual Curb Radius	15-18 ft	20-24 ft
Effective Turning Radius [2]	20-24 ft	20-24 ft
Travelway Width [3]	26 ft	26 ft
Min. ROW [4]	50 ft	60 ft
Travel Lane Width [5]	10-12 ft	11-12 ft

[1] On-street parking, where required or approved by the Planning Commission, shall be parallel and may be placed on one or both sides as determined by the Planning Commission.

[2] Effective turning radius is determined by adding the width of an adjacent parking lane, if present, to the corner curb radius. Where a bulb-out is provided, the effective turning radius is the radius of the bulb-out.

[3] Travelway width is measured from face-of-curb to face-of-curb. Widths shown do not include on-street parking. Where on-street parking, medians or additional travel lanes (including turn, acceleration, and deceleration lanes) are approved or required by the Planning Commission, travelway widths shall be calculated based on the minimum requirements for each cross-section element to be included.

[4] Additional ROW width may be required when parking lanes, medians, or additional travel lanes (including turn, acceleration or deceleration lanes) are included, or when other design elements require a greater width.

[5] Lane widths shall be within the range specified, except that lanes of up to 13 ft on local streets and 14 ft on collectors may be required in areas of steeper topography where horizontal curves are more frequent. This may require additional right-of-way width. Lane striping is not required on local residential streets but may be required by the City Engineer on residential collectors and for any street segment with more than two lanes.

Table 4-1 Street Design Standards (continued)

Specifications are based on two-lane road sections. The Planning Commission, upon a recommendation by the City Engineer, may require a median, turn lanes, acceleration and deceleration lanes, or additional travel lanes where trips generated by anticipated uses or where City, County, or regional plans require increased design improvements (see also Figure 4.1).

Street Type	Mixed-Use or Non-Residential Local	Mixed-Use or Non-Residential Collector	Frontage Road	Industrial Access Road
Posted Speed	20-25 mph	25-35 mph	20-35 mph	20-30 mph
Design Speed	25-30 mph	30-40 mph	25-40 mph	25-35 mph
Curb Width/Type	18"; curb/gutter	18"; curb/gutter	18"; curb/gutter	18"; curb/gutter
Min. Planting Strip	4 ft; both sides	4 ft; both sides	4 ft; developed side	4 ft; developed side
Parking Lane Width [1]	7 ft	7 ft	n/a	n/a
Actual Curb Radius	12-15 ft	15-18 ft	18-21 ft	25-30 ft
Effective Turning Radius [2]	19-22 ft	22-25 ft	25-28 ft	25-30 ft
Min. Travelway [3]	26 ft	26 ft	26 ft	30 ft
Min. ROW [4]	50 ft	60 ft	50 ft	60 ft
Travel Lane Width [5]	10-12 ft	11-12 ft	11-12 ft	11-13 ft

[1] On-street parking, where required or approved by the Planning Commission, shall be parallel and may be placed on one or both sides. Angled parking may be permitted by the Planning Commission on mixed-use and non-residential streets. In such cases, minimum parking lane width shall be 18 ft and the travelway and ROW widths increased accordingly.

[2] Effective turning radius is determined by adding the width of an adjacent parking lane, if present, to the corner curb radius. Where a bulb-out is provided, the effective turning radius is the radius of the bulb-out.

[3] Travelway width is measured from face-of-curb to face-of-curb. Widths shown do not include on-street parking. Where on-street parking, medians or additional travel lanes (including turn, acceleration, and deceleration lanes) are approved or required by the Planning Commission, travelway widths shall be calculated based on the minimum requirements for each cross-section element to be included.

[4] Additional ROW width may be required when parking lanes, medians, or additional travel lanes (including turn, acceleration or deceleration lanes) are included, or when other design elements require a greater width.

[5] Lane widths shall be within the range specified, except that lanes of up to 13 ft on local streets and 14 ft on collectors may be required in areas of steeper topography where horizontal curves are more frequent. This may require additional right-of-way width.

Table 4-2 Sight Distance and Street Curvature			
Street Design Speed (mph)	Minimum centerline radius (ft)	Stopping Sight Distance (ft)	Intersection Sight Distance (ft)
20	125	115	225
25	150	155	280
30	275	200	335
35	300	250	390
40	500	305	445
45	650	360	500
50	820	425	555
Distances are intended as a minimum guideline. Site conditions such as grades, traffic volumes, additional lanes, signalization types, etc. may warrant increases in desired sight distances.			

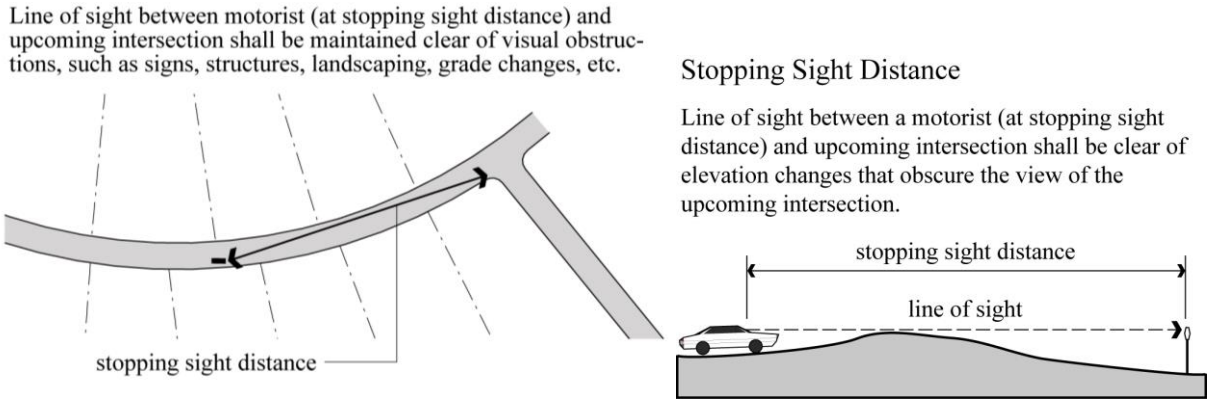


Figure 4.2 Stopping Sight Distance and Street Curvature

4.5.8. Alleys. The P1anning Commission may, at its discretion, require that alleys be provided for any or a combination of the following: alternative access to lots, placement of and access to above-ground utilities, garbage collection, loading and unloading, and mail service. Where alleys are to be provided, they shall be designed in accordance with the requirements in Table 4-3 and paved as required by the City Engineer. Where an alley is designated as a fire apparatus access road by the Fire Marshal, the minimum pavement width shall be twenty (20) ft.

Table 4-3 Alley Requirements				
	Min. ROW Width	Min. Pavement Width	Curb Radius at Street	
			Local	Collector
Single-family	20 ft	12 ft	10-13 ft	13-16 ft
Multi-family and Non-Residential	24 ft	20 ft	10-13 ft	13-16 ft

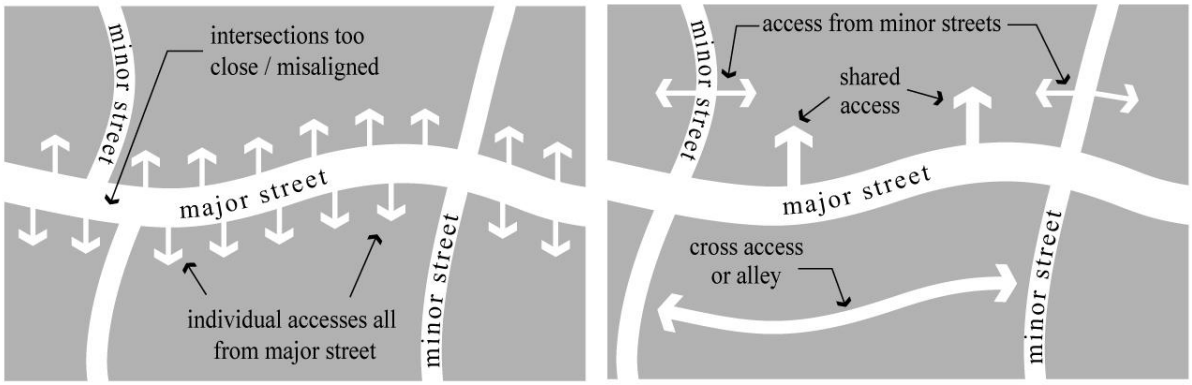
4.5.9. Roadside Drainage Facilities. Roadside drainage facilities shall be used as needed to channel stormwater runoff away from private property and away from streets. The type of drainage facility shall be as required in Table 4-1.

1. The Planning Commission may approve the use of "bioswales" as an alternative to conventional drainage techniques in accordance with §4.10 Experimental Subdivisions.
2. Owing to unique topographic and soil characteristics, roadside drainage improvements may not be required for stormwater runoff in some medium and low density residential developments. In such cases the Planning Commission may modify these requirements upon a recommendation by the City Engineer.

§4.6. Access Management

The purposes of this section are to promote the overall safety of motorists, bicyclists, and pedestrians; to reduce interference with through traffic by other vehicles entering, leaving, and crossing streets; to assure safe access to and from streets by emergency vehicles; and to preserve the traffic capacity of streets.

4.6.1. General Conditions and Requirements. The location and design of vehicular accesses from arterial, collector, and local streets proposed with a subdivision shall be specified in an Access Plan submitted to the Subdivision Official for review and recommendation to the Planning Commission for action. No curbs or rights-of-way shall be cut, paved, or otherwise altered until a permit for the access has been secured from the City and/or any other governmental agency owning or controlling the street right-of-way.



Discouraged Recommended

Figure 4.4 Access Management Patterns

4.6.2. Approval for Specific Use. Accesses existing as of the effective date of these standards, are approved for the existing use only. Accesses approved under these standards shall be approved for the use specified in the Access Plan. Changes in use that would increase traffic or change the types of vehicles accessing the site shall require a new approval of access. When a site existing at the time of these standards is redeveloped so as to create a "significant increase in trip generation", the existing driveways shall be brought into conformity with these requirements.

4.6.3. Expiration of Approval. Access Plans, including related off-site street improvements, shall be constructed within two (2) years of approval, or the approval shall terminate.

4.6.4. Prohibition of Unsafe Access. Notwithstanding any other provisions of these standards, an access, which demonstrates a potential threat or danger to the public and/or which could affect the safe, efficient flow of traffic, may be denied, based on commonly accepted and applied traffic engineering principles.

4.6.5. Access Plan. The Access Plan shall be submitted as part of the Preliminary Plat or Site Plan.

4.6.6. Traffic Impact Study. The Subdivision Official may require a Traffic Impact Study by an engineer, using the standard format specified by the latest edition of the Institute of Transportation Engineers (ITE) publication Traffic Access and Impact Studies for Site Development to assess the traffic impacts of a proposed access to adjacent and nearby streets and intersections when the expected number of trips generated by the proposed use exceeds an estimated 1,000 vehicle trips per day or 100 peak hour vehicle trips per day. In addition, the Subdivision Official may require a Traffic Impact Study for sites that generate less than 1,000 vehicle trips per day, or 100 peak hour vehicle trips per day, if the sites are located at or near high-volume intersections or other locations where the use may constitute a threat or danger to the safe and efficient flow of traffic. The Subdivision Official may waive this provision if a recent, valid traffic study has been completed, from which needed traffic data can be extrapolated.

Unless otherwise specified by the Subdivision Official, the study shall address trip generation and directional distribution, traffic assignment to streets and access locations, twenty-four (24) hour and a.m. and p.m. peak hour traffic forecasting (on-site and off-site), capacity analysis and level of service for adjacent streets and nearby intersections before and after the proposed full development, and recommendations for street improvements and traffic control installation and/or modifications to existing signals. The traffic data used in the study shall be consistent with the use and density data as referenced in the latest edition of Trip Generation, published by ITE; current city and state traffic counts for surrounding streets; and the marketing study for the proposed use.

4.6.7. Guidelines. For all developments, redevelopments, and changes in use, the City Engineer shall provide a recommendation to the Planning Commission regarding requests for access:

1. Access to a corner lot should be permitted only from the street of lesser classification or lower average daily traffic, except as otherwise specified herein. Where the classification of both streets is the same, access may be provided along either or both subject to Table 4-4.
2. Access to streets shall be provided to lots by means of shared access (alleys or shared driveways), frontage roads, or direct access (non-shared driveways). The number and location of access points shall be in accordance with Table 4-4 and measured as shown in Figure 4.5.
3. Frontage roads shall normally only be required along major arterials and only when they can be designed properly to provide safe and efficient access for properties.
4. Single family and duplex lots:
    a. should not front on nor have direct access from a major arterial;
    b. may have frontage along minor arterials though access should generally be from a local street, frontage road or alley;
    c. may have frontage and access along a collector subject to Table 4-4.
5. For local streets, minimum separation distance may be reduced, provided that, if approved by the City Engineer, the following conditions exist, based on commonly accepted and applied traffic engineering principles:
    a. shared access is not possible;
    b. exceptional topographic or site conditions exist at the driveway location (such as in-place utility or drainage features) which would make strict application of the standard exceptionally and/or practically difficult or unduly harsh;

c. application of these requirements would conflict with other provisions of these regulations; and

d. the reduction would not constitute a threat or danger to the safe and efficient flow of traffic.

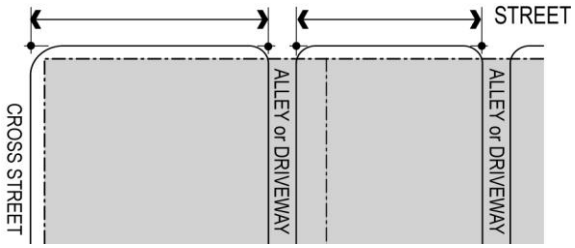


Figure 4.5 Measuring Driveway separation

Table 4-4 Access Management Criteria

Use and Street Type	Number of accesses permitted	Minimum required spacing		
		from intersection	between driveways on same lot	between driveways on separate lots
Major Arterials regardless of use	1 access for lots with street frontage < 600 ft [1]	250 ft	200 ft	200 ft
Minor Arterials regardless of use	1 access for lots with street frontage < 400 ft	200 ft	150 ft	150 ft
Non-residential and Multi-family uses on Collectors	1 access for lots with street frontage <125 ft [1]	150 ft	125 ft	125 ft
Single-family and duplex dwellings on Collectors	1 access for lots with street frontage <100 ft [1]	125 ft [2]	50 ft	25 ft
Non-residential and Multi-family uses on Local Streets	1 access for lots with street frontage <75 ft [1]	100 ft	75 ft	75 ft
Single-family and duplex dwellings on Local Streets	1 access per lot with street frontage <100 ft or 2 access per lot with street frontage ≥100 ft	75 ft [2]	50 ft	10 ft

[1] Lots with greater street frontage may have a second driveway, provided that the Planning Commission may approve additional driveways based on trip generation or topography, and it is determined that the impact to traffic safety and movement on the street will be minimal.
[2] A corner lot abutting two (2) local streets may have a driveway with less than the above required distance from the intersecting street, if, in the opinion of the City Engineer, the driveway will not adversely affect traffic safety and movement on the streets.

4.6.8. Access Easements. The Planning Commission may require shared access easements or other conditions that require multiple lots to have shared access to arterials or collector streets such as through the use of alleys, shared driveways, or marginal access roads. Such requirements shall be considered for both residential and non-residential subdivisions where application of the access spacing standards of this Subsection would prevent direct access along arterials and collector streets.

1. Shared access easements should be provided wherever it is possible to construct a continuous access drive or alley connecting one street to another. In such cases, the shared access drive shall

be constructed by the developer and may be considered for maintenance by the City. Where it is not feasible to create such an easement, the Planning Commission may require a private access easement as described below.

2. Where private access easements are used, the subdivision plat shall state that the transfer of lots shall be subject to the provision of such easements, which shall provide for a guaranteed, unrestricted, right of access to all other owners providing such easements and that the owners of lots subject to private access easements shall be required to execute an agreement specifying responsibility for construction and perpetual maintenance of the easements and drives in accordance with the approved Access Plan. The agreement shall specify that the parties thereto shall hold the City harmless from liabilities resulting from unsafe conditions on private access easements. Copies of the agreements shall be filed with the City Clerk. Construction on private access easements shall not be commenced until all agreements are filed. Copies of all subsequent amendments to the agreements shall also be filed with the City Clerk.

4.6.9. Throat Length. At access points, adequate throat length shall be provided for stacking space. Driveways for non-residential uses should extend a minimum of sixty (60) feet into the property from the front lot line before the edge of the driveway is crossed by an aisle or another drive and thirty (30) feet before the edge of the driveway intersects an off-street parking space. See Figure 4.6 below.

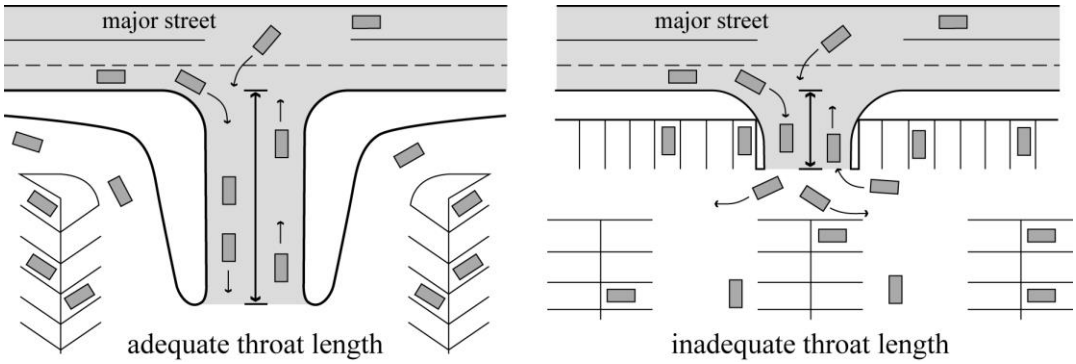


Figure 4.6 Throat Length

4.6.10. Acceleration and Deceleration Lanes, Storage and Turn Lanes.

1. Acceleration Lanes for Non-residential Uses. In instances of unusual topography or for traffic safety considerations, the City Engineer may require the construction of an acceleration lane for non-residential uses. The length of taper and total length shall be determined based on commonly accepted and applied traffic engineering principles.

2. Deceleration Lanes. Deceleration lanes shall be required for each access to arterial or collector streets where the proposed use will increase traffic volumes on the existing street to a total in excess of 1,000 vehicle trips per day or 100 peak-hour vehicle trips per day.

   a. The deceleration lane, a minimum of eleven (11) feet wide, measured from the face of the curb (for curb sections without a monolithic gutter), the edge of the gutter (for a monolithic curb and gutter section), or the edge of the shoulder line (for a non-curbed section to the center of the lane line), shall be constructed with the length measured from the centerline of the access point according to the criteria in Table 4-5.

   b. The minimum dimensions of the deceleration lane may be reduced, provided that, it is determined by the City Engineer that, the following conditions exist, based on commonly accepted and applied traffic engineering principles: exceptional topographic constraints or unusual site conditions at the driveway location (such as in-place utility or drainage features)

which would make strict application of the standard exceptionally and/or practically difficult or unduly harsh; and the reduction would not constitute a threat or danger to the safe and efficient flow of traffic.

Table 4-5 Minimum Deceleration Lane		
Speed Limit	Length of Taper	Total Length
35 mph or less	75 ft	200 ft
40 to 45 mph	110 ft	250 ft
50 to 55 mph	150 ft	300 ft

3. Left-turn storage lanes. Approval of access to an arterial or to a collector may be conditioned upon the provision of a left-turn storage lane. The requirement and design of each storage lane, including the paved approach, bay, and departure tapers, shall be determined from the recommendations of a traffic study and approved by the City Engineer based on commonly accepted and applied traffic engineering principles.

4. Turn Lanes on Collectors and Local Streets. Right and left turn lanes at intersections may be required by the City Engineer based upon existing or required traffic studies. Such lanes shall be accommodated in the dedication of additional right-of-widths on existing streets or in the planned right-of-way of proposed streets. Design requirements, including width and storage length, shall be determined from the recommendations of the applicable traffic study and approved by the City Engineer based on commonly accepted and applied traffic engineering principles. Continuous two-way left-turn lanes shall be discouraged and a median shall be provided to control access between intersections on collector streets.

§4.7. Blocks and Lots

4.7.1. Blocks. Blocks shall not be more than twelve hundred (1200) feet in length. In blocks over eight hundred (800) feet in length the Planning Commission may require one (1) or more public pedestrian passages with not less than a ten (10) foot right-of-way. The Planning Commission may require a minimum block length of four hundred (400) feet.

4.7.2. Lot Arrangement.

1. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.

2. Each lot shall front a public street for a consecutive distance as required by the Zoning Ordinance.

3. Lots shall not be platted such that they, by virtue of topography, flooding, or other environmental hazards, may not reasonably be built upon without variance from dimensional and other requirements of the Zoning Ordinance.

4.7.3. Double and Reverse Frontage Lots. Double frontage lots in residential developments should be avoided, except where essential to separate residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. Reverse frontage lots shall have a depth of not less than one hundred and fifty (150) feet. A planted evergreen buffer and easement at least ten (10) feet wide, across which there shall be no right of access, shall be provided along the line of lots abutting the street right-of-way or other incompatible land use.

§4.8. Sidewalks, Pedestrian Facilities

Sidewalks and pedestrian facilities shall be provided as determined by the Planning Commission in accordance with the following. Where not required, such facilities may be provided at the option of the applicant provided minimum design and construction requirements are satisfied.

4.8.1. Guidelines.

1. Whenever land to be subdivided embraces any part of a sidewalk or pedestrian facility so designated on a City Sidewalk Master Plan, such facility shall be provided as part of the subdivision.
2. Sidewalks should be provided on at least one side of streets within 1,000 ft of an existing or planned school, library, park, place of assembly or commercial area.
3. Sidewalks should be provided along streets that presently or in the future will contain uses that are specifically intended to serve children or the aged.
4. Pedestrian facilities should be placed along collector streets to provide a safe walking environment, adequately separated from higher speed vehicular traffic, connecting one or more subdivisions to nearby destinations.
5. Sidewalks shall not be required where the proposed grade of a street frontage is steeper than would be reasonable for pedestrian use.
6. A permanently dedicated greenway, walking trail, pedestrian passage or similar pedestrian facility may be required as an alternative to sidewalks to provide pedestrian access to nearby commercial centers, schools, parks, or places of assembly. In such cases, the pedestrian facility should be located so as to be accessible to the greatest number of users within the proposed development.
7. Where the Planning Commission determines there is a need to provide pedestrian access, pedestrian passages may be required to provide access across the depth of a block that exceeds eight hundred (800) feet in length.
8. Cul-de-sacs within medium or high density residential subdivisions or districts may be required to provide a permanent pedestrian passage to nearby destinations. Such passage may be an alternative to or in addition to sidewalks within the subdivision. In determining whether a passage should be required, the Planning Commission shall consider the degree to which the passage would increase the safety and convenience of pedestrians in reaching such destinations compared to other feasible routes within the subdivision.

4.8.2. A planting strip shall be provided between the back of curb and sidewalk, except where the Planning Commission determines that topography; tree preservation or conservation; right-of-way characteristics; or other conditions dictate that this requirement be modified or waived.

4.8.3. Pedestrian ramps in accordance with the requirements of the Americans with Disabilities Act (ADA) shall be provided at intersections of streets requiring sidewalks.

4.8.4. Pedestrian Passages. Where required, pedestrian passages shall be provided as follows:

1. The easement or right-of-way shall not be less than ten (10) ft and the minimum width of the walkway shall be four (4) ft in residential areas and five (5) in non-residential areas. The design and surfacing of the passage shall be as approved by the Subdivision Official.
2. If located in a right-of-way, the passage shall be subject to acceptance by the City.

3. If located within an easement, maintenance shall be the responsibility of the developer or property owners' association consistent with the provisions of §4.9.4 Deed Restrictions and Ownership.

§4.9. Open Space and Recreation in Residential Developments

4.9.1. Open Space. Planned unit developments, conservation subdivisions and multi-family housing developments shall provide open space as required the Zoning Ordinance and as specified herein. Developed open space shall be designed to provide active recreational facilities to serve the residents of the development. Undeveloped open space shall be designed to preserve important site amenities and environmentally sensitive areas, usually left in its natural state.

4.9.2. Multi-Family Subdivision, Size of Open Space. For multi-family subdivisions, unless otherwise specified in the Zoning Ordinance, at least five (5) percent of the site shall be set aside for developed and undeveloped open space, adjusted, as appropriate, for conditions such as population density, existing municipal facilities, topography, socioeconomic characteristics of the prospective population, and other appropriate site- and development-specific factors. The area of each parcel of open space designed for active recreational purposes shall be no less than forty (40) ft wide at any point or other such minimum dimensions as to be functionally useable for the type of recreation proposed.

4.9.3. Location of Open Space. Open spaces shall be convenient to the dwelling units they are intended to serve. However, because of the possibility for noise generation, they may be sited with consideration given to such impacts on surrounding residential development.

4.9.4. Deed Restrictions and Ownership.

1. Lands dedicated for open space purposes shall contain appropriate covenants and deed restrictions approved by the city attorney ensuring that:
    a. The open space area will not be further subdivided in the future;
    b. The use of the space will continue in perpetuity for the purpose specified;
    c. Appropriate provisions will be made for the maintenance of the open space; and
    d. Common undeveloped open space shall not be turned into a commercial enterprise which charges an admittance fee.
2. Open Space Ownership. The type of ownership of land dedicated for open space purposes shall be selected by the applicant, subject to the approva1 of the Planning Commission. Types of ownership may include, but not necessarily limited to the following:
    a. Shared, undivided interest by an owners association of all property owners in the subdivision, i.e. a homeowner, condominium, group, or cooperative association of organization;
    b. The City of Scottsboro, subject to acceptance by the City Council; or
    c. Other public or quasi-public jurisdiction, organization or agencies, subject to their acceptance.
3. The provisions of §5.18 Ownership and Maintenance of Common Open Spaces and Facilities of the Zoning Ordinance are hereby made a part of these regulations and shall apply throughout their jurisdiction.

§4.10. Experimental Subdivisions.

The Planning Commission may waive, vary or modify the standards and requirements of these regulations if, in its judgment, an unusual experimental subdivision might prove of considerable merit toward:

4.10.1. The use of unusual materials in constructing required improvements; or

4.10.2. A new or untried design concept in the Scottsboro area, which appears promising. The Planning Commission may require that the applicant provide a written proposal stating the nature of the project, and a cost-benefit study on the implementation of the project.

In granting approval for experimenta1 subdivisions, the P1anning Commission may require such conditions as will in its judgment, secure substantially the objectives of the standards or requirements so varied, modified, or approved. These may include, but not be limited to: personal, surety, performance, or maintenance bonds; affidavits; covenants; or other legal instrument.

§4.11. Name of Development

The name of the subdivision or development must have the approval of the Planning Commission. The name shall not duplicate or closely approximate the name of an existing subdivision or development in the county.

Article 5 Improvements Standards

§5.1. Utility Easements.

There shall be an easement a minimum of ten feet (10) ft wide along the front and rear lot line of each lot for poles, wires, conduits, storm and sanitary sewers, gas, water, and heat mains, telephone lines, television cable, and/or other utility lines and drainage ditches. The Planning Commission may also require easements along side lot lines. If the utilities are underground, the utility plans must include design location for all utilities, including light poles and street lights. Final plat approval signatures must include all utilities, including cable and telephone. Although not mandatory, it is recommended that all utilities be installed in the required rear utility easements.

§5.2. Monuments.

Monuments, the type of which shall be in accordance with current surveying practice, shall be placed at all points where the street ROW lines intersect the exterior boundaries of the subdivision, and at all angle points of curves in each street. All lot corners shall be marked with reinforcing bar not less than one-half (1/2) inches in diameter and eighteen (18) inches long. All monuments and markers shall be set flush with the finished grade and detectable with conventional instruments for finding ferrous or magnetic objects.

§5.3. Streets.

5.3.1. A geotechnical investigation of soil conditions shall be required for all streets serving non-residential uses and as may otherwise be required by the City Engineer. Such report shall be prepared by a registered geotechnical engineer and shall ensure adequate bearing capacity and quality of subgrade materials.

5.3.2. Grading. All streets and alleys shall be graded to the required cross section and in accordance with City specifications. Except as specified otherwise by the City Engineer, where streets are to be constructed under or adjacent to existing major electric transmission lines, the nearest edge of the roadway surface shall be set back from any transmission line structure as may be required by the electric utility provider and all grading for the street shall be done in a manner that will not disturb the structure or result in erosion endangering the structure. The clearance from the street to the nearest conductor of electricity shall meet the requirements of the National Electric Safety Code.

1. Preparation. Before grading is started the entire right-of-way area shall be first cleared of all stumps, roots, brush, and other objectionable materials and all trees not intended for preservation.
2. Cuts. All tree stumps, boulders and other obstructions shall be removed to a depth of two (2) feet below the subgrade. Rock, when encountered, shall be scarified to a depth of twelve (12) inches below the subgrade. This provision applies to the roadway and not necessarily to the entire right-of-way width.

5.3.3. Subgrade.

1. All subgrade shall be cut to the grade as shown on the plan and profile.
2. Soil deeper than six (6) inches below subgrade shall be compacted to 95% Standard Proctor Density. The top six (6) inches shall be compacted to 100% Standard Proctor Density.
3. A test shall be made on all fill sections by a testing agency satisfactory to the City Engineer. Additional tests shall be performed at the rate of not less than one test per 500 linear feet of street.
4. Tests shall be performed on all lifts.

5. The top six inches shall be modified, with the work being performed under *Section 230 Roadbed Processing* of the ALDOT Standard Specifications. It shall be compacted to 100% Standard Proctor Density for the full width of the roadway section.
6. The road bed shall be proof rolled after placement of final subgrade and the final base layer.
7. A copy of all lab reports shall be submitted to the City Engineer.

5.3.4. Base Material, Paving.

1. Base: Base course shall meet the requirements for crushed aggregate as set forth in *Section 301 Soil, Soil Aggregate, and Aggregate, Base and Subbases* Type 825 A or B, plant mixed with water, of the ALDOT Standard Specifications. Base course shall have a minimum thickness of eight (8) inches for local streets and ten (10) inches for major, commercial and industrial streets compacted thickness and extend twelve (12) inches outside of curb sections. The density requirements for compaction shall be in accordance with *Section 306 Density Requirements for Compaction* of the ALDOT Standard Specifications. The Project Engineer may submit an alternate base design method for approval by the City Engineer. Design should be based on a proven and accepted engineering test or method.
2. Roadway Pavement. All streets shall be paved and comply with the following:
    a. Prior to the placement of pavement, a bituminous treatment A (Prime) shall be placed in accordance with *Section 401 Bituminous Surface Treatments* of the ALDOT Standard Specifications and be approved by the City Engineer.
    b. Bituminous pavement requirements shall be a minimum of 225 pounds per square yard (2” depth) of bituminous concrete binder and 100 pounds per square yard (1” depth) of bituminous concrete wearing surface. All design mixes shall meet the requirements of *Section 424 Superpave Bituminous Concrete Base, Binder, and Wearing Surface Layers* of the ALDOT Standard Specifications.

5.3.5. Fill. All suitable material for the roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials, including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed eight (8) inches loose depth, and compacted by a sheep's foot roller. The filling of utility trenches and other areas not accessible to a roller shall be mechanically tamped. Compaction test results must be provided to the street superintendent before paving can begin.

5.3.6. Fire Apparatus Access Roads. Any street, alley or other access designated by the Fire Marshal as a fire apparatus access road shall meet the load requirements of the Fire Code. Such shall be certified by the Project Engineer.

5.3.7. Culverts and Bridges. Culverts, bridges and all materials shall be designed and constructed in accordance with the ALDOT Standard Specifications.

5.3.8. Sidewalks and Pedestrian Passages.

1. Where required, all sidewalks shall be four (4) inches thick with a minimum width of four (4) feet. Sidewalks shall generally run parallel to the street, however, the Planning Commission may approve an alternate location to preserve topographical or natural features or to provide visual interest, if the developer shows that an alternate arrangement provides safe and convenient circulation.
2. Pedestrian passages, where required, shall be designed and constructed in a manner acceptable to the City Engineer.

§5.4. Storm Drainage.

An adequate drainage system including necessary curbs and gutters, pipes, culverts, drop inlets, intersectional drains, bridges, etc., shall be provided for the proper drainage of all surface water in accordance with Table 5-1. See Appendix for specifications.

Table 5-1 Drainage Design Criteria

Structure Type	Flood Event	Overtopping Analysis
Bridge	100 yr	Yes
Roadway Culvert	25 yr	Yes
Open Channel	25 yr 100 yr	Floodplain delineation
Storm Sewer System Arterials, Collectors Local, Frontage	 25 yr 10 yr	 Max. Spread – ½ lane + gutter Max. Spread – ½ lane + gutter
Detention/Retention Primary Secondary	 25 yr 100yr	

5.4.1. Water will be taken from the street via drop inlets in accordance with City Specifications. In no case will the water be allowed to drain across the sidewalk. The exposed ends of all drain tile shall be finished with concrete headwalls.

5.4.2. For curb and gutter systems, drop inlets shall be spaced frequently enough to adequately remove water from the street. The location and design must be approved by the Planning Commission.

5.4.3. Corrugated steel pipe shall not be used in any swale, driveway or other stormwater drainage culvert. All street cross drains shall be reinforced concrete pipe. All other pipes installed in any swale, driveway, or stormwater drainage culvert shall be reinforced concrete pipe, HDPE type "S" drainage pipe or corrugated aluminum pipe as approved by the City Engineer and Street Superintendent. All pipe shall meet applicable AASHTO requirements.

Installation shall be in accordance with City Specifications. Prior to installation, approval shall be obtained from the Street Superintendent and City Engineer.

§5.5. Utilities.

5.5.1. Water Supply System.

1. The water supply system must be connected to the community water supply system and shall be designed and constructed in such a manner as to adequately serve required uses for all lots shown on the subdivision plat or development site plan, including reasonably anticipated future needs. The system shall be designed and constructed in accordance with the Scottsboro Waterworks, Sewer and Gas Board Standard Water Specifications and regulatory requirements, and the design and installation must be approved by the Scottsboro Waterworks, Sewer and Gas Board.
2. Fire Hydrants. Fire Hydrants shall be installed along each street at intervals of five hundred (500) feet, or at the ends and center, of each block and tied to the water system. Dwellings shall not be located more than 400 ft from the nearest fire hydrant and non-residential buildings shall not be located more than 250 ft from the nearest fire hydrant. The water supply and pressure shall be

sufficient to adequately serve the potential needs of the intended land use and have the approval of the Scottsboro Water, Sewer, and Gas Board and the Scottsboro Fire Department.

5.5.2. Sanitary Sewer

1. The sanitary sewer system must be connected to the community sanitary sewerage system and shall be designed and constructed in such a manner as to adequately serve required uses for all lots shown on the subdivision plat or development site plan, including reasonably anticipated future needs. The system shall be designed and constructed in accordance with the Scottsboro Waterworks, Sewer and Gas Board Standard Sanitary Sewer Specifications and regulatory requirements, and the design and installation must be approved by the Scottsboro Waterworks, Sewer and Gas Board.
2. Where lots cannot be economically connected to the Scottsboro Waterworks, Sewer and Gas Board's sanitary sewerage system, individual on-site wastewater disposal systems shall be permitted, provided the disposal plan for each lot has written approval of the Jackson County Health Department, as evidenced by the health department official's signature on the final plat.

5.5.3. Natural Gas System

When gas mains are connected with the community natural gas distribution system, the system shall be designed and constructed in such a manner as to adequately serve required uses for all lots shown on the subdivision plat or development site plan. The system shall be designed and constructed in accordance with the Scottsboro Water, Sewer, and Gas Board Standard Natural Gas Specifications and regulatory requirements, and the design and installation must be approved by the Scottsboro Waterworks, Sewer and Gas Board.

5.5.4. Electricity.

1. The applicant is encouraged to place all electrical lines under ground and utilize pad mounted transformers. All plans for electrical utilities must be approved by the Scottsboro Electric Power Board.
2. Street Lighting. For reasons of safety and convenience the applicant shall provide street lights at each street intersection. Where blocks exceed eight hundred (800) feet in length, the Planning Commission may require additional lighting. All street lighting plans must be approved by the Scottsboro Electric Power Board.

§5.6. Signs.

5.6.1. Street Name Signs. All streets shall be designated by name on a metal street sign post, in accordance with City Specifications, with name plates of metal set one above the other with a minimum clearance of seven (7) feet from grade to the lowest edge of the sign. The post shall be so located as to be visible for both pedestrian and vehicular traffic. At four-way intersections, two street sign posts shall be located diagonally across the intersection from each other. One street sign post shall be required at "T" street intersections.

5.6.2. Traffic Control Signs. The developer shall install, at his cost, all necessary traffic control signs and devices as shown on the approved preliminary plat, which shall be in compliance with the Manual on Uniform Traffic Control Devices as adopted by the State of Alabama.

Article 6 Site Design Standards

For developments subject to Site Plan Review, the following standards shall be considered by the Planning Commission:

§6.1. General Site Design Standards.

6.1.1. Access Management. Generally, driveways should be fewer and farther apart on major streets while a larger number of driveways spaced more closely together are more tolerable on local streets.

1. Site plans shall conform with the access management requirements in §4.6 Access Management.
2. Shared driveways, alleys and cross access drives are encouraged where appropriate.
3. For corner lots, access should be provided along the street of lesser classification and any driveways should be located as far from the intersection as possible.

6.1.2. Sight Lines. Structures and landscaping should be placed to assure clear sight lines for motorists that allow safe ingress and egress to properties and safe movements within the site.

6.1.3. Building Location.

1. Buildings should be located on site in keeping with adjacent buildings on the same side of the street and to create useable exterior spaces.
2. Buildings should be oriented such that entrances face the street.

6.1.4. Parking Location.

1. Parking areas for multi-family developments should be located internally to the site rather than between buildings and the street.
2. Large surface parking lots should be broken up into multiple spaces through landscaping.
3. Some parking should be placed to the sides and rear of the building to avoid oversized parking in front of the building. This strategy can be helpful in matching shallower setbacks of adjacent buildings.

6.1.5. Storage, Service and Loading Areas.

1. Storage, service and loading areas should be located so as to minimize their visibility to the public and/or shall be screened as required by the Planning Commission.
2. Storage, service and loading areas should be located to so as not to disrupt the efficient flow of on-site and off-site traffic.

6.1.6. Refuse Collection Areas (Multi-family and Non-residential)

1. Refuse collection areas should be located to minimize their visibility to the public and/or screened as required by the Planning Commission in accordance with the Zoning Ordinance.
2. Refuse collection areas shall be designed and of a size to contain all refuse (and recycling, if applicable) generated on-site and deposited between collections.

6.1.7. Mechanical and Electrical Equipment. Mechanical and electrical equipment should be located to minimize their visibility to the public and/or screened as required by the Planning Commission.

§6.2. Landscaping Standards

6.2.1. Buffering. Buffers shall be provided as required in the Zoning Ordinance wherever a use of higher intensity is developed abutting a use of lower intensity (i.e., a commercial use is developed next to a residential use or a multi-family use is developed next to a single-family use).

6.2.2. Parking Lot Landscaping. Landscaping shall be provided within and at the perimeter of parking lots and other vehicular areas as required by §11.2 Landscaping for Vehicular Areas of the Zoning Ordinance.

6.2.3. Screening. Location on site, plant materials, fences, walls, berms or a combination thereof shall be used to visually screen certain site elements and activities, including but not limited to outdoor storage and garbage collection areas, from public view as required in §11.3 Screening of the Zoning Ordinance.

Article 7 Variances, Enforcement, Legal Status Provisions

§7.1. Variances

Where an applicant can show that a provision of these Regulations would cause an unnecessary hardship if strictly adhered to and where, because of topographical or other conditions peculiar to the site, in the opinion of the Planning Commission a departure may be made without destroying the intent of such provision, the Planning Commission may authorize a variance. Any variance thus authorized is required to be entered in writing in the official minutes of the Planning Commission and the reason which justified the departure to be set forth. In determining whether a modification, reduction or waiver of a requirement of these Regulations is warranted, the Planning Commission must find that all of the following criteria are met:

7.1.1. Owing to extraordinary circumstances, literal enforcement of the provisions of this Resolution will result in undesirable characteristics, including but not limited to, poor traffic movement, unsuitable lot design, or unnecessarily expensive utility extensions.

7.1.2. That the Variance, if granted, will not cause any off-site problems such as traffic, utilities, drainage, water, and sanitation on other properties.

7.1.3. That the variance, if granted, will not substantially or permanently injure any adjacent conforming property.

7.1.4. That the variance, if granted, is the minimum variance and the least modification that will afford the relief sought.

7.1.5. That the Variance, if granted, will be in harmony with the spirit of these Regulations and will not adversely affect the public health, safety or welfare.

§7.2. Transferring Lots in Unapproved Subdivisions, Penalties

Whoever, being the agent of the owner or owner of any land located within a subdivision, transfers or sells or agrees to sell any land by reference to or exhibition of or by other use of a part of a subdivision, before such plat has been approved by the Planning Commission and recorded in the Office of the Probate Judge, shall forfeit and pay a penalty of one hundred (100) dollars for each lot or parcel so transferred or sold or agreed or negotiated to be sold. The description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided.

The City may enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction or may recover the same penalty by a civil action in any court of competent jurisdiction.

§7.3. Fees, Fines

7.3.1. Fees. All applicants shall pay a one hundred fifty ($200.00) dollar fee to the City of Scottsboro at the time of submission of any request for Minor Plat, Preliminary Plat, or Final Approval of a proposed subdivision.

7.3.2. Fines. Any person violating any provisions of this regulation shall be charged a fine upon conviction, of not more than one hundred ($100) dollars and court costs for each offense. Each day such violation continues shall constitute a separate offense.

§7.4. Conflict With Other Laws

Wherever the requirements of this regulation conflict with the requirements of any other lawfully adopted statutes, rules, regulations, ordinances, the most restrictive, or that imposing higher standards, shall govern.

§7.5. Validity

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

§7.6. Effective Date

These regulations shall take effect and be in force from and after the date of adoption.

SAMPLE CERTIFICATES AND ACKOWLEDGMENTS

- Surveyor's Certificate
- Sketch Plan Certificate (City Engineer)
- Site Assessment Certificate (City Engineer)
- Certificate of Approval, Preliminary Plat (Subdivision Official)
- Certificate of Approval, Preliminary Plat (Planning Commission)
- Certificate of Approval, Preliminary Plat (City Engineer)
- Certificate of Approval, Preliminary Plat (Streets Superintendent)
- Certificate of Approval of Water Distribution System, Preliminary Plat (Waterworks, Sewer and Gas Board)
- Certificate of Approval of Sewer Distribution System, Preliminary Plat (Waterworks, Sewer and Gas Board)
- Certificate of Approval of Gas Distribution System, Preliminary Plat (Waterworks, Sewer and Gas Board)
- Certificate of Approval of Electric Distribution System, Preliminary Plat (Scottsboro Electric Power Board)
- Certificate of Approval, Preliminary Plat (County Health Department)
- Dedication
- Notary's Acknowledgment
- Notary's Acknowledgment
- Mortgage Holder's Certificate
- Certificate of Approval, Final Plat (Planning Commission)
- Certificate of Approval, Final Plat (City Engineer)
- Certificate of Approval, Final Plat (Streets Superintendent)
- Certificate of Approval, Final Plat (Scottsboro Electric Power Board)
- Certificate of Approval, Final Plat (Waterworks, Sewer and Gas Board)
- Certificate of Approval, Final Plat (County Health Department)

SUBDIVISION PROCEDURAL FLOWCHART

PLAT CHECKLISTS

- Minor Subdivision Plat Checklist
- Preliminary Plat Checklist
- Final Plat Checklist

SPECIFICATIONS

- Standard Street Cross Sections (Local Street, Collector, Industrial Access Road)

Surveyor's Certificate

SURVEYOR'S CERTIFICATE AND DESCRIPTION OF LAND PLATTED
STATE OF ALABAMA
COUNTY OF JACKSON

I, (name of surveyor), an Alabama registered Surveyor, hereby certify that I have surveyed the property of the (name of company of proprietor), a (corporation or proprietor), situated in the City of Scottsboro, Jackson County, Alabama and described as follows:

(Insert Legal Description)

And that the plat or map contained hereon is a true and correct map, meeting the current standards of practice set forth by the Alabama State Board of Registration for Professional Engineers and Land Surveyors, showing the subdivision into which the property described is divided giving the length and bearings of the boundaries of each lot and its number and showing the streets, alleys and public grounds and giving the bearings, length, width, and name of the streets, said map further shows the relation of the land so platted to the Government Survey, and that permanent monuments have been placed at points marked thus (0) as hereon shown.

WITNESS my hand this _____, 20___.

_____ _____
(Name of Surveyor) Registration Number

Sketch Plan Certificate (City Engineer)

The Sketch Plan for _____ has been reviewed by the City Engineer for the City of Scottsboro.

_____ _____
Date City Engineer
City of Scottsboro, Alabama

Site Assessment Certificate

I, _____, the Project Engineer, do hereby certify that the information shown hereon is complete and in compliance with all applicable regulations of the City of Scottsboro, Alabama to the best of my knowledge.

_____ _____

Date Project Engineer

Certificate of Approval, Preliminary Plat (Subdivision Official)

In that all the requirements of Preliminary Approval have been fulfilled, this subdivision plat was given Preliminary Approval by the Scottsboro Planning Commission on _____, 20__.

_____

Subdivision Official
City of Scottsboro, Alabama

Certificate of Approval, Preliminary Plat (Planning Commission)

In that all the requirements of Preliminary Approval have been fulfilled, this subdivision plat was given Preliminary Approval by the Scottsboro Planning Commission on _____, 20__. Preliminary Approval does not constitute approval of the Final Plat.

_____

Chairperson
Scottsboro Planning Commission

Certificate of Approval, Preliminary Plat (City Engineer)

In that all the requirements of Preliminary Approval have been fulfilled, this subdivision plat was given Preliminary Approval by the Scottsboro Planning Commission on _____, 20__.

_____
City Engineer
City of Scottsboro, Alabama

Certificate of Approval, Preliminary Plat (Streets Superintendent)

In that all the requirements of Preliminary Approval have been fulfilled, this subdivision plat was given Preliminary Approval by the Scottsboro Planning Commission on _____, 20__.

_____
Streets Superintendent
City of Scottsboro, Alabama

Certificate of Approval of Water Distribution System, Preliminary Plat (Waterworks, Sewer and Gas Board)

The undersigned, as authorized by the Scottsboro Waterworks, Sewer and Gas Board, hereby approved the water distribution system design as shown on this Preliminary Plat on _____, 20__.

_____
Scottsboro Waterworks, Sewer and Gas Board

Certificate of Approval of Sewer Distribution System, Preliminary Plat (Waterworks, Sewer and Gas Board)

The undersigned, as authorized by the Scottsboro Waterworks, Sewer and Gas Board, hereby approved the sewer distribution system design as shown on this Preliminary Plat on _____, 20__.

_____
Scottsboro Waterworks, Sewer and Gas Board

Certificate of Approval of Gas Distribution System, Preliminary Plat (Waterworks, Sewer and Gas Board)

The undersigned, as authorized by the Scottsboro Waterworks, Sewer and Gas Board, hereby approved the gas distribution system design as shown on this Preliminary Plat on _____, 20__.

_____
Scottsboro Waterworks, Sewer and Gas Board

Certificate of Approval of Electric Distribution System, Preliminary Plat (Scottsboro Electric Power Board)

The undersigned, as authorized by the Scottsboro Electric Power Board, hereby approved the electric distribution system design as shown on this Preliminary Plat on _____, 20__.

_____
Scottsboro Electric Power Board

Certificate for Lots with On-Site Septic Systems, Preliminary Plat (County Health Department)

The lot(s) on this plat are subject to approval or deletion by the Jackson County Health Department. The approvals may contain certain conditions pertaining to the onsite wastewater treatment system(s) that could restrict the use of the lot(s) or obligate owners to special maintenance and reporting requirements. These conditions are on file with said health department and are made a part of this plat as if set out hereon. The undersigned, as authorized by the Jackson County Health Department, Alabama, hereby approved the onsite wastewater treatment system for this plat, on _____, 20___.

_____
Health Officer, Jackson County, Alabama

Dedication

I/We (Land Owner or developer, address), as proprietor(s), have caused the land embraced in the within plat to be surveyed, laid out and platted to be known as (Subdivision Name), a part of (Section Call Out), City of Scottsboro, Jackson County, Alabama, and that the (Streets, Drives, Alleys, etc.) as shown on said plat are hereby dedicated to the use of the public.

Signed and sealed in the presence of:

_____ _____
Witness Property Owner

_____ _____
Witness Property Owner

Notary's Acknowledgment

ACKNOWLEGMENT
STATE OF ALABAMA
COUNTY OF JACKSON
I, _____, a Notary Public in and for said County, in said State, hereby certify that (individual's name), whose name as (title) of the (corporation name), is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN under my hand and official seal this _____, 20___.

NOTARY PUBLIC

Notary's Acknowledgment

ACKNOWLEGMENT
STATE OF ALABAMA
COUNTY OF JACKSON
I, _____, a Notary Public in and for said County, in said State, hereby certify that (owner's name), whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, executed the same voluntarily.

GIVEN under my hand and official seal this _____, 20___.

NOTARY PUBLIC

Mortgage Holder's Certificate

We, (name of institution and location), by (name and title of officer), holders of a mortgage on the above described property do hereby consent to the plat of (name of plat), in the City of Scottsboro, Jackson County, Alabama on _____, 20___.

(Name of Institution and Location)

_____
Name and Title, Mortgagee Representative

Certificate of Approval, Final Plat (Planning Commission)

In that all the requirements of Final Approval have been fulfilled, this subdivision plat was given Final Approval for recording of same in the Probate Office of Jackson County, Alabama by the Scottsboro Planning Commission on _____, 20__.

_____
Chairperson
Scottsboro Planning Commission

Certificate of Approval, Final Plat (City Engineer)

In that all the requirements of Final Approval have been fulfilled, this subdivision plat was given Final Approval for recording of same in the Probate Office of Jackson County, Alabama by the Scottsboro Planning Commission on _____, 20__.

_____
City Engineer
City of Scottsboro, Alabama

Certificate of Approval, Final Plat (Streets Superintendent)

In that all the requirements of Final Approval have been fulfilled, this subdivision plat was given Final Approval for recording of same in the Probate Office of Jackson County, Alabama by the Scottsboro Planning Commission on _____, 20__.

_____
Streets Superintendent
City of Scottsboro, Alabama

Certificate of Approval, Final Plat (Scottsboro Electric Power Board)

The undersigned, as authorized by the Scottsboro Electric Power Board, hereby approved this plat for recording of same in the Probate Office of Jackson County, Alabama on _____, 20__.

_____
Scottsboro Electric Power Board

Certificate of Approval of Water System, Final Plat (Waterworks, Sewer and Gas Board)

The undersigned, as authorized by the Scottsboro Waterworks, Sewer and Gas Board, hereby approved the water distribution system for this plat for recording of same in the Probate Office of Jackson County, Alabama on _____, 20__.

_____
Scottsboro Waterworks, Sewer and Gas Board

Certificate of Approval of Sewer System, Final Plat (Waterworks, Sewer and Gas Board)

The undersigned, as authorized by the Scottsboro Waterworks, Sewer and Gas Board, hereby approved the sewer distribution system for this plat for recording of same in the Probate Office of Jackson County, Alabama on _____, 20__.

_____
Scottsboro Waterworks, Sewer and Gas Board

Certificate of Approval, Final Plat (Waterworks, Sewer and Gas Board)

The undersigned, as authorized by the Scottsboro Waterworks, Sewer and Gas Board, hereby approved the gas distribution system for this plat for recording of same in the Probate Office of Jackson County, Alabama on _____, 20__.

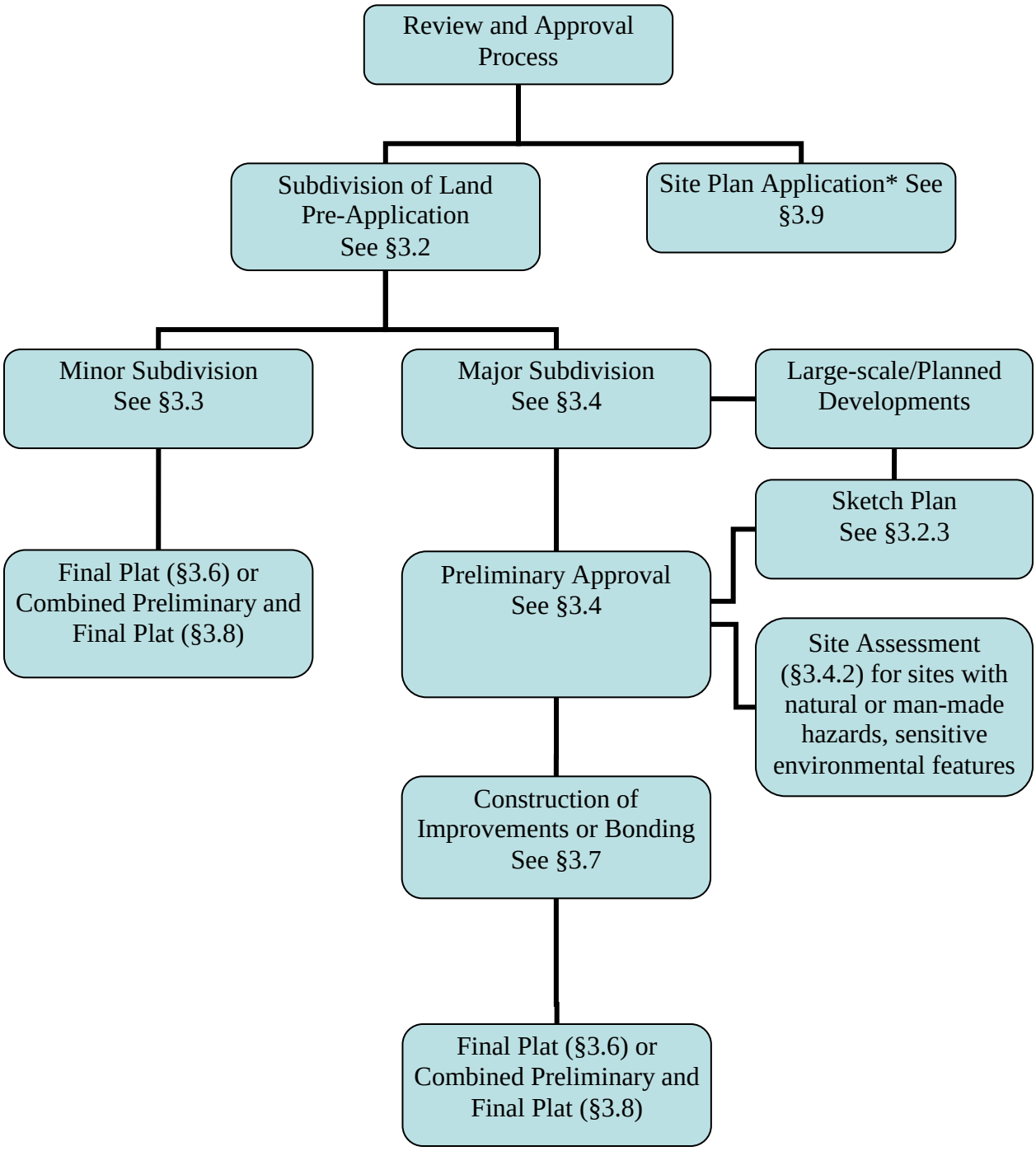
_____
Scottsboro Waterworks, Sewer and Gas Board

Certificate for Lots with On-Site Septic Systems, Final Plat (County Health Department)

The lot(s) on this plat are subject to approval or deletion by the Jackson County Health Department. The approvals may contain certain conditions pertaining to the onsite wastewater treatment system(s) that could restrict the use of the lot(s) or obligate owners to special maintenance and reporting requirements. These conditions are on file with said health department and are made a part of this plat as if set out hereon. The undersigned, as authorized by the Jackson County Health Department, Alabama, hereby approved the within plat for recording of same in the Probate Office of Jackson County, Alabama, on _____, 20___.

_____
Health Officer, Jackson County, Alabama

Subdivision and Site Plan Procedure Flowchart



MINOR SUBDIVISION PLAT CHECKLIST

- ☐ Name of subdivision
- ☐ Graphic scale (not less than 1"=100')
- ☐ North point
- ☐ Date
- ☐ Total acreage
- ☐ Name, address and seal/registration no. of Surveyor
- ☐ Location (legal description, lot, block, subdivision name, parcel numbers, Deed Book and Page)
- ☐ Vicinity Map
- ☐ Name of adjacent subdivisions
- ☐ Name, address and Deed Book and Page of record of owners and adjoining owners
- ☐ Name, address of agents, if applicable
- ☐ Location of existing property lines
- ☐ Location and width of existing rights-of-way and easements
- ☐ Name, location and widths of existing streets, alleys and driveways
- ☐ Length (1/100 ft) and bearing (1/10 sec. of arc) of exterior boundaries
- ☐ Location of existing buildings, watercourses, railroads, sewers, bridges, culverts, drain pipes, water mains (on-site and adjoining)
- ☐ Dimensions and area of lot lines, reservations, open spaces and parks
- ☐ Approximate radii, central angle, arc distance, chord lengths and points of tangency of all curves
- ☐ Restrictions and proposed use of lots (as required)
- ☐ Certificate of approval (water, sewer, gas, electric, and health dept. if not on sanitary sewer)
- ☐ Additional certificates as required
- ☐ Present and proposed zoning (as applicable)
- ☐ Regulatory floodplain boundaries with FIRM panel number and effective date
  - ☐ Flood study with floodway and base flood elevations (if in Special Flood Hazard District A)
  - ☐ Minimum finished floor elevations for all lots in 100-year floodplain
- ☐ Inscription: "NOT FOR FINAL RECORDING" (except for combined Preliminary/Final Approval)

PRELIMINARY PLAT CHECKLIST

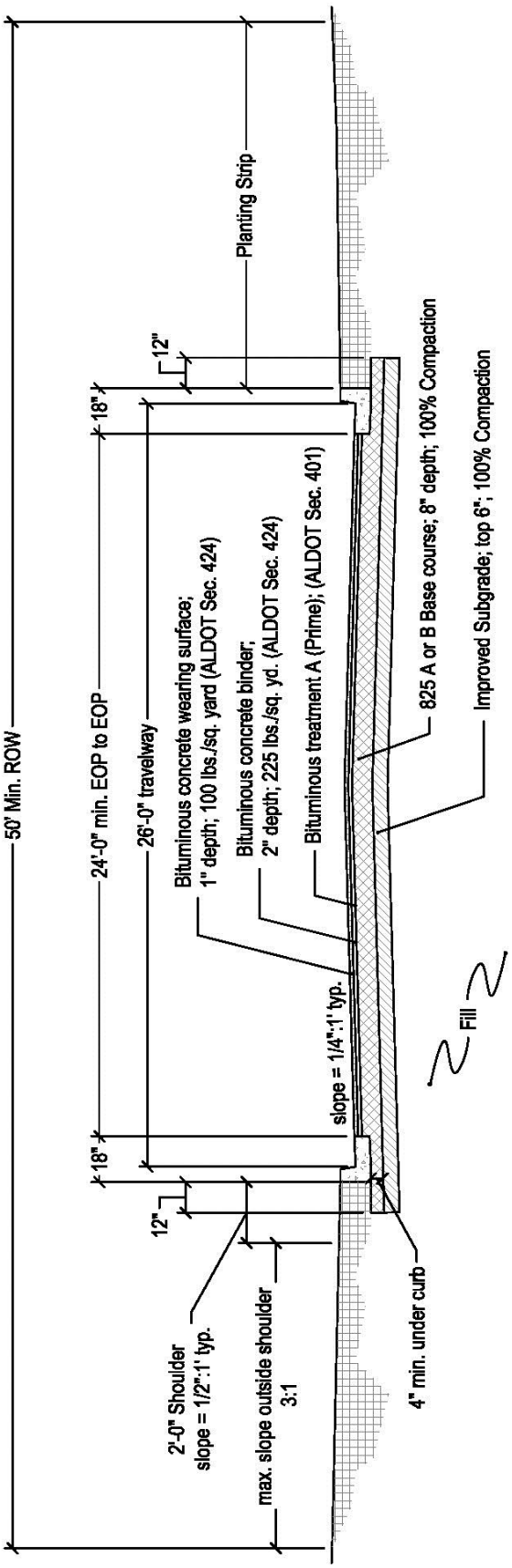
- ☐ Name of subdivision
- ☐ Graphic scale
- ☐ North point
- ☐ Date
- ☐ Total acreage
- ☐ Name, address and seal/registration no. of Surveyor
- ☐ Location (legal description, lot, block, subdivision name, parcel numbers, Deed Book and Page)
- ☐ Vicinity Map
- ☐ Name of adjacent subdivisions
- ☐ Name, address and Deed Book and Page of record of owners and adjoining owners
- ☐ Name, address of agents, if applicable
- ☐ Topography (USGS, geodetic Survey Sea Level Datum, etc.)
  - ☐ Five foot intervals (two foot may be required)
  - ☐ Source of Topography
- ☐ Location of existing property lines
- ☐ Location and width of existing rights-of-way and easements
- ☐ Name, location and widths of existing streets, alleys and driveways
- ☐ Length (1/100 ft) and bearing (1/10 sec. of arc) of exterior boundaries
- ☐ Location of existing buildings, watercourses, railroads, sewers, bridges, culverts, drain pipes, water mains (on-site and adjoining)
- ☐ Location and dimensions of proposed rights-of-way, streets, alleys, easements; lot and block numbers
- ☐ Dimensions and area of lot lines, reservations, open spaces and parks
- ☐ Street profiles (natural and finished grade; scale 1=100’ H, 1’=10’ V as required)
- ☐ Street cross sections
- ☐ Approximate radii, central angle, arc distance, chord lengths and points of tangency of all curves
- ☐ Proposed utility layout
- ☐ Restrictions and proposed use of lots (as required)
- ☐ Certificate of approval (water, sewer, gas, electric, and health dept. if not on sanitary sewer)
- ☐ Additional certificates as required
- ☐ Present and proposed zoning (as applicable)
- ☐ Minimum building front, rear and side yard setback lines
- ☐ Drainage plan
- ☐ Regulatory floodplain boundaries with FIRM panel number and effective date
  - ☐ Flood study with floodway and base flood elevations (if in Special Flood Hazard District A)
  - ☐ Minimum finished floor elevations for all lots in 100-year floodplain
- ☐ Inscription: “NOT FOR FINAL RECORDING”

FINAL PLAT CHECKLIST

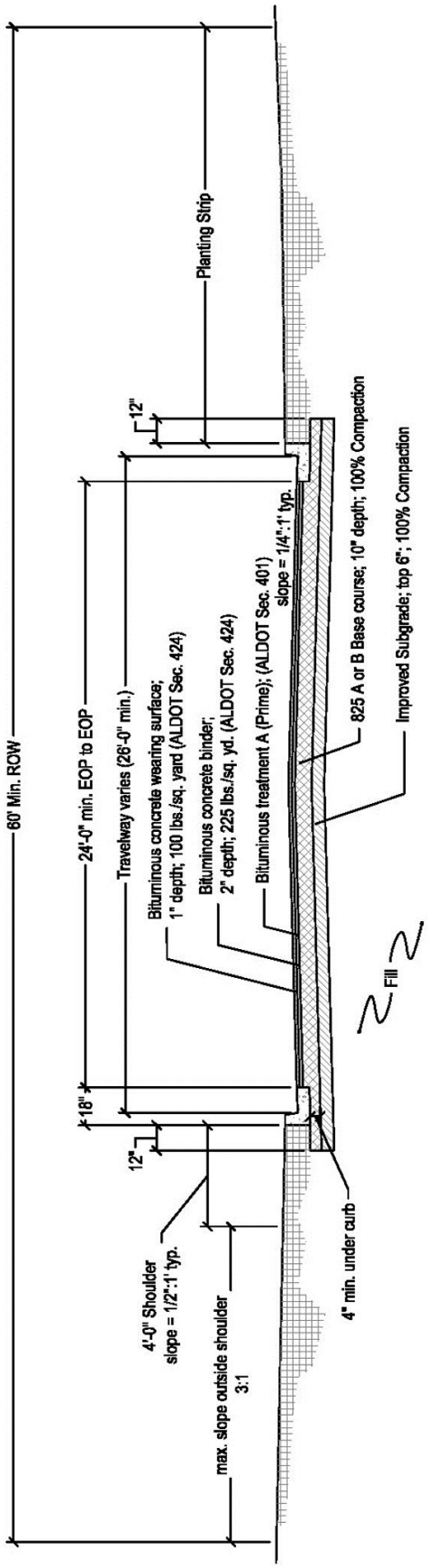
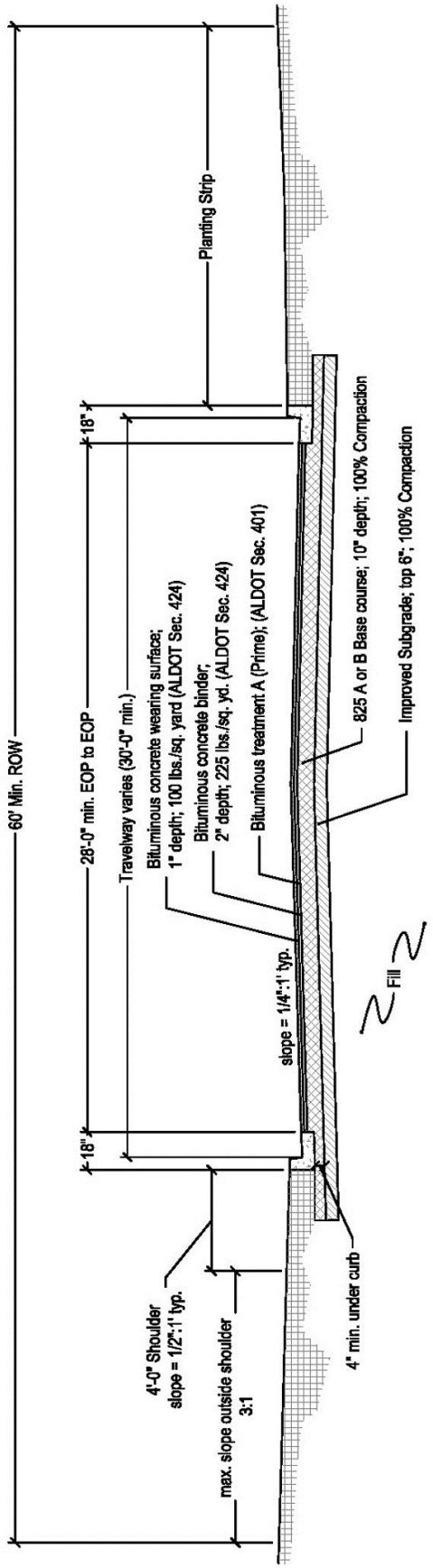
- ☐ Name of subdivision
- ☐ Graphic scale
- ☐ North point
- ☐ Date
- ☐ Total acreage
- ☐ Name, address and seal/registration no. of Surveyor
- ☐ Location (legal description, lot, block, subdivision name, parcel numbers, Deed Book and Page)
- ☐ Name of adjacent subdivisions
- ☐ Name, address and Deed Book and Page of record of owners
- ☐ Name, address of agents, if applicable
- ☐ Bearings and distances to nearest street lines, benchmarks, monuments (at least 3)
- ☐ Boundary lines from survey (to 1 sec.; error closure 1:10,000)
- ☐ Location and dimensions of rights-of-way, streets, alleys, including on adjoining tracts
- ☐ Dimensions and area of lot lines, reservations, open spaces and parks
- ☐ Street centerlines with angles of deflection and intersection, radii, lengths, tangents
- ☐ Dimensions of lot lines (to 1:100 ft and bearings); lot and block numbers
- ☐ Location, dimension and purpose of easements, reservations, common or public use spaces
- ☐ Location, material and description of monuments
- ☐ Statement of covenants (on or attached to plat)
- ☐ Regulatory floodplain boundaries with FIRM panel number and effective date
  - ☐ Flood study with floodway and base flood elevations (if in Special Flood Hazard District A)
  - ☐ Minimum finished floor elevations for all lots in 100-year floodplain
- ☐ Dedication for public lands
- ☐ Notary’s Acknowledgment (where developer and owner are not the same)
- ☐ Certificate of Approval of Final Plat (Planning Commission)
- ☐ Certificate of Approval of Final Plat (City Engineer)
- ☐ Certificate of Approval of Final Plat (Streets Superintendent)
- ☐ Certificate of Approval of Final Plat (Scottsboro Electric Power Board)
- ☐ Certificates of Approval of Final Plat (Waterworks, Sewer and Gas Board)
- ☐ Certificate of Approval (County Health Department)

STANDARD STREET CROSS SECTIONS

Local Street: Standard Cross Section
Residential, Non-Residential and Mixed-Use Contexts



Collector Street: Standard Cross Section
Residential, Non-Residential and Mixed-Use Contexts



Industrial Access Road: Standard Cross Section