

Subdivision Regulations

**City of Hartselle, Alabama
2009**



**Adopted by the Planning Commission:
September 8, 2009**

As Amended Through August 2, 2016

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Article 1: General Provisions

A. Short title

1. These regulations shall be known as “The Subdivision Regulations of the City of Hartselle, Alabama” and may hereafter be cited simply as the “Subdivision Regulations.”

B. Rule

1. Whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof, and before the permit for the erection of any structure in such proposed subdivision is granted, the subdividing owner, or his authorized agent shall apply for and secure approval of such proposed subdivision in accordance with the provisions of the Subdivision Regulations.

C. Authority

1. These regulations are adopted and enforced pursuant to the authority delegated to the City of Hartselle, Alabama under Title 11, Chapter 52, Sections 2, 3, and 6 of the *Code of Alabama* as last amended.

D. Purpose

1. The purpose of these regulations is to preserve and promote the public health, safety, and welfare of the City and its residents by insuring:

- a) Establishment of standards for subdivision design that will encourage the development of a sound and economically stable community and a healthy living environment.
- b) Efficient and economical provision of adequate infrastructure and services.
- c) Prevention of traffic hazards and provision for safe and convenient vehicular and pedestrian circulation.
- d) Establishment of standards for design and procedures for plats and resubdivisions to further the orderly layout and use of land and to ensure the proper legal description and monumentation of subdivided land.

2. The provisions of the Subdivision regulations shall be administered to ensure orderly growth and development and shall supplement and facilitate the provisions of the Zoning Ordinance, Official Zoning Map, Comprehensive Plan and Capital Improvements Program.

E. Applicability

1. A plat is required for the subdivision of any lot, tract, or parcel of land; and for the dedication, layout, opening, or construction of any street to which these regulations apply as stated in Article 1; Section E (2). All plats shall have a scale of 1"=20', 1"=30', 1"=40', 1"=50', 1"=60', or 1"=100'.
2. All parcels fully encompassed by the jurisdiction of these Subdivision Regulations as stated in Article 1; Section I (2) shall be subject to all regulations set forth herein. Partially encompassed parcels shall be considered as lying outside of the jurisdiction of these regulations.

F. Compliance with Comprehensive Plan

1. No land shall be subdivided unless such subdivision and future land uses thereof shall be consistent with the provisions of the Comprehensive Plan.
2. Whenever land is proposed for subdivision that includes or is adjacent to needed facilities identified in the Comprehensive Plan, land for that improvement shall be set aside in the subdivision plat. Such facilities include, but are not limited to roads, parks, utility facilities, and drainage facilities.

G. Compliance with Zoning Regulations

1. All subdivisions shall comply with the zoning regulations applicable to the property being subdivided.
2. No non-conforming lot or other non-conforming condition shall be created through the act of subdivision, unless a variance is granted according to the provisions of Article 2, Section C.
3. Land which is determined to be unsuitable for development due to slope, flooding, poor soil quality, poor drainage, or other environmental constraints that may be harmful to the health, safety, and general welfare of future residents shall not be subdivided into building lots unless adequate methods of correction or mitigation are included and guaranteed. Such land may be subdivided into a parcel identified as unbuildable, or dedicated to open space use, as appropriate.

H. General Requirements

1. All lots created pursuant to these Subdivision Regulations shall have frontage on a dedicated public right-of-way, or on a dedicated private right-of-way that meets all requirements of the Subdivision Regulations.
2. The minimum frontage for lots created outside the corporate limits of the City of Hartselle, but otherwise within the applicability standards of these regulations as stated

in Article 1; Section E (2), shall be 50 feet and said width shall not reduce to less than 50 feet at any point on said lot.

3. The minimum frontage of each parcel shall be equal to or greater than the minimum width for the zoning district in which the parcel is located and the width of said lot shall not reduce to less than said minimum width at any point. The Planning Commission shall only consider lot frontage and width less than that required by the zoning district for cul-de-sac lots per Article 1; Section H(4) below or in such cases where a finding of hardship and a variance for specific relief has previously been granted by the Board of Zoning Adjustment to allow a flag lot. In such flag lot cases, the following further limitations to approval shall apply: a) frontage shall not be reduced to less than 50 feet and the width of said flag lot shall not reduce to below 50 feet at any point; b) width at the building line shall be equal to or greater than the width required for the zoning district; c) separate approval by the Board of Zoning Adjustment with a finding of hardship shall be required for each such proposed flag lot.

4. The minimum frontage for lots that front the radius of a cul-de-sac ending may be reduced from the frontage required in the zoning district in which the lot is located or from the requirements of Article 1; Section H (2) if such lots are not in the form of flag lots and the required minimum frontage width is provided at the building line.

5. No more than three (3) residential lots created as part of a major subdivision shall take direct access from a street classified as collector or arterial.

6. New commercial lots created pursuant to these Subdivision Regulations that take access from a street identified as a collector or arterial in the Comprehensive Plan shall provide for common access to minimize the number of access points and traffic conflicts caused by turning vehicles.

7. No lot(s) created as part of an approved resubdivision or certificate shall be considered by the Planning Commission for further subdivision to create additional lot(s) within 180 days of original resubdivision or certificate approval. This restriction shall not apply to property zoned for commercial development.

I. Jurisdiction

1. These regulations shall become effective upon adoption and publication, pursuant to Title 11, Chapter 52, Section 31 of the Code of Alabama. Upon adoption of these regulations according to law, the Subdivision Regulations of Hartselle, Alabama, adopted by the Planning Commission July 28, 1981, as amended, are hereby repealed.

2. The provisions of these Subdivision Regulations shall be applicable within the following areas, as authorized under Title 11, Chapter 52, Section 30 of the *Code of Alabama*:

- a) Within the full corporate limits of the City of Hartselle, and
- b) All area within 1.5 miles of the corporate limits of the City of Hartselle, except said area shall be divided equidistant between corporate limits in areas that said 1.5 miles overlaps the legal jurisdiction of a neighboring municipality.

3. When necessary to further its purposes, these regulations may be amended, in which case the Planning Commission shall follow the procedures prescribed under Title 11, Chapter 52, Section 31 of the Code of Alabama.

J. Enforcement and Penalties

- 1. It shall be the responsibility of the City Planner as the City's designee or any and all other City employees as the City Planner shall deem appropriate to enforce the provisions of this Ordinance and to bring to the Planning Commission any violations, lack of compliance or specific applications as required by law.
- 2. Violation of the provisions of the Subdivision Regulations shall be punishable as provided in Code of Alabama, Section 11-52-33. The Planning Commission shall have recourse to such remedies in law and equity as may be necessary to ensure compliance with the provision of the Subdivision Regulations.

K. Interpretation, Conflict, and Separability

- 1. Unless the context clearly indicates the contrary, words used in the present tense include the future tense; words used in the plural will also refer to the singular; "shall" and "will" are always mandatory and "may" and "should" are permissive. In their interpretation and application, the provisions of the Subdivision Regulations shall be held to the minimum requirements.
- 2. Where any provision of the Subdivision Regulations imposes different restrictions than those required in another provision of the Subdivision Regulations or other Ordinance, resolution, rule, or regulation of any kind, the regulation that is more restrictive and/or imposes higher standards or requirements shall govern.
- 3. The provisions of the Subdivision Regulations are separable. If a section, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the remaining portions of the Subdivision Regulations. The Planning Commission hereby declares that it would have enacted the remainder of these regulations even without any such part, provision or application.

Article 2: Administration

A. Jurisdiction

1. Pursuant to Title 11, Chapter 52, Section 30 of the *Code of Alabama*, approval of subdivision plats by resolution of the Planning Commission is hereby required as a condition for the filing of such plats with the Probate Judge's Office of Morgan County, Alabama.
2. The jurisdiction of the Hartselle Planning Commission and other municipal bodies does not extend to property owned by state or federal governments. State and federal governments are also exempt from municipal regulations such as subdivision and zoning laws. However, state and federal agencies when appropriate, are encouraged to confer with the Hartselle Planning Commission for constructive input.

B. Participants in the Subdivision Process

1. Technical Review Committee
 - a) The Chairperson of the Planning Commission may appoint a Technical Review Committee. The purpose of the Committee is to review, comment on, and make recommendations regarding subdivision applications and to perform other duties, as conferred on the Committee by the Planning Commission through a duly adopted and recorded motion. The committee shall consist of at least four members who are qualified to make recommendations of a technical nature to the Commission. These may include, but are not limited to the City Planner, City Engineer, City Building Inspector, Fire Chief, Police Chief, Public Works Supervisor, and representatives of utility providers.
2. Planning Commission
 - a) Pursuant to the provisions of Title 11, Chapter 52, Section 2, of the *Code of Alabama*, a Planning Commission shall be created for the City of Hartselle. The composition of the Commission and the appointment of members shall be as specified Title 11, Chapter 52, Section 3 of the *Code of Alabama*.
 - b) The Planning Commission adopts the Subdivision Regulations and has the authority for its implementation. The Commission also plays an advisory role to the City Council on other Planning related issues such as, but not limited to, comprehensive planning, administration of the zoning ordinance, rezonings, capital improvements planning, and annexation.
3. City Council
 - a) The City Council adopts the zoning ordinance, Comprehensive Plan, and amendments to same, authorizes funding of public projects, acts on annexation and rezoning requests, and accepts and maintains public improvements.

4. Board of Zoning Adjustment

a) The Board of Zoning Adjustment is a quasi-judicial body whose authority is limited to consideration of appeals to the strict interpretation of the zoning ordinance. Under certain circumstances, the Board may grant variances from the ordinance. The Board is also empowered to make interpretations of provision of the zoning ordinance and the official zoning map.

C. Special Variances

1. Where the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with the Subdivision Regulations, or the purposes of the regulations may be served to a greater extent by an alternative proposal, it may approve variances to the regulations so that substantial justice may be done and the public interest served, provided that such variance shall not have the effect of nullifying the intent and purpose of the Subdivision Regulations. Further, the Planning Commission shall not approve variances unless it shall make findings based on the evidence presented to it in each specific case that:

a) The granting of the variance will not be detrimental to the public safety, health, welfare, or injurious to other property.

b) The conditions upon which the request for variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.

c) Because of the particular physical surroundings, shape, or topography of the specific property involved, a particular hardship to the owner would result, as distinguished from inconvenience or loss of income, if the strict letter of these regulations were carried out.

d) any hardship that exists was not created by the property owner or previous owners of the property.

e) the variance will not in any manner vary the provisions of the Comprehensive Plan, Zoning Ordinance, or Official Zoning Map.

2. In approving variances the Planning Commission may require such conditions as will, in its judgement, secure substantially the objectives of the standards or requirements of the Subdivision Regulations.

3. A petition for any such variances shall be submitted in writing by the subdivider for the consideration of the Planning Commission, concurrent with the plat submission. The petition shall fully state the grounds for the application and all the facts relied on by the petitioner.

Article 3: Application and Review Procedures

A. Purpose

1. The purpose of this article is to establish procedures for Planning Commission review and action on subdivision applications. The procedures are intended to provide for orderly and expeditious processing of applications while securing the public interest and fulfilling all legal requirements.

B. Meeting Dates

1. The Planning Commission holds regularly scheduled meetings on the first Tuesday of each month. The Planning Commission may schedule special meetings at the discretion of the Chairperson and City Planner, with public notice meeting the requirements of the Code of Alabama for all actions to be considered at such special meeting.

2. The Technical Review Committee will meet on the third Tuesday of each month.

C. Official Submission Dates

1. The deadline for submissions to be considered by the Planning Commission shall be the close of business of the second Tuesday of the month preceding the regular Commission meeting.

2. The deadline for submission of revised plans addressing Technical Review Committee comments shall be the close of business of the fourth Tuesday of the month preceding the regular Commission meeting.

3. Submittals will not be placed on any meeting agenda without receipt of all required submittal materials by the city as listed in Article 3, Section E (1) herein. Incomplete submittals will be held until all such required submittal materials are received and will be placed on the meeting agenda for which submittals are being accepted at the time all submittal materials are received.

D. Classification of Subdivisions

1. Whenever any subdivision of land is proposed, the applicant shall apply for and secure approval of such proposed subdivision in accordance with the outlined procedure for a major subdivision, resubdivision or certificate.

a) Review of a major subdivision shall consist of three steps:

- i. Layout plan Approval
- ii. Engineering plan Approval

iii. Final Plat Approval

b) Review of a resubdivision or certificate shall not require layout or engineering submittal, although drainage indicators such as flood status or topographic data may be requested when deemed necessary by the Planning Commission or its assigns.

2. Determination of whether a plat is major, resubdivision or certificate shall be made by the City Planner, in consultation with the City Building Inspector, by application of the definitions in Article 7: Definitions.

3. Upon obtaining engineering plan approval, applicants must submit for Planning Commission consideration, a final plat and all required materials as detailed in Article 3, Section E (1)(c) within 24 months of the date of engineering plan approval. Final plats submitted after this period shall render the approved engineering plans null and void, and shall require the resubmittal of engineering plans with all required materials as detailed in Article 3, Section E (1)(b) and approval of said engineering plans by the Planning Commission prior to final plat consideration.

E. Review Processes

1. Required Submission Items

a) Major Subdivision Layout Plan and PUD Master Plan

i. Completed application for plan approval, signed by all applicants and property owners. When an application is submitted on behalf of a corporation or business entity, documentation must be provided that demonstrates that the corporation's representative is authorized to act on the corporation's behalf.

ii. The appropriate filing fee, as listed in Article 3, Section E.2.

iii. Layout plan (12 copies) prepared, signed and sealed by a licensed Professional Land Surveyor or Licensed Professional Engineer, and showing at a minimum the following:

1. North arrow

2. Title block that includes the project name, scale, date of drawing, revision dates and numbers, and the name and/or firm that prepared the plat.

3. Location map.
4. Surveyed perimeter of the property as described in the latest warranty deed(s).
5. Location of centerline and width of adjacent rights-of-way.
6. The location of existing utility lines and easements on or adjacent to the subject property.
7. Proposed lot lines and numbers, building setback lines, right-of-way lines, easements, calculated lot areas in square feet, open/common space, and lines/labeling depicting the underlying use for each area of the proposed development if PUD Master Plan.
8. PUD Master Plan certification signature block as shown in Appendix C (if applicable)

iv. Following review by the Technical Review Committee, item iii above shall be resubmitted reflecting all revisions requested by the Technical Review Committee on or before the resubmittal deadline stated in Article 3(E)(3) herein. Resubmittals not made by said deadline will be considered withdrawn and will be subject to the resubmittal provisions of Article 3(E)(2)(b) herein.

b) Engineering/Preliminary Plans (Major Subdivision)

i. Completed application for plan approval, signed by all applicants and property owners. When an application is submitted on behalf of a corporation or business entity, documentation must be provided that demonstrates that the corporation's representative is authorized to act on the corporation's behalf.

ii. The appropriate filing fee, as listed in Article 3, Section E.2.

iii. Construction plans (6 full sets and 6 layout/topo sheets) prepared, signed and sealed by a licensed Professional Engineer. Full sets shall show at a minimum the following:

1. North arrow.
2. Title block that includes the project name, scale, date of drawing, revision dates and numbers, and the name and/or firm that prepared the plat.
3. Location map.

4. Surveyed perimeter of the property as described in the latest warranty deed(s).
5. Centerline and width of adjacent rights-of-way and all points of access to nearest intersection(s).
6. The location of all existing and proposed utility lines, including underground lines, and easements on or adjacent to the subject property.
7. Property lines and other lot information, in conformance with the approved layout plan.
8. Roadway construction plans and details and rights-of-way.
9. Location and size for all water, sanitary sewer, storm sewer, gas, other utility lines, and drainage facilities.
10. Sanitary sewer profile.
11. Utility details.
12. Drainage pipe and structure details.
13. Adjacent property owner names and contact information per the records of the Morgan County Revenue Department.
14. All other requirements as detailed in the specifications of all servicing utility providers for utility installations.
15. Existing contours and proposed contour map including proposed final elevations for each lot within the subdivision.

iv. Drainage calculations.

v. Preliminary/conditional letter of concurrence from the public health department for use of a septic tank for all lots of less than 3 acres in size for which a septic system is proposed or decentralized system for all lots for which such a system is proposed.

vi. Letters of concurrence from all involved utility providers stating that any and all necessary approvals of their organization(s) have been granted for initiation of utility construction as proposed in the submitted plans. Letters of concurrence shall be original, on letterhead of the utility provider and signed by the General Manager or staff licensed Professional Engineer.

- vii. Following review by the Technical Review Committee, items iii-iv above shall be resubmitted reflecting all revisions requested by the Technical Review Committee on or before the resubmittal deadline stated in Article 3(E)(3) herein. Resubmittals not made by said deadline will be considered withdrawn and will be subject to the resubmittal provisions of Article 3(E)(2)(b) herein.
- c) Final Plat (Major Subdivision) and Resubdivision
- i. Completed application for plat approval, signed by all applicants and property owners. When an application is submitted on behalf of a corporation or business entity, documentation must be provided that demonstrates that the corporation's representative is authorized to act on the corporation's behalf.
- ii. The appropriate filing fee, as listed in Article 3, Section E.2.
- iii. Final plat (12 copies) prepared by a licensed Professional Land Surveyor, meeting minimum technical standards, containing all required signature blocks, and being in conformance with all provisions/stipulations of any approved layout and engineering plans for the development. See Appendix "C" for typical signature blocks.
- iv. Following review by the Technical Review Committee, item iii above shall be resubmitted reflecting all revisions requested by the Technical Review Committee on or before the resubmittal deadline stated in Article 3(E)(3) herein. The following additional items shall be included on or before this stated deadline and the resubmittal will be deemed incomplete without their inclusion. Incomplete resubmittals will be considered withdrawn and will be subject to the resubmittal provisions of Article 3(E)(2)(b) herein.
- 1) One record copy of the plat on Mylar or Vellum material, containing the original signatures of all owners on all ownership and/or dedication signature blocks and the original signatures of the authorized representatives of all other involved entities upon all other required signature blocks. Only the signatures of the Planning Commission Chair, Judge of Probate, City Representative, and Morgan County Engineer (if required) may be absent from their respective signature blocks upon resubmittal.
 - 2) All required bonds as detailed in Article 5.
 - 3) Survey pins physically set at all lot corners (city staff field verification).

4) One CD containing a digital copy of the final plat in .dwg or .shp format.

5) Final letter of concurrence from the public health department approving use of a septic tank for all lots of less than 3 acres in size for which a septic system is proposed and approving any constructed decentralized system.

d) Dedication or Abandonment/Vacation of Easements or Rights-of-way

i. Written request (per the records of the Morgan County Revenue Department) from all owners of all properties adjoining a subject easement or right-of-way to be vacated, or owning the property upon which an easement or right-of-way will be dedicated. When a property owner is a corporation or business entity, documentation must be provided that demonstrates that the corporation's representative is authorized to act on the corporation's behalf. City staff will provide the wording and format for such request as needed to satisfy the specific action proposed.

ii. The following additional items may be required following TRC. All such additional items shall be due on or before the resubmittal deadline stated in Article 3(E)(3) herein.

1) Copy of the latest warranty deed(s) as recorded in the Probate Judge's Office as deemed necessary by city staff.

b) Survey of scope deemed necessary by city staff, prepared by a licensed Professional Land Surveyor no longer than 6 months before the date of submittal.

2) Bonds as deemed necessary by city staff (per Article 5)

e) Certificate to Subdivide and/or Consolidate

i. The appropriate filing fee as listed in Article 3, Section E.2.

ii. 12 copies of certificate (8.5" x 14") in either City of Hartselle or Extraterritorial Jurisdiction format as appropriate. Certificates shall contain the appropriate signature blocks for all owners of all involved property, City of Hartselle Planning Commission Chair, and Morgan County Engineer (if required). See Appendix "C" for typical Signature Blocks. Said certificate shall additionally include the following:

1) Field survey showing the property involved in the certificate, illustrating the tracts before and after the proposed change(s), and indicating adjacent property owners. The survey shall be prepared,

signed, and sealed by a licensed Professional Land Surveyor no longer than six (6) months before the date of submittal. The requirement of a survey may be waived only for proposed tracts of 20 acres or greater if deemed appropriate by the Planning Commission.

2) Written language reflecting information on the survey drawing to include the legal description of all tracts before and after the proposed change(s), less dedication of any right-of-way and subject to any easements.

iii. Following review by the Technical Review Committee, item ii above shall be resubmitted reflecting all revisions requested by the Technical Review Committee on or before the resubmittal deadline stated in Article 3(E)(3) herein. The following additional items shall be included on or before this stated deadline and the resubmittal will be deemed incomplete without their inclusion. Incomplete resubmittals will be considered withdrawn and will be subject to the resubmittal provisions of Article 3(E)(2)(b) herein.

1) One record copy of the certificate, containing the original signatures of all owners on all ownership and/or dedication signature blocks. Only the signatures of the Planning Commission Chair and Morgan County Engineer (if required) may be absent from their respective signature blocks upon resubmittal.

2) Letter of concurrence from the public health department approving use of a septic tank for all lots of less than 3 acres in size for which a septic system is proposed.

3) Survey pins physically set at all lot corners upon which survey is required (city staff field verification).

2. Fees

a) Reasonable fees sufficient to cover incurred costs will be charged for specified services at the following rates:

i. Layout Plan – Major Subdivision
(Per Review Period):

2-10 Lots: \$50.00
11-25 Lots: \$75.00
25-40 Lots: \$150.00
40 or More Lots: \$250.00

ii. Engineering Plan – Major Subdivision
(Per Review Period):

2-10 Lots: \$300.00

11-25 Lots: \$450.00
25-40 Lots: \$600.00
40 or More Lots: \$750.00

1) In addition to the above engineering plan filing fee, certified mail postage fees will be added for legally required adjoining notification. Such fees will be at the current USPS rate and will be required for mailing to each individual or entity owning property adjoining or adjacent to the property involved in the engineering plan, including any remainder tract(s). It is the responsibility of the applicant to verify the correct total amount due for such postage with city staff in advance and submit all postage fees on or before the application deadline as required.

iii. Final Plat – Major Subdivision
(Per Review Period):

2-10 Lots: \$50.00
11-25 Lots: \$75.00
25-40 Lots: \$150.00
40 or More Lots: \$250.00

iv. Resubdivision
(Per Review Period): \$50.00

v. Cert. to subdivide
and/or Consolidate
(Per Review Period): \$50.00

vi. Site Plan
(Per Review Period): \$100.00

b) A 'Review Period' will be deemed to have passed at close of city hall business on the second Tuesday of the month preceding the Planning Commission meeting for which submittal is being made. After this time, the filing fee is non-refundable/non-transferrable and any withdrawal or denial of the submitted item will require additional payment of the standard filing fee upon future resubmittal.

3. Review Schedule

a) Layout Plan Review (Major Subdivision)

i) The Technical Review Committee shall meet on the third Tuesday of each month. Layout plan submissions must be received by the Department of Development by the second Tuesday of the month.

ii) Following the Technical Review Committee meeting, the petitioner shall submit revised plans with corrections to the Department of Development by the close of business of the fourth Tuesday of the month.

iii) The Planning Commission will vote to approve, deny, or approve with conditions the proposed layout plan at its regularly scheduled meeting, which shall be held on the first Tuesday of each month.

iv) After the approval of layout plans, the petitioner may apply for engineering plan approval, as outlined in Article 3, Section E (3)(b).

b) Engineering Plan Review (Major Subdivision)

i) The Technical Review Committee shall meet on the third Tuesday of each month. Engineering plan submissions must be received by the Department of Development by the second Tuesday of the month. The petitioner or authorized representative is required to attend this meeting. Failure of the petitioner or authorized representative to attend this meeting will result in removal of the engineering plans from the current Planning Commission agenda.

ii) Following the meeting of the Technical Review Committee, the petitioner shall submit revised plans with any additional corrections to the Department of Development by the close of business of the fourth Tuesday of the month.

iii) The Planning Commission will vote to approve, deny, or approve with conditions the proposed engineering plans at its regularly scheduled meeting, which shall be held on the first Tuesday of each month.

iv) Following approval for an engineering plan and satisfaction of all conditions if conditional approval was granted, the petitioner may apply for final plat approval as outlined in Article 3, Section E (3)(c).

c) Final Plat Review (Major Subdivision)

i) The Technical Review Committee shall meet on the third Tuesday of each month. Final plat submissions must be received by the Department of Development by the second Tuesday of the month. Prior to submission of the final plat for major subdivisions, survey pins shall be set and visible at all lot corners within the subdivision for verification of adherence to the approved engineering plans.

ii) Following the Technical Review Committee meeting, the petitioner shall submit a revised plat with corrections to the Department of Development by the close of business of the fourth Tuesday of the month.

iii) The Planning Commission shall meet on the first Tuesday of the month, and with the presence of no fewer than six (6) members, shall vote to approve or deny the final plat. Under no circumstances shall the Commission approve the final plat with fewer than six (6) affirmative votes, nor shall it grant conditional approval for a final plat.

iv) After the approval of final plat, posting of all required bonds, acceptance of public improvements by resolution of the city council, and signature by all appropriate officials, the petitioner shall have the approved plat recorded by the office of the Probate Judge of Morgan County. A copy of the signed plat shall be returned to the City Planner's office within 10 business days of final plat approval.

d) Certificates and Resubdivisions

i. The Technical Review Committee shall meet on the third Tuesday of each month. Certificate and resubdivision submissions must be received by the Department of Development by the second Tuesday of the month. Prior to submission of the certificate or resubdivision, survey pins shall be set and visible at all lot corners.

ii. Following the Technical Review Committee meeting, the petitioner shall submit the revised certificate or resubdivision with corrections to the Department of Development by the close of business on the fourth Tuesday of the month.

iii. The Planning Commission will meet on the first Tuesday of the month and will approve, deny or approve on condition, the submitted certificate or resubdivision.

iv. The concurring vote of at least six (6) commission members shall be required to approve a resubdivision.

Article 4: Required Public Improvements and Design Standards

A. General

1. The standards contained within this Article are applicable to the provision of essential services associated with development. The standards ensure that all improvements will meet the City's construction requirements and help to minimize future maintenance costs. These standards apply to all improvements, whether they will be maintained by the public or by a privately owned entity, homeowners association, or similar organization.

B. Streets and Rights-of-way

1. Dedication Required

a) Public or private streets shall be shown on all subdivision plats as tracts dedicated for such purposes.

b) When a street is contained entirely within a subdivision, the entire dedication shall be provided.

c) When a subdivision is adjacent to an existing public street and previously dedicated right-of-way lacks width necessary to cover the existing pavement and drainage ways, the petitioner shall dedicate the right-of-way needed for perpetual public maintenance of said pavement and drainage ways.

d) When a subdivision is adjacent to an existing public street with a right-of-way width below current specifications, and the dedication of additional right-of-way width is deemed necessary by the Planning Commission due to needs resulting from the proposed subdivision, the petitioner shall dedicate the right-of-way needed for said needs.

2. Hierarchy

a) Right-of-way dedications shall be consistent with the roadway classifications as defined in the Comprehensive Plan, *i.e.*, local, collector, or arterial.

3. Right-of-way Width

a) The minimum width of right-of-way dedications shall be as follows:

<u>Street Type</u>	<u>Width in Feet</u>
Arterial	100
Collector	80
Local	50
Alleys	20

4. Improvement Obligations

a) Concurrent with or prior to construction associated with an approved plat, the developer shall provide for the construction of improvements and off-site improvements, as required to the following extents.

b) The standard improvements that are to be constructed in all rights-of-way are as follows:

- i. travel lanes
- ii. turning lanes, as required
- iii. drainage systems
- iv. sidewalks, or alternate pedestrian or bicycle ways
- v. street and traffic signs
- vi. street lighting
- vii. all required utilities

c) Those facilities shall be constructed to the minimum standards in Section 5.

5. Design Standards for Facilities in Rights-of-Way

a) Minimum pavement widths for cartways are required for streets, as categorized in the Comprehensive Plan, shall be as follows:

Arterial Street	48 feet
Collector Street	36 feet
Local Street	26 feet
Alley	20 feet

b) Curves

i. Where a deflection angle of 5 degrees or more in the alignment of a street occurs, a curve shall be provided. The center line radius of the curve shall be a minimum of 100 feet on local streets and 300 feet on collector or arterial streets.

ii. A tangent of at least 100 feet between reverse curves shall be provided between curves on local streets and 200 feet for collector or arterial streets.

c) Grades

- i. Maximum grade for arterial or collector streets shall be 8%.
- ii. Maximum grade for local streets shall be 12%.
- iii. Minimum grade for all streets shall be 0.75%.
- iv. The Planning Commission may grant an increase to these requirements upon findings that site conditions make meeting the standards impossible and public safety is not compromised.

d) Intersections

- i. Streets shall be laid out to intersect as nearly as possible to right angles. No two streets shall intersect at an angle of less than 60 degrees.
- ii. Intersections of more than two streets are prohibited, unless the Planning Commission makes a determination that no other solution is possible.
- iii. Intersections with arterial streets shall be separated by a minimum centerline offset of 500'.
- iv. Intersections with collector and local streets shall be separated by a minimum centerline offset of 125'.
- v. Wherever possible, new streets shall be continuations of existing streets.
- vi. Intersection radii, measured from back of curb, shall be a minimum of 25 feet. The Commission may require a larger radius where it determines that traffic conditions require.
- vii. The Planning Commission may grant a reduction in these requirements upon findings that site conditions make meeting the standards impossible and public safety is not compromised.

e) Street Access to Adjacent Land

- i. A subdivision street layout shall provide for the continuation or projection of the street layout onto adjacent vacant property unless the Planning Commission determines that continuation is undesirable due to topography or site design issues.
- ii. When providing for such, "stub-out" streets shall be improved to City standards to the property line.

- iii. Whenever residential lots take access from a “stub-out” street, adequate provision shall be made for vehicles to reverse directions. That provision may consist either of a temporary cu-de-sac or a temporary “T” turnaround. The Commission will determine the adequacy of temporary turnarounds, based on recommendation of the Technical Review Committee.
- f) Curbs and Gutters
- i. Standard “L” type curbs and gutters shall be installed on both sides of all streets.
 - ii. See the typical pavement section in Appendix B for construction details.
- g) Sidewalks
- i. Sidewalks shall be provided on both sides of all newly constructed streets in all residential and commercial subdivisions wherein a curb and gutter street section is required. When a curb and gutter section is required or constructed adjacent to existing street pavement, the sidewalk requirements of these regulations shall also apply.
 - ii. Sidewalks shall be a minimum of four feet in width and constructed of concrete a minimum of four inches thick.
 - iii. Handicapped accessible sidewalk ramps shall be provided at all street corners, as well as all other locations deemed by the Planning Commission to be likely pedestrian access crossing points. Ramp construction shall conform to all applicable regulatory specifications.
 - iv. Sidewalks shall be separated from the back of curb by a grass or landscape area of at least two feet in width. All mailboxes shall be located entirely within this space and positioned in a manner that will not require vehicles to cross a sidewalk for mail delivery or collection.
 - v. Sidewalks shall be constructed in the right-of-way adjacent to each building lot prior to the issuance of a certificate of occupancy for any structure on that lot. Construction of each individual sidewalk segment shall be the responsibility of the home builder, and such segment shall be aligned as an extension of any previously constructed adjoining sidewalk segment.
 - vi. Sidewalks shall be provided in rights-of-way adjacent to parks, recreational areas, and other common areas with the installation of other public improvements in that right-of-way.
 - vii. Sidewalk requirements may be waived or reduced by the Planning Commission upon a finding that the required sidewalks would clearly not serve

their intended purpose and a waiver or reduction would in no way impact the safety or welfare of the public.

viii. All sidewalks shall be designed and constructed to meet or exceed minimum requirements of the Americans with Disabilities Act (ADA).

ix. No encroachment of mailbox structures or other obstacles into the sidewalk area, or sidewalk offsets around such obstacles deemed by the Planning Commission to be awkward for navigation by wheelchairs will be permitted.

h) Street lighting

i. Street lighting shall be provided in all residential subdivisions.

ii. Street lights shall be provided at all intersections and curves deemed by the Commission to be comparable to intersections, and shall be spaced at a maximum distance of 300 linear feet between said intersections as measured along the curb.

iii. Lights that extend over cartways shall have a minimum height of 30 feet.

iv. The standard installation shall be a 250-watt high-pressure sodium bulb. Other fixtures may be substituted on approval of Hartselle Planning Commission.

v. Required street lighting fixtures shall be provided by the developer and installed by the servicing Utility or by an approved contractor. The charge for installation by the servicing Utility shall be determined by said Utility.

vi. All street light poles shall be of aluminum, steel or comparable material as approved by the Commission. No wooden or fiberglass street light poles will be permitted in subdivisions constructed under the provisions of these regulations.

i) Signs

i. Appropriate street identification signs shall be provided at all intersections.

ii. Street signs shall meet the standards of the Hartselle Public works Department. Alternatively, the developer may request that the Hartselle Public works Department provide street signs at a cost of \$150 per sign.

iii. All traffic signs determined to be necessary by the Hartselle Public Works Department shall be provided and shall meet Public Works Department standards, or can be provided to the developer at a cost of \$150 per sign.

j) Street Names

- i. A proposed street that is in alignment with the continuation of an existing street shall have the same name as that existing street.
- ii. In no case shall a new street have a name (or number) which duplicates or is phonetically similar to an existing street name (e.g., Smith St. and Smythe St. or Jean St. and Gene St.), nor shall street names identical to existing names, but with differing suffixes, be used (e.g. Smith St., Smith Dr., Smith Pl., Smith Ct., and Smith Terrace).
- iii. Approval from the Morgan County Emergency Management Communications District (911) shall be obtained for all new street names prior to approval of a Final Plat.

k) Blocks

- i. Blocks shall not be longer than 1000 feet, or shorter than 400 feet measured from the nearest extended right-of-way lines of the intersecting streets.

l) Cul-de-sac Street Design

- i. dead-end streets without a turnaround are prohibited, except where such dead-end is a temporary “stub-out” to access adjacent vacant property and no lots take access from that “stub-out.”
- ii. all dead-end streets shall have a turnaround with a minimum right-of-way radius of 50 feet.
- iii. all dead-end streets shall have a turnaround with a minimum pavement radius of 38 feet.
- iv. Dead-end or cul-de-sac streets shall have a maximum length of 600 feet, measured from the right-of-way line of the intersecting street to the radius point of the cul-de-sac.

m) Alleys

- i. Alleys shall be provided for all commercial industrial developments, unless the Planning Commission makes a determination that sufficient alternative provision has been made.

- ii. Alleys are optional in residential developments, but should be provided for row house or townhouse type developments unless the Planning Commission makes a determination that sufficient alternative provision has been made.
 - iii. Dead-end alleys should be avoided. If necessary to provide a dead-end alley, a turnaround area measuring 20' by 20' shall be provided.
- n) Pavement Sections
- i. Minimum street sections shall be as shown in the typical sections contained in Appendix "B."

C. Water Service

1. All lots created in any subdivision of property within the Hartselle City Limits or Extraterritorial Planning Jurisdiction shall be connected to the public water system of the public water provider for the area.
2. All water mains constructed within the Hartselle City Limits or within the Extraterritorial Planning Jurisdiction shall have a minimum diameter of 8 inches, unless specifically approved by the Hartselle Planning Commission, and shall meet all requirements of the most recently adopted Installation Specifications of the servicing public water provider, as well as all requirements of the most recent fire prevention code.
3. All water services constructed within the Hartselle City Limits or within the Extraterritorial Planning Jurisdiction shall meet all requirements of the most recently adopted Installation Specifications of the servicing public water provider and most recently adopted City of Hartselle Plumbing Code, and shall further conform to the most recently adopted water master plan of the servicing public water provider.
4. Fire hydrant spacing and installation shall meet the following requirements:
 - a. It shall be the responsibility of the developer to complete the installation of fire hydrants necessary to conform to the below stated guidelines. The installation or upgrade of water mains as outlined in Article 4, Section C (2) may also be required by the Hartselle Planning Commission in order to adequately service installed hydrants.
 - i. All major subdivisions located within the Hartselle City Limits or within the Extraterritorial Planning Jurisdiction, shall have a maximum distance of 500 feet from a fire hydrant to the farthest building line of the farthest lot as measured along the street right-of-way.

1. The Fire Chief may require closer placement of hydrants for commercial, industrial, or other intensive use subdivisions with especially high fire risks.

5. Fire Flow Requirements

- a. All fire hydrants intended to serve a major subdivision shall have minimum flows consistent with the requirements of the prevailing adopted fire code for the City of Hartselle. The Planning Commission may allow a reduction in such flow requirements upon the authority of the Fire Chief for the fire department district in which the subdivision is located as provided in said fire code, provided further, however, that the City Engineer, or in the case of subdivisions lying outside the municipal limits of Hartselle, the County Engineer, concurs in the recommendation of said Fire Chief for such a reduction.
- b. The Fire Chief may impose additional requirements for commercial, industrial, or other intensive use subdivisions with especially high fire risks.

6. Dead-end Mains

- a. Hydrants serving major subdivisions, within the Hartselle City Limits or within the Extraterritorial Planning Jurisdiction, shall not be served by a dead-end main longer than 600 feet.
- b. The Fire Chief may limit the length of dead-end mains below 600 feet as deemed necessary for commercial, industrial, or other intensive use subdivisions with especially high fire risks.

D. Sanitary Sewer Service

1. All subdivisions within the city limits of Hartselle shall conform to the Hartselle City Code as it regulates required connection of lots to the public sanitary sewer (*See Sec. 94-97: New Subdivision Connection, Regulated*).
2. Minimum lot sizes in the City for installation of new septic systems shall be determined by the Health Department.
3. A report from the Health Department indicating adequate percolation rates and absorption field layout shall be submitted for all lots for which a septic tank is proposed.
4. All sanitary sewer mains shall have a minimum diameter of 8 inches unless specifically approved by Hartselle Utilities and meet all Hartselle Utilities construction standards.

5. All sanitary sewer installations shall meet all requirements and specifications of the most recent approved edition of the Hartselle Utilities Utility Installation Specifications.
6. All sanitary sewer installations shall be in compliance with the most recently approved Hartselle Utilities Sanitary Sewer Master Plan.

E. Stormwater Management and Drainage

1. Storm sewers and drainage structures shall be designed and constructed as required by the City Engineer, or a consulting licensed Professional Engineer designated by the City Engineer, in conformance with good engineering practices.
2. No development shall discharge surface runoff to any adjacent property at an increased rate of runoff from the existing rate prior to the development of the property.
3. All detention ponds shall be constructed with concrete floor flumes of the width, length, slope, and profile deemed necessary by the City Engineer and city staff to facilitate water flow, minimize standing water and reduce required public maintenance.
4. Under no circumstances will open drainage ditches be permitted within a major subdivision, except for those associated with approved community-maintained water features or streams required to be left open by the U.S. Corps of Engineers. Pipe placed within public rights-of-way shall be reinforced concrete of standards deemed appropriate by the city engineer. Pipe of other material may be considered for placement outside of public rights-of-way if deemed suitable by the city engineer.

F. Electric and Other Public Utilities

1. Electric distribution systems shall meet the design and construction requirements of Hartselle Utilities or Joe Wheeler Electric Co-op, whichever is applicable.
2. All electric, cable television, and telephone wires shall be placed underground. The Planning Commission may waive this requirement if the applicant can show that physical constraints prevent undergrounding. Expense and/or inconvenience are not grounds for a waiver of this requirement.
3. Natural gas mains shall be installed by the servicing natural gas provider or by appropriate professionals approved by said provider. Installation shall be conducted in accordance with the design requirements of the servicing natural gas provider

G. Easements

1. Easements shall be dedicated for all public improvements that are not included in street or alley rights-of-way.
2. When made necessary as the result of the proposed subdivision, a minimum 10-foot-wide utility easement shall be dedicated adjacent to the property side right-of-way line of the new or existing street. This requirement shall increase to 15' for overhead utility lines.
3. Drainage, utility and telecommunication easements may be required along the side and rear property lines of lots in a subdivision as deemed necessary by the Planning Commission for the adequate provision of utility, telecommunication and drainage service.

Article 5: Completion and Maintenance Guarantees

A. Purpose

1. Improvement guarantees shall be provided to ensure the proper installation of required streets, utilities, and any other required public improvements.

B. Application

1. Any improvement for which the City or Hartselle Utilities will assume responsibility, or which is necessary to provide services to the subdivision shall be guaranteed to ensure its installation and proper functioning. Such improvements include, but are not limited to:
 - a) water mains and fire hydrants,
 - b) sewer mains and lift stations,
 - c) drainage systems, whether public or private,
 - d) street improvements, whether public or private,
 - e) electrical service,
 - f) street lighting,
 - g) traffic signs and signals, and
 - h) any improvement to be installed in a public right-of-way.

C. Required In-lieu of Improvements (Performance Bonds)

1. A financial guarantee may be provided in-lieu of installation of required infrastructure if the developer wishes to record the final plat prior to installation of such improvements.
2. A financial guarantee in-lieu of installation of required improvements shall be received and accepted by the City Engineer prior to Planning Commission action on a final plat.
3. The amount of the performance bond shall be 120% of the estimated total costs of improvements.
4. The time allowed for installation of improvements shall be one year. That time period may be extended by resolution of the Planning Commission.
5. The developer shall notify the City Planner in writing for any request to release or reduce the performance bond. The City Engineer or a consulting licensed Professional Engineer, designated by the City Engineer, and Hartselle Utilities shall inspect all improvements of which such notice has been given and shall file a report with the Planning Commission. Such report shall recommend approval or rejection of such improvements with the stated reason(s) for any rejection. The Planning Commission may authorize full release of the performance bond or may reduce the amount of the performance bond. In no case, however, shall the performance bond amount be reduced to less than 20% of the original amount prior to 100% completion of all required improvements. Upon improvement approval, the Planning Commission shall authorize the City Planner to return said bond to the developer or exchange said bond for the approved reduced amount within 30 days of Planning Commission action. Rejection of improvements by the Planning Commission shall require the continued holding of the performance bond until such time that all issues are corrected by the developer and a satisfactory inspection report by the City Engineer is presented to the Planning Commission for approval or rejection.

D. Required for Warranty

1. An additional financial guarantee (warranty bond) shall be required as a part of an agreement between the City and the developer to defray all expenses incurred by the City because of defects in materials or workmanship used in the required improvements.
2. Warranty bonds for required improvements shall be received and accepted by the City Engineer prior to acceptance of facilities by the City Council.
3. The amount of the warranty bond shall be 20% of the estimated total costs of improvements.

4. The guarantee shall be for a minimum period of twelve (12) months from the date of acceptance of public improvements by the City Council.

E. Performance Mechanisms

1. Performance bonds shall be in the form of an irrevocable letter of credit established with a financial institution and automatically renewable after the initial period of 12 months, wherein the City of Hartselle has access to funds in the event the city must complete installation of the required improvements.
2. Warranty bonds shall be in the form of an irrevocable letter of credit established with a financial institution and valid for a period of 12 months, wherein the City of Hartselle has access to funds in the event the city must complete repairs to the required improvements within the warranty period.

Article 6: Off-Site Improvements

A. Purpose

1. Often new developments have impacts that affect roadways, properties, and traffic flows outside the boundaries of the property to be developed. The purpose of this Article is to provide a basis for provision of improvements to mitigate those impacts.

B. Required Improvements

1. In addition to improvements internal to a development as required by Article 4, Section B (4), the Planning Commission may require the construction or improvement of public facilities off-site if the commission finds that such improvements are necessary to better ensure public safety and welfare, and provide for more orderly future development. These improvements may include, but are not limited to: travel lanes, lane widening/paving, traffic signals, traffic signs, turn lanes, drainage infrastructure, deceleration/acceleration lanes, pavement striping, curb/gutter, sidewalks, bicycle lanes, street lighting, and utilities infrastructure.
2. An analysis of impacts from a proposed subdivision and needed off-site improvements will be undertaken by the Technical Review Committee, which will recommend off-site improvements to be required to the Planning Commission. The Commission may require off-site improvements as recommended by the Technical Review Committee, or may require fewer or additional off-site improvements as deemed appropriate by the Commission.

C. Bonding of Off-site Improvements

1. Off-site improvements shall be bonded in the same manner as on-site improvements, as prescribed in Article 5.

Article 7: Definitions

Agent Any person who represents, or acts on behalf of, a subdivider or developer in requesting approval of a proposed subdivision, or in selling, leasing, or offering to sell, lease, or develop any interest, lot, parcel, site, unit, or plat in a subdivision.

Alley A roadway that provides secondary access to the rear or side of abutting properties that have frontage on another street.

Applicant The owner of property under consideration for subdivision, or his/her designated agent.

Arterial A public street which carries a large number of average daily trips (ADT), usually more than 10,000 ADT. Arterial streets generally carry traffic at high rates of speed and are often multiple-lane divided facilities.

Assigns Individuals or decision-making bodies with authorities delegated to them by the Planning Commission. My include City Staff, Board of Zoning Adjustment majority, City Engineer, or Technical Review Committee majority.

Block A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or municipal boundaries.

Bond A form of security including a cash deposit, surety bond, or instrument of credit from a financial institution in an amount and form acceptable to the Planning Commission.

Bond, Performance A Bond provided to the City to ensure the proper installation of all required public improvements in a subdivision.

Bond, Warranty A Bond provided to the City to warrant the required public improvements in a subdivision against defective materials or workmanship for the first year of acceptance of those improvements by the City.

Cartway The paved surface of a roadway from curblines to curblines, excluding any curb and gutter, which may include travel lanes, parking lanes, turn lanes, and acceleration and deceleration lanes. Where no curbs exist, the cartway shall be defined as the paved or hard surface width.

Center Line The theoretical line equidistant from the right-of-way lines of a street or road.

Certificate A simplified plat document used for the reconfiguration of any number of existing parcels created by means other than as platted in a platted subdivision or resubdivision in order to create three or fewer tracts and requiring no public

improvements. No more than three tracts may result from subdivision or consolidation by certificate. No lot(s) created as platted in a platted subdivision or resubdivision shall be subdivided, consolidated or reconfigured by certificate.

City Building Inspector The official of the City of Hartselle charged with the duty to inspect the construction of buildings and other improvements to ensure compliance with all applicable building codes and all City ordinances and regulations.

City Engineer An official, or contract employee, of the City of Hartselle charged with the duty to provide engineering expertise, advice for the administration of the Subdivision Regulations, and review and approval of plans for and construction of public improvements within the City of Hartselle.

City Planner The official of the City of Hartselle charged with the duty to coordinate and administer the Subdivision Regulations. Acts as custodian of the minutes and record of the Planning Commission and assisting other public boards and commissions, as required to implement these regulations.

Collector Streets Streets that carry a moderate to heavy level of traffic trips (3,000 to 10,000 ADT) from local streets to arterial streets.

Comprehensive Plan The adopted Comprehensive Plan of the City of Hartselle and all elements contained therein.

Cul-de-sac A local street with only one outlet and an appropriate terminal for safe and convenient reversals of direction.

Curb A concrete, vertical or sloping edge to the pavement of a roadway.

Dedication The act of transmitting property or an interest therein to public use, and the acceptance of such property or interest by a public body.

Developer The owner of property under consideration for subdivision, his/her designated representative.

Development A planning or construction project involving substantial property improvements and, usually, a change in the land-use character of the site. Use of land for building or extractive purposes.

Drainage The removal of surface or ground water from land, either by surface flow or through drains, storm sewers, and other similar constructions.

Easement A right-of-way granted for limited use by a public or quasi-public entity in which the property owner may not construct any structure.

Engineering Plans A set of engineering drawings that meet the requirements of the Subdivision Regulations submitted for the review and approval as an engineering plan.

Engineering Plan/Plat Preliminary submission for a proposed subdivision including a preliminary plat and engineering plans that meet the requirements of the Subdivision Regulations.

Environmental Constraints Features, resources, or land characteristics that are sensitive to improvements and may require mitigation and/or use of creative development techniques to prevent degradation of the environment or hazards to future property owners.

Final Plat A drawing, or set of drawings that meet the requirements of the Subdivision Regulations and minimum technical standards submitted for the review and approval as a final plat and ready for signatures and recording with the office of the Probate Court Judge.

Flag Lot A lot with frontage on a public street provided only through a narrow corridor, which does not meet the minimum lot width for the zoning district in which the parcel is located.

Frontage The side of a lot abutting a public street and generally considered as the front of the lot. On corner lots the shorter of the two sides abutting the right-of-way shall be considered the frontage.

Grade The slope of a street, road, or other public way, expressed as a percentage (%).

Gutter A shallow concrete channel, usually abutting the curb or pavement edge of a road, for the purpose of collecting and eliminating rain water or other runoff.

Improvement Any man-made, immovable object that is placed on, attached to, or becomes part of a parcel of land.

Layout Plan A set of drawings that meet the requirements of the Subdivision Regulations submitted for the review and approval of the preliminary design of a subdivision including lot dimensions, street layout and names, and easements.

Local Street Streets that primarily serve residents of the abutting properties. Local streets are generally two-lane, undivided streets that carry less than 3,000 daily trips (ADT) at low speeds.

Lot Any area of land included in a subdivision whether labeled as a lot, tract, parcel, unit or other, except areas dedicated as public rights-of-way.

Lot Area The size of a lot within the lot lines and exclusive of road rights-of-way, expressed in square feet or acres.

Lot, Corner A lot having frontage on two or more streets, where the angle of the intersection is not greater than 135 degrees.

Lot Frontage That portion of a lot abutting the right-of-way line of the street on which the lot is located.

Major Subdivision. Any subdivision containing four or more lots or requiring public improvements and not meeting the definition of a resubdivision.

Ordinance Any legislative action of the City of Hartselle that has the force of law, including the amendment or repeal of any ordinance.

Owner Any person, group of people, corporation, firm or other legal entity holding title to any real estate or property to be subdivided under these regulations.

Performance Guarantee Any acceptable security to ensure installation of required public improvements in an approved subdivision (see Bond, Guarantee).

Planning Commission The Planning Commission of the City of Hartselle, Alabama.

Planning Jurisdiction The territorial jurisdiction over the subdivision of land including all land located in the corporate limits of the City of Hartselle; and those areas within three (3) miles of Corporate limits identified in the Subdivision Regulations and not within the corporate limits of any other municipality.

Plat A map or maps of a subdivision sealed by a licensed Professional Land Surveyor.

Private Street A dedicated street, meeting all of the right-of-way, design, and construction standards of a public street, that will be maintained by a private entity, such as a homeowner's association. Private access tracts that do not meet all of the right-of-way, design, and construction standards of a public street will not be considered as private streets in the administration of the Subdivision Regulations.

Probate Judge The Morgan County official responsible for the recording of plats.

Public Improvement Any drainage facility, road, parkway, sidewalk, road, street, park, or other improvement for which the local government or quasi-governmental entity such as, but not limited to, a homeowners association, will assume responsibility for maintenance and operations. All such improvements shall be properly bonded.

Public Street A street dedicated to the public use that will be maintained by a public entity, such as the City of Hartselle, Morgan County, or the State of Alabama.

Licensed Professional Engineer An engineer properly licensed in the State of Alabama.

Licensed Professional Land Surveyor A land surveyor properly licensed in the State of Alabama.

Resubdivision. Any subdivision, consolidation or reconfiguration of one or more lots as platted in an existing subdivision or resubdivision resulting in the creation of no more than three additional lots and requiring no public improvements.

Right-of-way A strip of land dedicated to the public or a quasi-public purpose such as, but not limited to a road, railroad, or utility facilities. For the purposes of the Subdivision Regulations, the term right-of-way shall mean that every right-of-way hereafter dedicated and shown on a plat is to be separate and distinct from the lots or parcels abutting that right-of-way and not included in the area of such parcels or lots.

Right-of-way Width The distance between right-of-way-lines, measured at right angles to the right-of-way-lines.

Sanitary Sewer Any pipe, or similar facility used to transport sewage to the wastewater treatment plant.

Septic System Any system using a septic tank for the decomposition of domestic wastes and drainage pipes for the dispersion of effluent.

Setback The distance between a structure and a property line or right-of-way line.

Sidewalk A paved area reserved for pedestrian use, usually located at the outside edge of the street right-of-way.

Street A way designated for vehicular use, whether identified as a street, road, highway, avenue, lane, court, thoroughfare, or however otherwise designated.

Stub Street A portion of a street ending at a property line between the subdivided property and adjacent property to provide for access for future development of that parcel or addition of the parcel as a future phase.

Subdivider Any person who (1) having an interest in land, causes that land, directly or indirectly, to be divided into a subdivision or (2) directly or indirectly, sells, leases, develops, or offers to, or advertises for sale, lease, or development any interest, lot, parcel, site, unit, or plat in a subdivision or (3) engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease, or development a subdivision or any interest, lot, parcel, site, site, unit, or plat in a subdivision.

Subdivision Any land, vacant or improved that is divided into two (2) or more lots or consolidated into any number of lots for any purpose, including resubdivision. This term shall include any such division or consolidation of land regardless of the intended method for conveying interest in said lots whether fee simple, lease, condominium, or other.

Subdivision Regulations The Subdivision Regulations of the City of Hartselle and all subsequent amendments to those regulations approved by the Planning Commission.

Subgrade The natural or compacted ground lying beneath a street or road.

Technical Review Committee A Committee appointed by the Planning Commission to review, comment on, and make recommendations about subdivisions and other development applications.

Variance A waiver from compliance with a specific provision of the Zoning Ordinance or Subdivision Regulations granted to a subdivider or property owner because of a hardship that would be imposed by strict application of the specific regulation.

Zoning Map The Official Zoning Map of the City of Hartselle.

Zoning Ordinance The Zoning Ordinance of the City of Hartselle, being Ordinance 494, and all Ordinances amending Ordinance 494.

Article 8: Specifications

Drainage:

When a proposed subdivision requires any drainage structures such as storm drain pipes, flumes or inlets, the developer's licensed Professional Engineer shall submit with drawings the drainage calculations used to size the proposed drainage structures. The City Engineer must approve the proposed drainage plans prior to the issuance of a building permit. The following guidelines are intended to assist the developer and his/her licensed Professional Engineer with regard to drainage calculations.

For small watersheds of less than 50 acres the Rational Method may be used to size drainage structures. For larger watersheds the SCS TR-55 method may be used.

Design storms for various improvements shall be as follows:

<u>Drainageway</u>	<u>Storm Event</u>
Minimum Standard	10 year
Collectors	25 year
Main Channels	50 year
Flood Control	100 year

Nomographs for time of concentration and rainfall intensity-duration curves are available in stormwater management manuals.

Storm drain pipes in new developments shall be Class III, reinforced concrete pipe. Designers shall use slopes which provide for self-cleansing flow. If outfall ditches take storm drainage from new drainage structures, the flow velocity shall be checked, and if necessary rip rap or some other means must be employed to prevent outfall velocities in excess of 5 cubic feet per second (cfs).

Design flows shall be based on full development of the watershed except in the most remote and rural areas of the city.

Recommended References:

1. Concrete Pipe Design Manual. American Concrete Pipe Association, latest edition.
2. Drainage Manual, Alabama Department of Transportation, latest edition.
3. Hydraulic Design Series No. 2, Highway Hydrology, U.S. Department of Transportation, Federal Highway Administration, Report No. FHWA-SA-96-067
4. Hydraulic Design Series No. 5, Hydraulic Design of Highway Culverts, U.S. Department of Transportation, Federal Highway Administration, Report No. FHWA-IP-85-15

5. Standard Specification for Portland Cement, American Society for Testing & Materials (ASTM), ASTM C 1510-89
6. Erosion and Sediment Control...in Developing Areas, Planning Guidelines/Design Aids, U.S. Department of Agriculture, Soil Conservation Service (National Resources Conservation Service)

General:

1. Specifications:

Construction materials, equipment and procedures shall be in accordance with the Alabama Department of Transportation's Standard, specifications for Highways and Bridges, latest edition.

2. Subgrade:

The roadway shall be cleared and grubbed, stripped and unsuitable material excavated to the satisfaction of the licensed Professional Engineer prior to placing and compacting embankments.

3. Density:

- A. Subgrade shall be compacted to not less than 100% standard proctor density as established by AASHTO-T-99 specification, earth fill shall be placed in layers not to exceed six inches compacted thickness.
- B. Base course shall be dense graded aggregate, placed in 2 layers; each layer shall be compacted to not less than 100% proctor density as established AASHTO-T-180, Method C Specifications, or 85% solid volume, whichever provides the greater density.
- C. Subgrade, embankment, and base course material shall be placed at optimum moisture, not to exceed 2% deviation.

4. Materials:

- A. Base: Section 825 of specifications.
- B. Concrete: 3000 PSI minimum compressive strength at 28 days and in accordance with ACI Manual of Concrete Practice, latest edition.
- C. Asphalt: Section 414 Binder, Section 416 Surface.

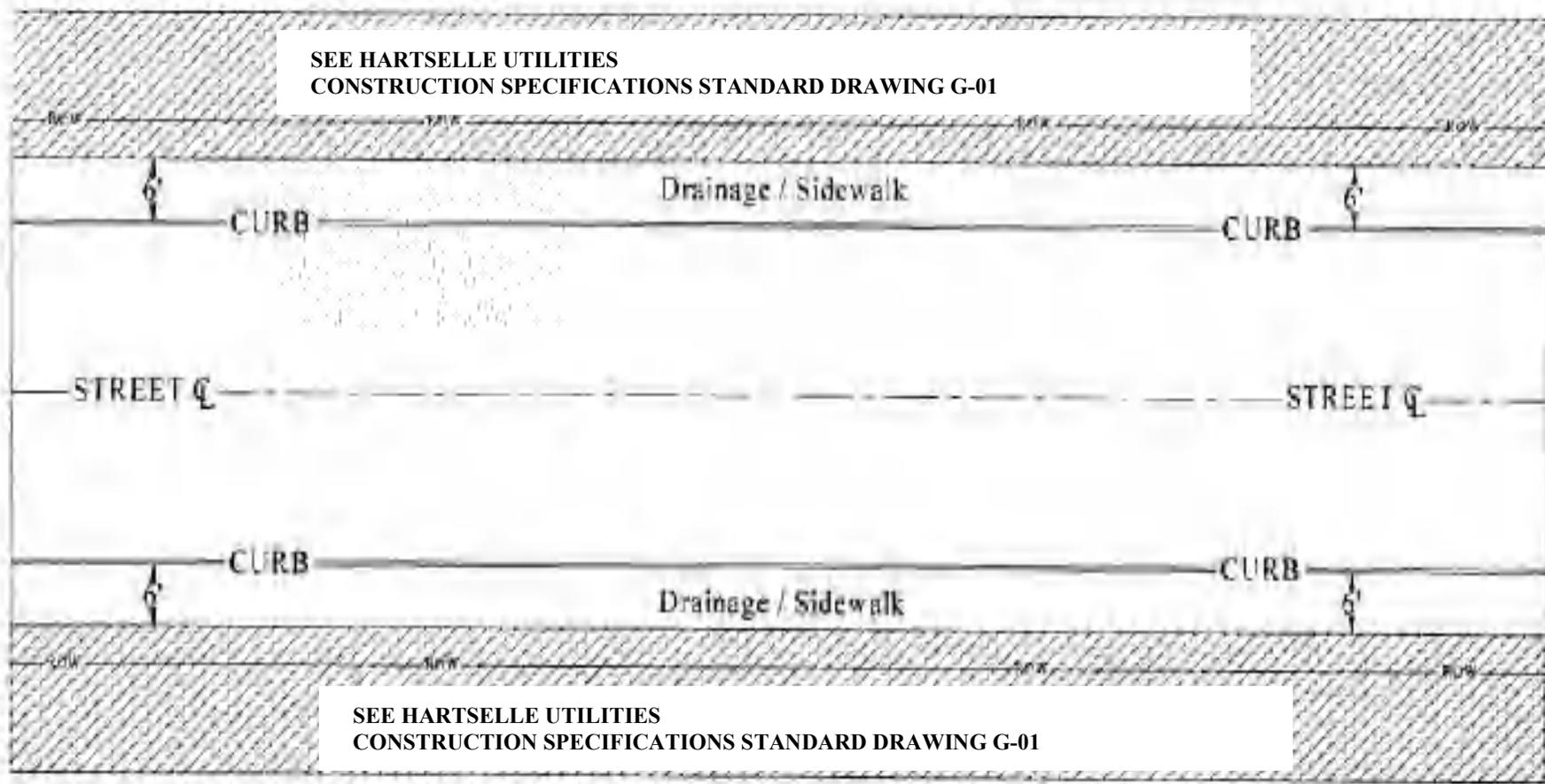
5. Testing:

The owner, or the owner's licensed Professional Engineer shall furnish composite records of tests and inspections to the City Engineer (or designee) prior to application for final inspection. The test and inspections shall be performed by an accepted testing laboratory, density tests for earthwork and base material shall be performed on each layer or lift for each 1,200 square yards surface area. Three concrete test cylinders shall be tested for each day's pour, or each 50 cubic yards or increment thereof, whichever is greater.

Recommended Reference:

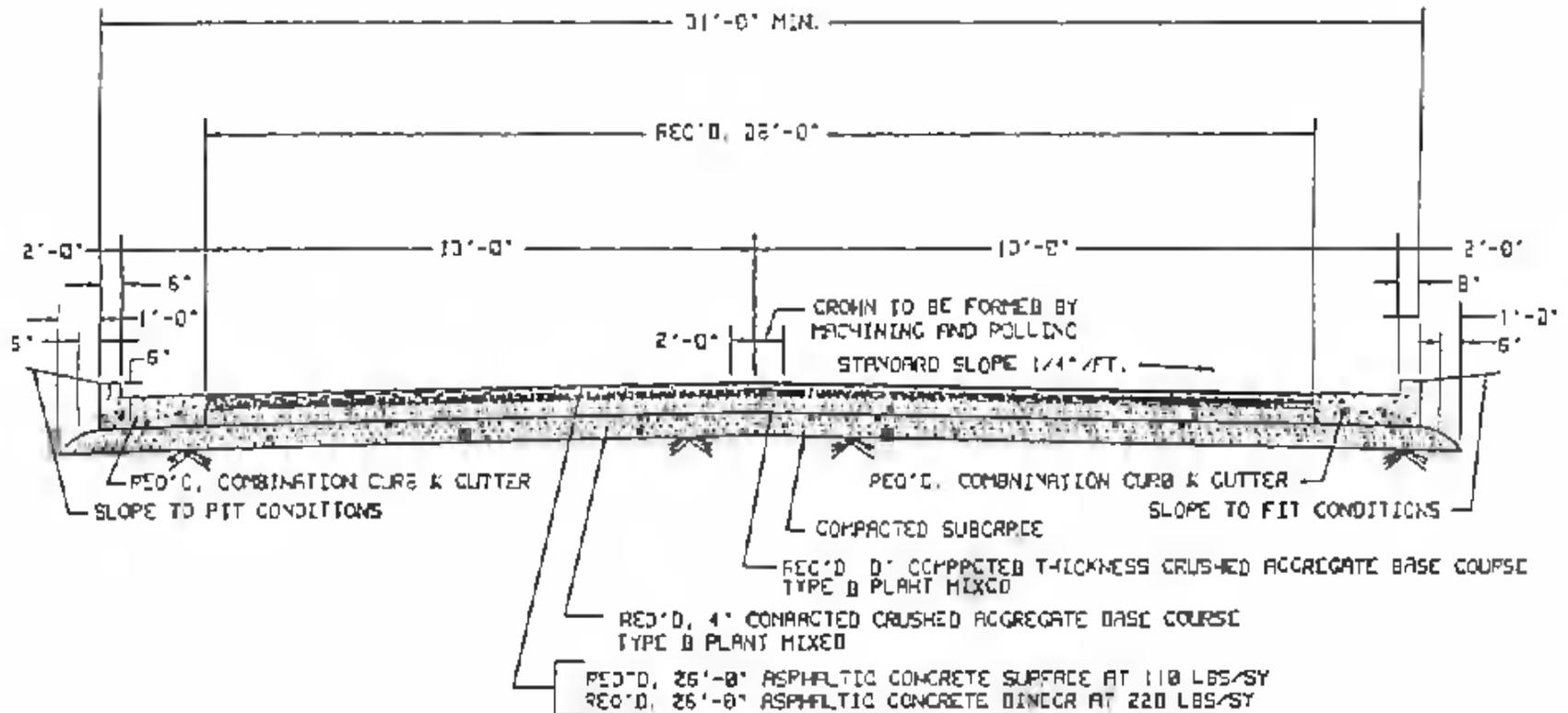
Standard Specifications for Highway Construction, Alabama Department of Transportation, latest edition.

Appendix A: Utility Layout Details

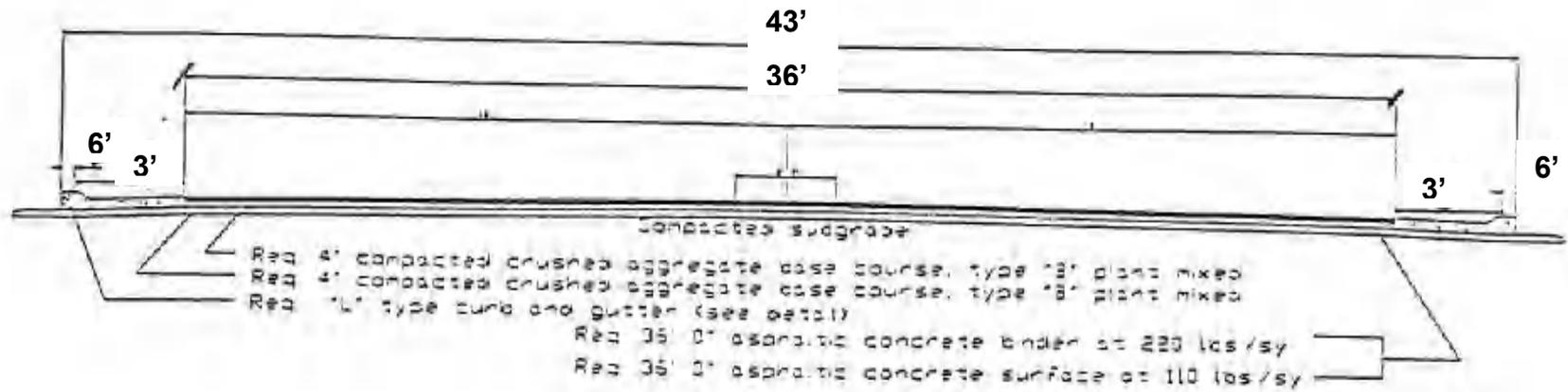


Appendix B: Typical Street Sections

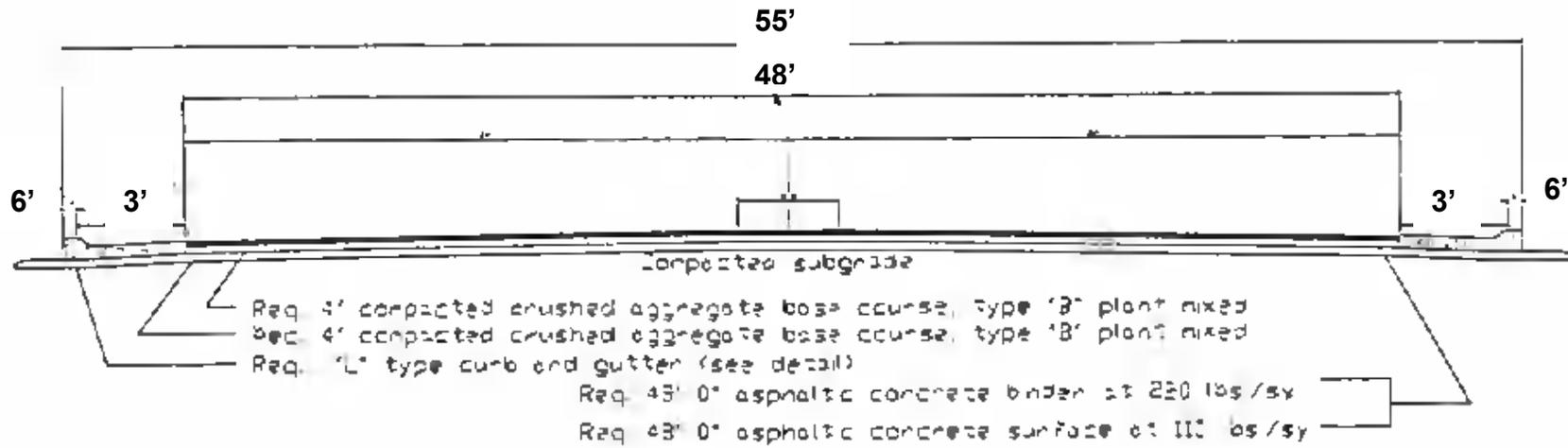
Typical Section: Minor/Local Street



Typical Section: Collector Street



Typical Section: Arterial Street



Appendix C: Signature Blocks and Statements

CERTIFICATION OF SURVEYOR

I, (Insert Name), a licensed Professional Land Surveyor of (Insert Location), hereby certify that I have surveyed the property of (Insert Owner Name), lying in Morgan County, Alabama and described as follows and certify that all parts of this survey have been completed in accordance with the requirements of the Minimum Technical Standards for the practice of land surveying in the State of Alabama:

(Insert Legal Description)

and that the plat or map contained hereon is a true and correct map showing the subdivision into which the property is divided, giving the length and bearing of the boundaries of each lot and its number and showing the streets, alleys, easements, and public grounds and giving the bearing and length, width, and name of each street, alley, easement, and public ground and said map further shows the relationship of the land so platted to the Government survey.

Witness my hand this the _____ day of _____, XXXX.

Alabama License No. XXXXX

(Name)

(Seal)

CERTIFICATION OF APPROVAL BY HARTSELLE UTILITIES

The undersigned, as authorized by Hartselle Utilities, hereby approves the within plat for the recording of same with the Probate Office of Morgan County, Alabama.

(Date)

Authorized Representative
Hartselle Utilities

CERTIFICATION OF RECORDING

I hereby certify that this plat or map was filed in this office for record on this _____ day of _____, XXXX, at _____ o'clock __.m. and recorded in Plat Book Number __, page __ in the probate office of Morgan County, Alabama.

Probate Judge

CERTIFICATION OF APPROVAL BY MORGAN COUNTY HEALTH DEPARTMENT

The lot(s) on this plat are subject to approval or deletion by the Morgan County Health Department. The approvals may contain conditions pertaining to the onsite sewage treatment system that restrict the use of the lot(s) or obligate owners to special maintenance and reporting requirements. These conditions are on file with the said health department, and are made a part of this plat as if set out hereon.

(Name)(Title)
Morgan County Health Department

CERTIFICATION OF APPROVAL BY PLANNING COMMISSION

I hereby certify that the subdivision plat shown hereon has been examined for compliance with the Subdivision Regulations by the Hartselle Planning Commission and that the said Planning Commission has approved this plat.

(Date)

Chair, Hartselle Planning Commission

CERTIFICATION OF APPROVAL OF CITY HARTSELLE, ALABAMA

The undersigned, as City Engineer for the City of Hartselle Alabama, hereby concurs with and approves the within plat for the recording of same with the Probate Office of Morgan County, Alabama.

(Date)

City Engineer, City of Hartselle, Alabama

CERTIFICATION OF APPROVAL BY JOE WHEELER EMC

The undersigned, as authorized by Joe Wheeler Electrical Members Cooperative, hereby approves the within plat for the recording of same with the Probate Office of Morgan County, Alabama.

(Date)

Authorized Representative
Joe Wheeler EMC

CERTIFICATION OF OWNERSHIP (Individual)

I (We) (Property Owner or Owners), hereby certify that I (we) am (are) the owner(s) of the property shown and platted hereon, and approve of the subdivision of this property as shown.

Witness

Owner

(Date)

CERTIFICATION OF OWNERSHIP (Corporate)

I (We) (Name of Officer or Officers), as officers of (Name, Inc.) hereby certify that we are the owners of the property shown and platted hereon, and approve of the subdivision of this property as shown.

(Date)

(Name)
(Corporate Name, Inc.)

By _____
Officer

CERTIFICATION OF OWNERSHIP AND DEDICATION (Individual)

I (We) (Property Owner or Owners), hereby certify that I (we) am (are) the owner(s) of the property shown and platted hereon and further adopt this plan of subdivision with free consent and dedicate all streets, alleys, walks, parks, easements, and other public space as noted to the public.

Witness

Owner

(Date)

CERTIFICATION OF OWNERSHIP AND DEDICATION (Corporate)

I (We) (Name of Officer or Officers), as officers of (Name, Inc.) hereby certify that we are the owners of the property shown and platted hereon and further adopt this plan of subdivision with free consent and dedicate all streets, alleys, walks, parks, easements, and other public space as noted to the public.

(Date)

(Name)
(Corporate Name, Inc.)

By _____
Officer

CERTIFICATION OF MASTER PLAN APPROVAL

I hereby certify that the PUD Master Plan shown hereon has been examined for compliance with the Subdivision Regulations and Zoning Ordinance by the Hartselle Planning Commission and that the Planning Commission has approved this Master Plan.

Chair, Hartselle Planning Commission

(Date)

The following approval is only applicable to the subdivisions located in the unincorporated Morgan County, Alabama, but within the City of Hartselle Extra-territorial Jurisdiction.

CERTIFICATE OF APPROVAL OF MORGAN COUNTY, ALABAMA

The undersigned, as representative of Morgan County, Alabama, hereby approves the within final plat for the recording of same with the Probate Office of Morgan County, Alabama.

Date

County Engineer, Morgan County, Alabama

The following approval is only applicable to the subdivisions served by this Utility.

CERTIFICATION OF APPROVAL OF WEST MORGAN-EAST LAWRENCE WATER
AUTHORITY

The undersigned, as authorized by West Morgan-East Lawrence Water Authority, hereby certifies that water is available to the subdivision, provided the owner and/or developer meets all requirements of the Authority.

Date

Assistant General Manager

The following approval is only applicable to the subdivisions served by this Utility.

CERTIFICATION OF APPROVAL OF NORTHEAST MORGAN COUNTY WATER
AUTHORITY

The undersigned, as authorized by Northeast Morgan County Water Authority, hereby certifies that water is available to the subdivision, provided the owner and/or developer meets all requirements of the Authority.

Date

Assistant General Manager

ACKNOWLEDGEMENT

STATE OF ALABAMA
COUNTY OF MORGAN

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 date that, being informed of the contents of this 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 _____ day of _____, _____.

(seal)

Notary Public

FLOOD ZONE STATEMENT

(MUST BE ADDED TO ALL EXTRATERRITORIAL CERTIFICATE DRAWINGS & FINAL PLATS INVOLVING PROPERTY LOCATED WITHIN A FLOOD ZONE)

According to the FIRM for Morgan County, Alabama, map number _____ dated _____, part of this property lies within Zone AE, which is a special flood hazard area inundated by the 1% Annual Chance Flood. A development permit from the Morgan County Engineering Department will be required before any construction begins (including but not limited to building, filling, grading, excavating, storage & accessory buildings) within the designated 1% Annual Chance Flood Area.

HEALTH DEPARTMENT EXEMPTION STATEMENT

(MUST BE ADDED TO ALL EXTRATERRITORIAL FINAL PLATS NOT REQUIRING HEALTH DEPARTMENT APPROVAL)

This subdivision, as submitted, is exempt from Health Department approval due to the following Health Department subdivision rules exemption: The division of land into lots or tracts of three (3) acres or greater in size are exempt from the subdivision rules for onsite sewage disposal. For further development, each lot will have to comply with Health Department rules and regulations for onsite sewage disposal systems.