



# SUBDIVISION REGULATIONS

---

Adopted by the Bay Minette Planning Commission  
October 13, 2022

Amended by RA-24001  
June 13, 2024

Effective  
July 3, 2024



# **SUBDIVISION REGULATIONS**

## **CITY OF BAY MINETTE, ALABAMA**

Adopted by the Bay Minette Planning Commission  
**October 13, 2022**

Amended by the Bay Minette Planning Commission  
**June 13, 2024**

Effective  
**July 3, 2024**

*This page intentionally blank*

## TABLE OF CONTENTS

<b>ARTICLE 1</b>	<b>GENERAL PROVISIONS</b>	<b>7</b>
SECTION 1.01	AUTHORITY, PURPOSE, APPLICABILITY, JURISDICTION	7
SECTION 1.02	REPEALER AND ADOPTION OF AMENDMENTS	7
SECTION 1.03	INTERPRETATION	8
SECTION 1.04	VALIDITY AND SEVERABILITY	8
SECTION 1.05	CONFLICT WITH OTHER LAWS	8
SECTION 1.06	DISCLAIMER OF LIABILITY	8
SECTION 1.07	EFFECTIVE DATE	8
SECTION 1.08	GENERAL ADMINISTRATION	8
<b>ARTICLE 2</b>	<b>DEFINITIONS</b>	<b>10</b>
SECTION 2.01	INTERPRETATION OF COMMONLY USED WORDS	10
SECTION 2.02	DEFINITIONS	10
SECTION 2.03	ACRONYMS AND ABBREVIATIONS	15
<b>ARTICLE 3</b>	<b>PROCEDURES FOR SUBDIVISION PLAT APPROVAL</b>	<b>17</b>
SECTION 3.01	APPROVAL OF SUBDIVISION PLATS REQUIRED	17
SECTION 3.02	CONSISTENCY WITH PLANS, REGULATIONS AND LAWS	17
SECTION 3.03	CLASSIFICATION OF SUBDIVISIONS	17
SECTION 3.04	APPLICANT RESPONSIBILITIES	18
SECTION 3.05	STANDARDS OF APPROVAL	19
SECTION 3.06	FEES	19
SECTION 3.07	INCOMPLETE SUBMITTALS	19
SECTION 3.08	WITHDRAWAL OR TABLING PROCEDURES	19
SECTION 3.09	PUBLIC HEARING AND NOTICES	20
SECTION 3.10	POWERS OF PLANNING COMMISSION AS TO SUBDIVISION ZONING	20
SECTION 3.11	PRE-APPLICATION & SKETCH PLAT	20
SECTION 3.12	MASTER PLAN	21
SECTION 3.13	PRELIMINARY PLAT	21
SECTION 3.14	CONSTRUCTION OF IMPROVEMENTS	25
SECTION 3.15	AS-BUILT PLANS	25
SECTION 3.16	FINAL PLAT	25
SECTION 3.17	EXEMPTIONS	29
SECTION 3.18	PENALTIES	32
SECTION 3.19	WAIVERS	32
SECTION 3.20	SPECIAL PROVISIONS	33
SECTION 3.21	ISSUANCE OF PERMITS, CERTIFICATES OF OCCUPANCY	34
SECTION 3.22	VACATION OF PLATS	35
SECTION 3.23	VACATION OF PUBLIC RIGHTS-OF-WAY	35
SECTION 3.24	SPECIFICATIONS FOR SUBMITTAL DOCUMENTS	40

<b>ARTICLE 4</b>	<b>DESIGN STANDARDS</b>	<b>42</b>
SECTION 4.01	MINIMUM STANDARDS	42
SECTION 4.02	BLOCKS	43
SECTION 4.03	LOTS	44
SECTION 4.04	STREET PLAN GENERAL STANDARDS	46
SECTION 4.05	INTERSECTIONS	47
SECTION 4.06	CONNECTIVITY	48
SECTION 4.07	ARTERIAL STREETS AND HIGHWAYS	48
SECTION 4.08	HALF STREETS	49
SECTION 4.09	PLATS STRADDLING JURISDICTIONAL BOUNDARIES	49
SECTION 4.10	PRIVATE STREETS	49
SECTION 4.11	PRIVATE RESERVE STRIPS	50
SECTION 4.12	CUL-DE-SACS	50
SECTION 4.13	FRONTAGE ON IMPROVED STREETS	50
SECTION 4.14	STREET NAMES	51
SECTION 4.15	VACATING A STREET OR EASEMENT	52
SECTION 4.16	STREET DESIGN STANDARDS	52
SECTION 4.17	SIDEWALKS	54
SECTION 4.18	ACCESS MANAGEMENT	56
SECTION 4.19	EASEMENTS	60
SECTION 4.20	DRAINAGE AND STORMWATER MANAGEMENT	60
SECTION 4.21	FIRE APPARATUS ACCESS	62
SECTION 4.22	RECREATIONAL VEHICLE PARKS	63
<b>ARTICLE 5</b>	<b>REQUIRED IMPROVEMENTS</b>	<b>71</b>
SECTION 5.01	STREETS AND ALLEYS	71
SECTION 5.02	PEDESTRIAN AND BICYCLE FACILITIES	72
SECTION 5.03	SANITARY SEWERAGE FACILITIES	73
SECTION 5.04	WATER FACILITIES	73
SECTION 5.05	FIRE HYDRANTS	74
SECTION 5.06	STORM DRAINAGE FACILITIES	74
SECTION 5.07	STREET SIGNS	75
SECTION 5.08	UTILITIES	76
SECTION 5.09	STREET LIGHTS	76
SECTION 5.10	COMMON OPEN SPACES AND FACILITIES	77
SECTION 5.11	PERMANENT REFERENCE MARKERS	78
<b>ARTICLE 6</b>	<b>BONDING, INSPECTION, ACCEPTANCE</b>	<b>79</b>
SECTION 6.01	INSTALLATION OF REQUIRED IMPROVEMENTS	79
SECTION 6.02	INSPECTION AND CERTIFICATION	79
SECTION 6.03	STREETS MAINTENANCE BOND	80

SECTION 6.04	ACCEPTANCE OF IMPROVEMENTS	80
SECTION 6.05	RELEASE OF GUARANTEE	83
<b>APPENDIX A</b>	<b>SUBMITTAL REQUIREMENTS</b>	<b>84</b>
<b>APPENDIX B</b>	<b>SAMPLE CERTIFICATIONS</b>	<b>101</b>

*This page intentionally blank*

## ARTICLE 1 GENERAL PROVISIONS

### SECTION 1.01 AUTHORITY, PURPOSE, APPLICABILITY, JURISDICTION

**1.01.01** Authority. The Subdivision Regulations of the City of Bay Minette are hereby enacted, pursuant to the authority granted by The Code of Alabama (1975) as set forth in Title 11, Chapter 52, as amended.

**1.01.02** Purpose. The purpose of these Regulations is to promote the health, safety, convenience, order, prosperity, and general welfare of the residents; to lessen congestion in the street; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to facilitate the adequate provision of water, sewerage, and enhance the ecological and aesthetic environments of present and future residents and to effect the coordinated and efficient development of the City of Bay Minette, Alabama.

**1.01.03** Applicability. A subdivision of land is defined as the division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, of lease, or of building development. The term includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

**1.01.04** Jurisdiction. These Regulations shall govern all subdivisions of land within the Corporate Limits of the City of Bay Minette as presently or hereinafter established, as well as all land lying within the planning jurisdiction of the City of Bay Minette as presently or hereinafter established.

Any owner of land within said jurisdiction wishing to subdivide shall submit to the Planning Commission a plat of the subdivision which shall conform to the minimum requirements set forth in these Regulations. No plat of a subdivision lying within such territory in whole or in part shall be filed or recorded in the Office of the Judge of Probate of Baldwin County until such approval is entered in writing on the plat by the Chairman of the Planning Commission. No subdivider may proceed with the improvement, transfer or sale of lots within a subdivision until a Final Plat of such subdivision has been approved by the Planning Commission and properly recorded in accordance with these Regulations.

No building permit and no certificate of occupancy shall be issued for any parcel of land created by subdivision unless a final plat of such subdivision has been approved by the Planning Commission and properly recorded as required by these Regulations. In addition, no excavation of land and no construction of any public or private improvements shall take place or be commenced in a subdivision unless done in conformity with these Regulations.

### SECTION 1.02 REPEALER AND ADOPTION OF AMENDMENTS

This is a comprehensive enactment of the City of Bay Minette Subdivision Regulations and all prior subdivision regulations are hereby superseded and repealed. The Planning Commission may adopt amendments to the Regulations herein to increase the effectiveness of these Regulations or expedite the approval of plats of subdivisions of land that conform to these Regulations and the Comprehensive Plan. These Regulations, and amendments thereto, may be changed or amended by resolution of the Planning Commission carried by the affirmative votes of a majority of the members



of the Commission. All regulations shall be published as provided by law for the publication of ordinances, and before adoption a public hearing shall be held thereon. A copy thereof shall be certified by the Chairman of the Planning Commission to the Probate Judge of Baldwin County.

### **SECTION 1.03 INTERPRETATION**

In interpreting and applying the provisions of these Regulations they shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. Whenever the provisions of these Regulations require higher standards than are required in any other applicable statute, ordinance or regulation, the provisions of these Regulations, such other applicable statutes, ordinances or regulations shall govern.

### **SECTION 1.04 VALIDITY AND SEVERABILITY**

The requirements and provisions of these Regulations are severable, and should any section or part thereof be declared by any court of competent jurisdiction to be unconstitutional or invalid, the decision of the court shall not affect the validity of the regulations as a whole or any section or part thereof other than the section or part so declared to be unconstitutional or invalid.

### **SECTION 1.05 CONFLICT WITH OTHER LAWS**

Whenever the requirements of these Regulations are at variance with the requirements of any other lawfully adopted statutes, rules, regulations or ordinances, the more restrictive, or that imposing the highest standards, shall govern.

### **SECTION 1.06 DISCLAIMER OF LIABILITY**

These Regulations shall not create liability on the part of the City of Bay Minette, the Bay Minette Planning Commission or any officer or employee thereof for any damages that may result from reliance on these Regulations, or any administrative decision lawfully made thereunder.

### **SECTION 1.07 EFFECTIVE DATE**

These regulations shall take effect upon adoption and publication as required by law.

### **SECTION 1.08 GENERAL ADMINISTRATION**

- 1.08.01** Implementation and Administration. The Bay Minette Planning Commission shall be the implementing authority for these Regulations. The City Planner of the City of Bay Minette shall administer the provisions of these Regulations and it shall be the Planning and Community Development Services Department's responsibility to accept applications on behalf of the Commission and to keep records of all proceedings in accordance with these Regulations.
- 1.08.02** Enforcement. It shall be the duty of the municipality to enforce these Regulations in consultation with the Planning Commission and the City Planner.
- 1.08.03** Duties. All officials and employees of the City of Bay Minette charged with the duty or authorized to issue permits, utility connections, licenses or certificates shall conform to the provisions of these

Regulations. No permit, utility connection, license, or certificate for any use, building or purpose shall be issued if it conflicts with the provisions of these Regulations, and any such issuance shall be null and void.

- 1.08.04** Conducting Official Business. The Planning Commission shall hold at least one (1) regular scheduled meeting per month. The Planning Commission shall determine the date, time, and place of such meeting. Special meetings of the Planning Commission may be called by the Chairman upon the giving notice of such meetings as required by law.
- 1.08.04.01** Unless otherwise provided by statute, a majority of the members shall constitute a quorum for the conduct of business.
- 1.08.04.02** When the Planning Commission must hold a public hearing on any matter where its action is decisive, due notice shall be given as required by law. The public notice of such hearing may be published or posted, as required by law, by the City Clerk immediately upon notification from the City Planner regarding the date and time of said hearing.
- 1.08.04.03** The Chairman or in the event of his absence, the Acting Chairman shall be the person(s) authorized to sign documents testifying to action taken by the Planning Commission.
- 1.08.04.04** Robert's Rules of Order shall generally govern the order of business and conduct of meetings of the Planning Commission or any Committee of said Commission, in accordance with approved bylaws.
- 1.08.04.05** For each regular and/or special meeting of the Planning Commission, the Planning Department Staff shall prepare an agenda.
- 1.08.04.06** Applications for Subdivision Plats shall be filed and handled in accordance with the provisions hereinafter detailed in these Regulations.
- 1.08.04.07** The Planning Commission may defer action on any matter submitted to it at a regular meeting until the next regular meeting so that proper study of the matter may be made by the membership; provided, however, that the Commission shall take action on any matter submitted to it within the time limitation as required by law.
- 1.08.04.08** Appeals. Any party aggrieved by a final decision of the Planning Commission may appeal the final decision to the Circuit Court of Baldwin County, Alabama in accordance with applicable law.

## ARTICLE 2                   DEFINITIONS

### SECTION 2.01 INTERPRETATION OF COMMONLY USED WORDS

For the purpose of interpreting this Ordinance, certain words and phrases have the meaning ascribed herein. In the event a word or phrase is not listed in this Article or is not defined elsewhere in these Regulations, the customary dictionary meaning of the term applies. The word “may” is permissive. The word “shall” is mandatory. The words “building” and “structure” are mutually inclusive. Words used in the present tense include the future tense and words used in the future tense include the present tense. Words used in the singular include the plural and words used in the plural include the singular.

### SECTION 2.02 DEFINITIONS

- 2.02.01**       Access. A deeded portion of a lot, tract or parcel that provides travel way to a City, County or State road.
- 2.02.02**       Adverse Effect. The potential for harm or damage from a proposed development related to potential impacts to the health, safety, convenience, order, prosperity, and general welfare of the residents; congestion in the street; safety from fire, panic, and other dangers; the provision of adequate light and air; the adequate provision of water, sewerage, and enhancement of the ecological and aesthetic environments of present and future residents and the coordinated and efficient development of the City of Bay Minette.
- 2.02.03**       Adjacent. Either adjoining or on the opposite side of a street or other right-of-way that separates it from the subject property. Properties separated by an interstate or railroad are not considered adjacent.
- 2.02.04**       Adjoining or Abutting. Having property or district lines in common. Properties separated by a right-of-way are adjacent, but not abutting.
- 2.02.05**       Agent. A person, firm or corporation who is empowered to act for a principal on matters which come within the scope of designated activities.
- 2.02.06**       Alley. A public right-of-way primarily designed to serve as a secondary access to the side or rear of those properties whose principal frontage is on some other street.
- 2.02.07**       Applicant. The owner of land proposed to be subdivided or a person designated in writing by the legal owner as their representative.
- 2.02.08**       Arterial. A highway or street of considerable continuity which is used primarily for moving large volumes of traffic through or around the city; sometimes called a major highway or street.
- 2.02.09**       As-Built Plan. A post construction record giving details of construction and locations of improvements as they were built or installed.
- 2.02.10**       Block. A division or parcel of land bounded by streets, or by a combination of streets, public highways, alleys, public parks, cemeteries, railroad right-of-way, shorelines of waterways, other

rights-of-way, or boundary lines. Where platting is incomplete or disconnected, block outline may be determined by subdivider.

- 2.02.11** Building Envelope. A defined portion of a lot where building construction, or other activities as defined on the plat, will be permitted, typically within building setbacks designated by the Zoning Ordinance.
- 2.02.12** Building Setback Line. A line parallel to the property line(s) over which no structure may be erected, except for steps or terraces with no canopy, open fire escapes, roof overhangs, balconies, canopies or cornices projecting no more than two (2) feet beyond the main wall, offset or overlapping projections of second floors that project no more than three (3) feet beyond the main floor of the building.
- 2.02.13** City. The City of Bay Minette, Alabama.
- 2.02.14** City Council. The chief legislative body of the City of Bay Minette, Alabama.
- 2.02.15** City Engineer. A State Certified Engineer acting on behalf of the City of Bay Minette.
- 2.02.16** City Planner. A City official as designated by the City Council, who represents and acts on the behalf of the City in performing the duties and enforcement required by the Zoning Ordinance and/or Subdivision Regulations. Interchangeable with City Planner, Zoning Administrator or Community Development Director. For general responsibilities, also refers to their designee and/or other City Planning and Community Development Staff.
- 2.02.17** Collector. A route which collects and distributes traffic between local roads or arterial roads and serves as a linkage between land access and mobility needs.
- 2.02.18** Comprehensive Plan. Shall mean the entire collection of the master plan, land use maps and guidelines adopted by Bay Minette Planning Commission.
- 2.02.19** Construction Plans. Plans prepared in accordance with these Regulations, detailing the design and requirements for the construction of all required improvements. These plans shall include, but not be limited to, the engineering plans for the construction of all improvements and detail such items as the location and dimensions of all existing and proposed roads, utilities, storm drainage facilities, curve data, and any other data as required.
- 2.02.20** Corner Lot. A parcel of land adjoining two or more streets at their intersection.
- 2.02.21** Crosswalk. A designated transverse right-of-way across a public street for the purpose of protection of pedestrians crossing to the other side of the street.
- 2.02.22** Cul-de-sac. A minor street designed with only one outlet and having an appropriate terminal for safe and convenient vehicular turnaround.
- 2.02.23** Curb or Curblin. Shall mean the vertical face of a concrete curb nearest the center of the street or, where no curb exists, the edge of the traveled way.
- 2.02.24** Dedication. The transfer of property from private to public ownership.
- 2.02.25** Develop. Means the physical preparation of land for occupation or utilization, including the design work of lot layout, the construction of drainage structures, the construction of buildings or public use

areas, the planning and construction of public streets and public roads, and the placement of utilities, mining, dredging, filling, grading, paving, excavating, or drilling operations; and any other applicable construction or improvement required or included in a certain subdivision project. Agricultural activities such as plowing or cultivating and gardening activities are not included in this definition.

- 2.02.26** Differential Runoff. Shall mean the difference between the rate and volume of stormwater runoff from a particular parcel or project in its undeveloped or natural condition and that of the same property after development.
- 2.02.27** Double Frontage Lot. A lot which abuts a public way on both front and rear - a lot which extends all the way through the block.
- 2.02.28** Easement. Shall mean a restricted area on privately owned land, the use of which is reserved for a specific purpose or public utility, such right of use to run with the land in perpetuity unless the governing body, by resolution, assents to the vacation of such easement upon a finding that there is no public need therefor.
- 2.02.29** Engineer. Shall mean one who is registered and actively licensed to practice as a Professional Engineer in his qualified field of expertise by the Alabama Licensing Board for Engineers and Land Surveyors. A qualified engineer undertaking the design and inspection of construction within subdivisions may be referred to herein as the Project Engineer or Subdivision Engineer.
- 2.02.30** Essential Services. Public utility facilities related to water, stormwater sewers, sanitary sewers, solid waste disposal, telephone, cable television, gas and electrical collection or distribution systems serving the City of Bay Minette; but not including buildings housing employees, or public safety facilities such as fire and/or police stations.
- 2.02.31** Final Plat. A plat of a tract of land which meets the requirements of these Regulations and is in form for recording in the Office of the Probate Judge of Baldwin County, Alabama.
- 2.02.32** Highway. A road or street that forms a part of the existing or projected Federal Aid Highway System, the State road system or the County road system.
- 2.02.33** Infrastructure. Includes, but is not limited to a street, road, sidewalk, parking facility, bridge, water or wastewater facility, drainage system, waterline, water storage facility, rail line, utility line or pipeline, or other similar or related structure or improvement, together with necessary easements for the structure or improvement, designed for the benefit of the general public.
- 2.02.34** Lot. A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership, lease, or rental, and/or for building development, and having its principal frontage on an existing or proposed right-of-way conforming to these Regulations.
- 2.02.35** Lot of Record. A lot which is a part of a recorded plat, or a parcel described by metes and bounds, the map and/or description of which has been recorded according to Alabama law.
- 2.02.36** Lot Line. The lot line which abuts a street or separates the lot from a street.

- 2.02.37** Lot Line, Front. The lot line contiguous to the street right-of-way line of the principal street on which the lot abuts.
- 2.02.38** Lot Line, Interior. A side lot line separating a lot from another lot is called an interior lot line.
- 2.02.39** Lot Line, Rear. The lot line opposite to and most distant from the front lot line.
- 2.02.40** Lot Line, Side. Any lot line other than a front or rear lot line.
- 2.02.41** Lot Line, Side Street. A side lot line of a corner lot separating a lot from a street is called a Side Street lot line.
- 2.02.42** Lot Width. The horizontal distance between side lines of the lot when measured parallel to the street right-of-way at the building set back line.
- 2.02.43** Major Street. See Arterial Street above.
- 2.02.44** Major Subdivision. A subdivision not classified as a minor subdivision, including but not limited to subdivisions of 5 or more lots, or any size subdivision requiring any new street or drainage improvements, the extension of public facilities, or the creation of any public improvements.
- 2.02.45** Marginal Access Street. A service road or street which is parallel and adjacent to a major street or highway and provides protected access to abutting properties in cases where an arterial runs through or near a subdivided area.
- 2.02.46** Minor Street. A local or neighborhood street used primarily to provide access to abutting property.
- 2.02.47** Minor Subdivision. A subdivision that creates not more than 4 lots, each lot fronting on an existing, paved public road and does not involve any new street or drainage improvements, the extension of public facilities, nor the creation of any public improvements.
- 2.02.48** Monument. A permanent object which serves to indicate a limit or to mark a boundary.
- 2.02.49** Official Maps and Plans. The maps and plans prepared as a part of the comprehensive plan.
- 2.02.50** Parkway. A special scenic route or park drive abutting a park, green way, or conservation area where zoning or topography would prohibit development on at least one side of the roadway.
- 2.02.51** Planning Commission. Means the Planning Commission of the City of Bay Minette, Alabama. Interchangeable with “the Commission”
- 2.02.52** Planning Department. Unless specifically noted otherwise, “the Department” or “the Planning Department” specifically refers to the Planning and Community Development Services Department of the City of Bay Minette.
- 2.02.53** Planting Strip. That portion of the street right-of-way between curb and the property line exclusive of the area occupied by sidewalks.
- 2.02.54** Private Drive. A type of private access easement which serves as a common driveway for three or more dwelling units or structures, and which shall not be maintained by the City.

- 2.02.55** Proposed Plat. A plan for a subdivision of land which is submitted to the Planning Commission for approval to develop the subdivision in accordance with applicable regulations.
- 2.02.56** Recreational Vehicle. A self-propelled vehicle used for temporary housing of individuals and families during travel. This category also includes campers and camping trailers capable of being towed by a passenger motor vehicle and motor homes.
- 2.02.57** Recreational Vehicle Park. Any lot or parcel of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.
- 2.02.58** Recreational Vehicle Sites. Spaces or areas of ground within a recreational vehicle park intended for the accommodation of transient recreational vehicles, travel trailers, campers, motor homes or similar transient vehicles.
- 2.02.59** Road or Street. A public right-of-way for vehicular traffic that affords the principal means of access to abutting property.
- 2.02.60** Road, City. A public road which has been accepted into the City's road system through construction by the City, dedication and formal acceptance by the City Council, or prescription and is maintained by the City. A road which has been dedicated to the public and is used by the public is not a City Road, unless it has been accepted into the City's road system through construction, acceptance or prescription as set out herein and authorized by law.
- 2.02.61** Road, County. A public road owned or maintained by the Baldwin County Commission.
- 2.02.62** Road, Private. A road which has not been dedicated to the public and is not owned or maintained by the City, County, or State whether or not it has public access.
- 2.02.63** Road, Public. A street or road that has been constructed for public use, established by statutory proceedings, or dedicated for public use. A public road may or may not be a City Road.
- 2.02.64** Road, State. A public road owned or maintained by the State of Alabama.
- 2.02.65** Roadway, Traveled Way or Street Surface. that part of a street or highway available for use by vehicular traffic - the portion from face of curb to face of curb.
- 2.02.66** Secondary Street. See Collector Street above.
- 2.02.67** Sidewalk. A paved, surfaced or leveled area paralleling and usually separated from the street, used as a pedestrian walkway.
- 2.02.68** Sketch Plat. Drawing submitted prior to the preparation of the Preliminary Plat to enable the applicant to save time and expense in reaching general agreement with the Planning Commission as to the form of the plat and the objectives of these Regulations.
- 2.02.69** Specifications, State. Shall mean the latest revision of the Alabama Highway Department Specifications for Roads and Bridges.

- 2.02.70** Street or Street Width. Shall mean the entire right-of-way, the perpendicular or radial distance between the boundaries of property adjoining either side of such street.
- 2.02.71** Stub Street or Stub Out. A street right-of-way or improvement which terminates abruptly without the provision for vehicular turn-around. Such a street is temporary, usually terminating at the boundary of a development and expected to continue to and through adjacent property in its subsequent future development.
- 2.02.72** Subdivider. A person, firm, corporation or any other legal entity who 1) proposes to divide, divides or causes to be divided, real property into a subdivision; or who 2) directly or indirectly, sells, leases, or develops, or offers to sell, lease, or develop, or advertises for sale, lease, or development, any interest, lot, parcel, site, unit, or plat in a subdivision; or who 3) commences proceedings under these Regulations to develop a subdivision. The terms “agent,” “applicant,” and “developer” will have corresponding meanings in these Regulations. This definition does not include a public agency or officer authorized by law to approve subdivisions.
- 2.02.73** Subdivision. The division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, of lease, or of building development. The term includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.
- 2.02.74** Subdivision, Exempt. A division of lots, parcels or tracts meeting the criteria in Section 3.17 herein, and not subject to the requirements of these Regulations.
- 2.02.75** Subdivision, Pre-Regulatory. A subdivision or lots of record that were recorded in the Office of the Judge of Probate, Baldwin County before October 19, 1989, the date of the implementation of Subdivision Regulations in the City of Bay Minette.
- 2.02.76** Subdivision, Regulatory. A subdivision or lots of record that were recorded in the Office of the Judge of Probate, Baldwin County after October 19, 1989, the date of the implementation of Subdivision Regulations in the City of Bay Minette.
- 2.02.77** Surety. Any bond, certificate of deposit, irrevocable letter of credit, cashier check, or other acceptable guarantee as approved by the Planning Commission or their authorized agent.
- 2.02.78** Surface Drainage. A stormwater drainage system consisting of gutters, culverts and open channels.
- 2.02.79** Waiver. A request for the modification of a standard contained in these Regulations, granted at the discretion of the Planning Commission at the time of Preliminary Plat approval, and based on criteria unique to the specific site.

### **SECTION 2.03 ACRONYMS AND ABBREVIATIONS**

ADA	Americans with Disabilities Act of 1990
ADEM	Alabama Department of Environmental Management
ALDOT	Alabama Department of Transportation
CAD	Computer Aided Drafting
DWG	drawing file



FEMA	Federal Emergency Management Agency
ft	feet
GIS	Geographic Information Systems
HOA	Home Owner's Association
MUTCD	Manual on Uniform Traffic Control Devices for Streets and Highways
PDF	Portable Document Format
PUD	Planned Unit Development
ROW	Right of Way
RV	Recreational Vehicle
sf	square feet
SHP	shapefile
USGS	United States Geological Survey

## **ARTICLE 3 PROCEDURES FOR SUBDIVISION PLAT APPROVAL**

### **SECTION 3.01 APPROVAL OF SUBDIVISION PLATS REQUIRED**

No plat of a subdivision lying within the corporate limits or planning jurisdiction of the City shall be filed or recorded in the Office of the Judge of Probate of Baldwin County until a plat of such subdivision has received final approval by the Planning Commission and properly recorded in accordance with these Regulations. The procedure for the review and approval of a subdivision generally involves pre-application/Sketch Plat review, Preliminary Plat and Final Plat approval. The plat and preliminary design shall meet the requirements of all applicable codes and laws and shall be prepared in conformity with the standards of professional practice.

### **SECTION 3.02 CONSISTENCY WITH PLANS, REGULATIONS AND LAWS**

Proposed improvements in all subdivision developments within the planning jurisdiction of the City of Bay Minette Planning Commission shall be in conformance with existing approved plans, maps, ordinances, and design standards of the City of Bay Minette, including the Comprehensive Plan, Zoning Ordinance, Building Code, Flood Damage Prevention Ordinance and all other applicable laws of the City's jurisdiction. In addition to the requirements established herein, all subdivision plats shall comply with all applicable Federal, State and County laws and regulations.

### **SECTION 3.03 CLASSIFICATION OF SUBDIVISIONS**

Whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof, the subdividing owner or his authorized agent shall apply for and secure approval of such proposed subdivision in accordance with the procedures as herein established.

**3.03.01** Major Subdivisions. Applications for approval of a Major Subdivision shall consist of subdivisions not classified as a Minor Subdivision, including but not limited to subdivisions of 5 or more lots, or any size subdivision requiring any new street or drainage improvements, the extension of public facilities, or the creation of any public improvements. Major Subdivisions require a Pre-Application Conference and Sketch Plat. Upon receipt of the Commission's findings and recommendations on the Sketch Plat, the applicant may prepare and submit a Preliminary Plat application. The Preliminary Plat will be reviewed, and a public hearing held by the Commission on the Preliminary Plat application. Upon Commission approval of the Preliminary Plat, the Subdivider may proceed with posting of a Performance Bond and construction of the subdivision. Upon completion of improvements, the applicant may then submit a Final Plat application.

**3.03.02** Minor Subdivisions. Applications for approval of a Minor Subdivision shall consist of subdivisions that create not more than 4 lots, each lot fronting on an existing, paved public road and does not involve any new street or drainage improvements, the extension of public facilities, nor the creation of any public improvements. Minor Subdivisions do not require Preliminary Plat approval but must receive Final Plat approval. Prior to submitting a plat application for Commission consideration, a Pre-Application Conference is required with City Staff. If staff determines that no street, drainage or other improvements are required and that the proposed subdivision is in conformance with the Comprehensive Plan, Zoning Ordinance and these Regulations, the applicant may then prepare and

submit a Final Plat application. If City Staff determines that any improvements are necessary for the proposed subdivision to comply with these Regulations, the proposed subdivision is considered a Major Subdivision subject to review and approval as such.

**3.03.03**

Exception to Required Approvals. Except as set forth in Section 3.17, the following subdivisions are exempt from the provisions of these Regulations. No public hearing shall be required, but the subdivision shall be subject to review and approval by the Planning and Zoning Director for compliance with the requirements contained herein. Any subdivider or developer who appears to be circumventing the intent and substance of these Regulations may be required to submit a plat for review and approval by the Planning Commission and shall be subject to the penalties under Section 3.18.

1. Subdivision of land by testamentary or intestate provisions.
2. Subdivision of land by court order including, but not limited to, judgments of foreclosure.
3. The public acquisition by purchase or donation of strips of land for the widening or opening of streets or for other public uses.
4. Common property lines are being reconfigured where no new lots are being created and involves no street or other public improvements.
5. The subdivision of property into three (3) or less lots, tracts or parcels for the limited purpose of sale, deed or transfer of land by the owner to qualifying family member(s) and not within a previously recorded subdivision and involves no street or other public improvements. Each parcel which is subdivided pursuant to this subparagraph shall have deeded ingress/egress and utility access or easement that runs with the land of not less than 30 feet in width. A qualifying division hereunder is limited to a division among the following designated legally related immediate family members: Spouse, children, siblings, parents, grandparents, grandchildren, nieces, nephews, or step-related individuals of the same status.

**SECTION 3.04 APPLICANT RESPONSIBILITIES****3.04.01**

Applicants shall determine the appropriate track of approval based on their proposed development and shall be responsible for the full payment of all fees and charges required by these Regulations. The applicant or the applicant's representative shall be present for all meetings and public hearings.

**3.04.02**

The applicant is responsible for providing all engineering services, including plans and specifications in conformity with these Regulations and field inspections and construction supervision as is necessary to assure that improvements are installed in conformity with plans, City standards and the requirements herein. The subdivider shall provide the City with all engineering plans required for conformity with any applicable state, federal or local laws or regulations. Where the Commission deems additional or supplemental engineering data to be necessary for the purpose of assuring the City's interests are protected, the cost shall be borne by the applicant.

**3.04.03**

Applicants are responsible for recording their Approved Final Plat, deeds, and any other required documents at the Office of the Probate Judge of Baldwin County, Alabama, and the cost that it incurs.

## **SECTION 3.05 STANDARDS OF APPROVAL**

The Planning Commission shall not approve the subdivision of land if the Commission makes a finding that such land is not suitable for platting and development as proposed, due to any of the following:

- 3.05.01** The proposed subdivision is not consistent with these Regulations;
- 3.05.02** The proposed subdivision is not consistent with the City's Comprehensive Plan, Zoning Ordinance and/or any other plan or program for the physical development of the City including but not limited to a Master Street Plan, a Transportation Plan, a Parks Plan, a Bicycle Plan, a Pedestrian Plan, or a Capital Improvements Program, where applicable;
- 3.05.03** The proposed subdivision is not consistent with other applicable Federal, State or County laws and regulations; or
- 3.05.04** Notwithstanding that the proposed subdivision may satisfy the technical, objective provisions of these Regulations, the Commission has discretion to deny a subdivision if there is any articulable, rational basis for a determination that the proposed subdivision otherwise endangers the health, safety, or welfare of persons or property.

## **SECTION 3.06 FEES**

To partially defray costs of filing an application, notifying interested parties, investigation, and holding a hearing, a fee according to the current schedule of fees established by the City Council of Bay Minette must be paid to the City by the Subdivider at the time of filing of the application. Fees are not subject to refund or adjustment, irrespective of the final outcome of the application.

## **SECTION 3.07 INCOMPLETE SUBMITTALS**

The City Planner shall review applications to determine if the submittals meet all the requirements herein. Incomplete, partial, or inaccurate submittals will not be accepted, but will be returned to applicant for re-submission for a later hearing. Staff shall submit the Final Plat application to all other City departments, County and State agencies and other officials and agencies, as may be applicable, for review and recommendations. Following staff review and comments, the applicant shall submit a revised plat for review by staff and the Planning Commission. The revised submittals shall reflect staff's initial review comments. Once applications are deemed complete, Planning Staff will schedule the application for presentation to the Planning Commission and public hearing in accordance with the established Meeting and Deadline Schedule.

## **SECTION 3.08 WITHDRAWAL OR TABLING PROCEDURES**

- 3.08.01** Withdrawal. If, for any reason, an item scheduled for presentation before the Planning Commission is withdrawn within seven (7) calendar days of submission, then the application fee shall be credited toward future resubmittal of the application; however, beyond the seven (7) calendar day period, fees shall not be refunded nor credited toward subsequent submittals. The request to withdraw the item

shall be submitted in writing, signed by the applicant or authorized agent, and submitted to the Planning and Development Department prior to the scheduled hearing date.

- 3.08.02** Tabling. If, for any reason, an item scheduled for presentation before the Planning Commission is requested to be tabled without having been presented, then the applicant shall incur the costs required to re-notify adjacent property owners of the future meeting or hearing at which time the item will be considered. The request to table the item and reschedule shall be submitted in writing, signed by the applicant or authorized agent, and submitted to the Planning and Development Department prior to the scheduled hearing date.

### **SECTION 3.09 PUBLIC HEARING AND NOTICES**

- 3.09.01** Prior to the Approval or Denial of a Preliminary or Final Plat, the Planning Commission shall first hold a public hearing. Notice of such public hearing shall be sent to the owner of record, the applicant, all adjoining landowners by registered mail as their names appear upon the latest records of the Baldwin County Revenue Commissioner's Office.
- 3.09.02** Such notices shall be sent not less than five (5) days prior to the date of the public hearing. Any plat submitted to the Planning Commission shall contain the name and address of all persons to whom notice of a public hearing shall be sent.
- 3.09.03** The applicant or the applicant's representative shall be present at the public hearing. Should the applicant choose to have a representative, the applicant shall formally designate the representative by letter to be submitted to the City Planner prior to the date of the public hearing. Should the applicant and/or their representative be absent, the public hearing shall be postponed, and an Extension Request Fee according to the current schedule of fees established by the City Council of Bay Minette and the cost of re-advertisement shall be paid before being placed back onto the Planning Commission agenda.
- 3.09.04** The Planning Department shall place a sign with the statement: Public Hearing, Subdivision Proposed for This Property. Said sign shall be placed on the property not less than seven (7) days prior to the date of the public hearing.

### **SECTION 3.10 POWERS OF PLANNING COMMISSION AS TO SUBDIVISION ZONING**

The Planning Commission shall have the power to agree with the application upon use, height, area, or bulk requirements or restrictions governing buildings and premises within the subdivision, provided the requirements or restrictions do not authorize the violation of the then effective Zoning Ordinance. The requirements or restrictions shall be stated upon the plat prior to the approval and recording thereof and shall have the same force of law and be enforceable in the same manner and with the same sanctions and penalties and subject to the same power of amendment or repeal as though set out as a part of the City's Zoning Ordinance or Zoning Map.

### **SECTION 3.11 PRE-APPLICATION & SKETCH PLAT**

- 3.11.01** Applicants are urged to consult early and informally with the City Planner to facilitate the subdivision review process. A pre-application conference with City Staff is mandatory prior to submitting an

application for subdivision. The purpose of Pre-Application Conference is to acquaint the applicant with the regulations governing subdivision, procedures for approval, and other agencies or officials who must approve any part of a subdivision plat. The applicant may provide a Sketch Plat at the time of the conference. Neither the applicant nor the Planning Commission are bound by considerations delivered during the Pre-Application Conference.

**3.11.02** The Sketch Plat is intended to be a relatively simple conceptual drawing of the proposed subdivision, submitted prior to the preparation of the Preliminary Plat to enable the applicant to save time and expense in reaching general agreement with the Planning Commission as to the form of the plat and the objectives of these Regulations. See Appendix A for Submittal Requirements.

**3.11.03** City Staff will transmit copies of the Sketch Plat to all pertinent City Departments, County and State agencies and other officials and agencies, as may be applicable. The Sketch Plat will be placed on the Planning Commission agenda for the next available regular meeting for an informal review and recommendation. The subdivider shall be present at the Planning Commission meeting either personally or through a representative in order to discuss, answer questions, and explain the submission. Upon receipt of these findings and recommendations, the applicant may prepare and submit a Preliminary Plat application.

**3.11.04** After a Pre-Application Conference with City Staff, applicants for Minor Subdivisions are encouraged, but not required, to submit a Sketch Plat for review.

## **SECTION 3.12 MASTER PLAN**

**3.12.01** Where any subdivision or development site is to be developed in stages or phases, no preliminary plat for any fraction of the site shall be accepted for review unless a master plan is submitted or has been previously approved.

**3.12.02** The master plan shall be a conceptual plan showing the entire development site and all component stages or phases, and shall express the overall development concept for the site at build-out.

**3.12.03** The subdivider shall submit a written request for review and approval by the Planning Commission and a copy of said master plan. The master plan shall be of sufficient detail to show the proposed street, sidewalk and lot layout, drainage, utilities, detention, common, recreational, and landscaped areas.

**3.12.04** If the City Planner finds that any proposed preliminary plat substantially deviates from the approved master plan, a revised master plan must be approved by the Planning Commission prior to approval of further plats within the development. Examples of a substantial deviation includes an increase in the overall lot density; change in number of entrances, connections, or stub outs; decrease in proposed open space or amenity areas.

## **SECTION 3.13 PRELIMINARY PLAT**

The purpose of the Preliminary Plat is to provide a basis for construction of a proposed subdivision and its improvements. Planning Commission approval of the Preliminary Plat is tentative and revocable. It is to be considered only as approval of the design, with the understanding that the

Commission, City, and other officials and agencies will examine the grades of streets, the types of improvements, the layout of drainage and sewer and water systems, and may require changes to any engineering or construction details submitted by the Subdivider whenever required for the protection of the public interest.

**3.13.01** Following Sketch Plat approval, the subdivider shall submit a complete application for Preliminary Plat to the Planning and Development Services Department prior to a regularly scheduled Planning Commission meeting and in accordance with the established Meeting and Application Deadline Schedule. The Preliminary Plat is intended to be a detailed presentation of the site; the Preliminary Plat shall include engineering plans for the construction of all improvements.

**3.13.02** Submittal Requirements. Applicants for a Preliminary Plat shall first submit to the Planning and Development Services Department the following preliminary plat, plans and relevant documentation as specified herein and in Appendix A Submittal Requirements. The checklist may be modified at the discretion of the City Planner when applicable:

1. A complete application on such forms provided by the Planning and Development Services Department.
2. Proof of ownership, such as a copy of a recorded warranty deed of the property proposed for development, or written permission from the property owner stating the applicant has the authority to act as agent on behalf of the owner.
3. Four (4) sets of 24" x 36" prints of the proposed subdivision and construction plans prepared in accordance with the requirements of this section, one (1) 11" X 17" copy of the plat and a digital format of the plans prepared in accordance with the requirements herein. See Appendix A Submittal Requirements
4. Documentation from all applicable utility companies detailing service availability, stating their capacity and willingness to provide service.
5. List of adjacent property owners as specified in Appendix A Submittal Requirements. Names and addresses shall be from the latest records of the Baldwin County Revenue Commissioner's Records and the accuracy of the list shall be the applicant's responsibility. Where land adjacent to the subject property involves leasehold property, the names and addresses of the landowner and the leasehold improvements shall be notified.
6. Other documentation as deemed necessary by the City Planner.

**3.13.03** Plat Content. The Preliminary Plat shall be prepared by a registered engineer or land surveyor and shall be clearly and legibly drawn at a convenient scale of not less than one (1) inch equals one hundred (100) feet, and the sheets shall be numbered in sequence if more than one (1) sheet is used. The sheet shall be 24" x 36" and shall contain all information as detailed in Appendix A Submittal Requirements. The checklist may be modified at the discretion of the City Planner when applicable.

**3.13.04** At the time of submission of the Preliminary Plat, the applicant shall also submit construction plans for all required improvements. All plans shall meet the minimum standards of design and general requirements for the construction of public improvements as set forth in these Regulations.

Construction plans shall be drawn at a scale of not less than one (1) inch equals fifty (50) feet and map sheets shall be of the same size as the Preliminary Plat. Construction plans shall be prepared by a Registered Engineer.

- 3.13.05** The applicant shall submit a preliminary plat and applicable documents as may be necessary to any and all applicable utility companies, local, state and/or federal agency for review.
- 3.13.06** No Preliminary Plat shall be approved by the Planning Commission until each utility affected has submitted a letter to the Planning Commission as to whether the service to be provided by such utility is reasonable and adequate.
- 3.13.07** Planning Commission Action. Presentation to the Planning Commission of Preliminary Plat at a regularly scheduled meeting constitutes formal submission of said plat. At such meeting, the Planning Commission will review the plat and, after a public hearing, have the option to take the following actions:
1. Approve the Preliminary Plat as presented.
  2. Approve the Preliminary Plat with conditions.
  3. Disapprove the Preliminary Plat
  4. Delay action on the Preliminary Plat
- 3.13.07.01** If approved subject to conditions, the nature of the required modifications shall be stated in the hearing and presented to the subdivider in writing. If necessary, the Commission may require the subdivider to submit a revised preliminary plat prior to obtaining development permits.
- 3.13.07.02** If the Planning Commission disapproves the preliminary plat, the reasons for such action shall be stated in the hearing, presented to the subdivider in writing and documented in the records of the Planning Commission. Reference shall be made to the specific section(s) of the regulations with which the preliminary plat does not comply.
- 3.13.07.03** Delay action on the Preliminary Plat
- The Planning Commission shall act to approve or disapprove a subdivision plat within thirty (30) calendar days after its formal submission at a regularly scheduled Planning Commission meeting. If the applicant waives this requirement and consents to an extension, the Planning Commission may defer action on the plat for a period not to exceed an additional thirty (30) calendar days. If no action is taken within the initial 30-day time period, or if there is no action taken within the extension period, such plat shall be deemed to have been approved, and notification to that effect shall be issued by the Planning Commission on request.
- 03.13.08** Approval Within Thirty Days
- The Planning Commission shall approve or disapprove a plat within thirty (30) days after the submission thereof to it, otherwise such plat shall be deemed to have been approved, and a certificate to that effect shall be issued by the Commission on demand; provided, however, that the applicant for the commission's approval may waive this requirement and consent to an extension of such period.



**03.13.09** Expression of Approval

Planning Commission approval of the Preliminary Plat shall not be deemed as final plat approval or authorization for official recording and shall not be entered on the plat. In accordance with state law, Preliminary Plat approval is a tentative and revocable endorsement of a subdivision prior to the construction or installation of improvements. Said approval shall be authorization to begin work, to proceed with the construction of all minimum improvements as detailed in Article 5 Required Improvements including the grading of streets, and staking of lots, etc.

Planning Commission approval shall not constitute the City of Bay Minette's acceptance of any street or other public or open space displayed on the plat. Planning Commission approval of a Preliminary Plat is deemed an expression of approval of the layout as submitted on the preliminary plat. The Planning Commission files shall retain one copy of the Preliminary Plat.

**03.13.10** Effective Period

**03.13.10.01** Approval of the Preliminary Plat shall be effective for a period not to exceed one (1) year from the date of Planning Commission approval and shall thereafter expire and be considered null and void, if no development permits have been acquired for the project. The preliminary plat and any applicable City of Bay Minette development permits shall become void one (1) year from the issuance of the permit if no substantial building or construction activity has occurred.

**03.13.10.02** Prior to the expiration of the Preliminary Plat or initial development permit, a Request for Subdivision Extension of one (1) year may be granted by the Planning Commission for the approved preliminary plat and development permit.

**03.13.10.03** If no construction activity has occurred after the expiration of the Extension, the Request for Subdivision Extension may be considered for renewal by the Planning Commission within sixty (60) days of the expiration date. The Request for Extension shall not be renewed for a period exceeding one (1) year. In no circumstances shall a preliminary plat or related development permit be granted an extension beyond this time. The preliminary plat and development permit shall automatically be deemed null and void. The subdivider shall be required to resubmit the preliminary plat application for Planning Commission approval.

**03.13.11** Changes or Modifications

Any change or modification to a Preliminary Plat shall be submitted to the Planning Commission for approval. If any modification is deemed substantial, an application for Extensive Plat Amendment shall be submitted to the Planning Commission. The Amendment Request shall be subject to a public hearing and the developer will be responsible for the cost of advertisement and an application fee according to the current schedule of fees established by the City Council of Bay Minette.

**03.13.12** Limitation on Resubmission

If the Planning Commission denies a request for Preliminary Plat approval, no further subdivision applications for the same parcel or a portion thereof shall be accepted by the Commission within 180 days from the date of such denial, unless a new, complete application is submitted which clearly

corrects, resolves, or mitigates all deficiencies and/or other areas of non-compliance identified as the basis of denial.

## **SECTION 3.14 CONSTRUCTION OF IMPROVEMENTS**

### **3.14.01 Installation of Improvements**

Upon the installation of all required improvements, and prior to the submission of an application for Final Plat Approval, the developer or owner shall request final inspection from the City of Bay Minette, and any applicable Baldwin County or State officials. Final Inspection Reports shall be submitted at the time of application for Final Plat Approval.

No lot may be sold, or utilities extended to, or connected with, any subdivision of land, as defined herein until the Final Plat has been approved by the Planning Commission.

Before the Final Plat is approved, the applicant must complete all improvements required by these Regulations or provide a financial guarantee of performance of the same as provided for in Article 6 Construction and Maintenance of Improvements. All public improvements must be dedicated to the City free and clear of all liens and encumbrances.

**3.14.02** Installation must conform substantially to the Preliminary Plat, as approved, and if desired by the applicant, it may constitute only that portion of the approved Preliminary Plat proposed to be recorded for Final Plat, provided, however, that such portion conforms to all the requirements of these Regulations.

**3.14.03** After completion of the above, the applicant may apply for Final Plat approval.

**3.14.04** During construction, waste receptacles and construction vehicles and equipment may not be placed on streets in a manner that will create a traffic hazard or obstruct vehicular traffic or emergency access.

### **3.14.05 Presentation and Approval of the Final Plat**

Within one (1) year of the date of preliminary plat approval, or prior to the expiration of an approved Request for Subdivision Extension, the subdivider shall submit to the Planning Commission the Final Plat for its approval in accordance with these Regulations.

## **SECTION 3.15 AS-BUILT PLANS**

The developer shall submit an as-built survey of all infrastructure and utilities, including streets, sidewalks, sanitary sewer and storm drainage facilities, and water lines, with plan and other pertinent information, which may include profiles if necessary, prior to final plat approval. Redlined or mark-up of approved construction plans may be acceptable.

## **SECTION 3.16 FINAL PLAT**

The purpose of the Final Plat is to provide an accurate record of street and property lines and other elements being established on the land and the conditions of their use. The Final Plat must conform substantially to the approved Preliminary Plat. All inspections and testing must be completed and

approved by the Subdivision Official prior to the Final Plat being placed on the agenda for Commission action. A Final Plat may include only that portion of the approved Preliminary Plat, which the Subdivider proposes to record and develop at that time. If it is submitted in portions, each portion must individually conform to all requirements of these Regulations.

No lot may be sold, or utilities extended to, or connected with, any subdivision of land, as defined herein until the Final Plat has been approved by the Planning Commission.

**3.16.01** Final approval will be considered only for subdivisions or portions of subdivisions that meet the requirements of 3.14 Construction of Improvements. Or, in the case of Minor Subdivisions which do not involve any new street or drainage improvements, the extension of public facilities, nor the creation of any public improvements, after the required Pre-Application Conference. If qualified, those subdividers shall submit a complete application for Final Plat to the Planning and Development Services Department prior to a regularly scheduled Planning Commission meeting and in accordance with the established Meeting and Application Deadline Schedule.

**3.16.02** Submittal Requirements for Final Plat: The final plat shall conform to the conditions of the tentatively approved preliminary plat. It shall show sufficient detailed data to readily determine and to accurately reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line. The plat shall be clearly drawn on a sheet (not larger than a 24" x 36" inches in size) at a scale of not less than one hundred (100) feet to the inch. Applicants for Final Plat shall first submit to the Planning and Development Services Department the following preliminary plat, plans and relevant documentation as specified herein and in Appendix A Submittal Requirements:

1. A complete application on such forms provided by the Planning and Development Services Department with application fee.
2. Four (4) large-format prints and a digital format of the Final Plat and As-Built construction plans prepared in accordance with the plat requirements herein.
3. Submit a petition for street acceptance on prescribed forms accompanied by a street maintenance bond in an amount equal to twenty percent (20%) of the total street, utility, and drainage improvements in the subdivision; certification of improvements form signed and sealed by the design engineer and a street test report from an independent testing laboratory noting satisfactory condition of the street.
4. If applicable, submit a financial guarantee of performance of the remaining minimum improvements and a certified cost estimate of any/all remaining work to be completed
5. Private restrictive covenants and deed restrictions
6. All inspection reports and permits
7. Applicable test reports
8. Other documentation as deemed necessary by the City Planner.

**3.16.03** Final Plat Content

- 3.16.03.01** The final plat shall conform to the conditions of the approved preliminary plat. It shall show sufficient detailed data to readily determine and to accurately reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line, and building line.
- 3.16.03.02** The plat shall be clearly drawn on a 24" x 36" sheet, at a scale of not less than one hundred (100) feet to the inch, and shall contain all information shown on the current checklist for a final plat (see Appendix A), which may be modified at the discretion of the City Planner when applicable.
- 3.16.04** Financial Guarantee of Completion
- 3.16.04.01** The subdivider shall be responsible for the full installation of all required minimum improvements in the proposed subdivision prior to the submission of a final plat application to the Planning Commission. In lieu of full installation of minimum improvements, after no less than ninety percent (90%) of the minimum improvements have been installed, a developer may issue a financial guarantee with surety to the City ensuring that the remaining minimum improvements shall be completed.
- 3.16.04.02** One (1) or more of the following may be accepted as a financial guarantee with surety payable to the City of Bay Minette:
1. a letter of credit approved by the City Administrator and City Attorney, or
  2. a cash deposit to be held by the City, or
  3. a certified check from an Alabama lending institution in an amount not to exceed one hundred and fifty percent (150%) of the cost of the required improvements remaining.
- 3.16.04.03** A cost estimate for any remaining civil improvements shall be certified and submitted by the design engineer with the application for final plat approval; a cost estimate of any remaining landscaping improvements must be certified and submitted by the professional landscape architect with the application for final plat approval and the financial guarantee.
- 3.16.05** Street Maintenance Bonds:
- 3.16.05.01** The developer/owner shall submit a Street Maintenance Bond payable to the City which shall be valid for a period of two (2) years. The bond shall be in an amount equal to twenty percent (20%) of the total street, utility, and drainage improvements in the subdivision. Said bond shall be required as a condition to dedication and acceptance of any new streets within the corporate limits. The City Administrator shall determine the adequacy of said bond and security thereon.
- 3.16.05.02** The Street Maintenance Bond period shall begin upon the acceptance of the street and drainage improvements by resolution of the City Council. No less than thirty (30) calendar days prior to the expiration of said maintenance bond, an inspection shall be conducted by an Engineer designated by the City to ensure that the improvements are in satisfactory condition prior to acceptance.
- 3.16.05.03** Based on the recommendations of the Engineer and other applicable City Staff, the City Planner may release or extend a street maintenance obligation for a period of time no greater than one (1) year. Upon approval of an extension of the original Street Maintenance Bond period, the developer shall submit to the Planning Department sufficient proof of the extended bond, and the City Administrator shall determine the adequacy of said extended bond and security thereon.

**3.16.06** Planning Commission Action:

Presentation to the Planning Commission of Final Plat at a regularly scheduled meeting constitutes formal submission of said plat. At such meeting, the Planning Commission will review the plat and, after a public hearing, have the option to take the following actions:

**3.16.06.01** Approve the Final Plat as presented.**3.16.06.02** Disapprove the Final Plat.

If the Planning Commission determines that the Final Plat is in conflict with the approved Preliminary Plat or with the Subdivision Regulations, said plat may be disapproved. The reasons for such action shall be stated in the hearing, presented to the subdivider in writing and documented in the records of the Planning Commission. Reference shall be made to the specific section(s) of the regulations with which the Final Plat does not comply. The developer may resubmit the Final Plat application for Planning Commission review after the noted deficiencies have been corrected.

**3.16.06.03** Delay Action on the Final Plat.

The Planning Commission shall act to approve or disapprove a subdivision plat within thirty (30) calendar days after its formal submission at a regularly scheduled Planning Commission meeting. If the applicant waives this requirement and consents to an extension, the Planning Commission may defer action on the plat for a period not to exceed an additional thirty (30) calendar days. If no action is taken within the initial 30-day time period, or if there is no action taken within the extension period, such plat shall be deemed to have been approved, and notification to that effect shall be issued by the Planning Commission on request.

**3.16.07** Expression of Approval**3.16.07.01** Approval and recordation of the final plat does not constitute the acceptance of any street or other public space shown on the plat. After approval of the Final Plat and the construction of streets, the Commission may recommend to the City Council that it accept the streets and take over their perpetual maintenance. Specific City Council resolution accepting streets and/or other public spaces is required as noted herein.**3.16.07.02** Approval of the final plat by the Planning Commission shall authorize the owner, subdivider, or his agent, to have said plat recorded in the Office of the Judge of Probate of Baldwin County.**3.16.07.03** The plat shall be filed prior to the sale of any lot in the subdivision. Copies of all private covenants, deed restrictions, and certifications shall be filed with the final plat. Once approval has been given and endorsed in writing on the plat by the Planning Commission, no changes, erasures, modifications or revisions shall be made on said plat.**3.16.07.04** In the event that any subdivision plat, when recorded, contains changes which have not been approved by the Planning Commission, said plat shall be considered null and void, and the Planning Commission shall then file the corrected plat as approved, noting the reason for such filing. Any erasures made on a plat prior to its signing shall be initialed and dated by the Planning Commission Chairman or other authorized agent and/or the City Planner, at the time of the signing.

**3.16.07.05** Upon receipt of Planning Commission's approval, it shall be the responsibility of the developer to:

1. Record the approved Final Plat within a period of one (1) year following the date of such approval.
2. Upon recording, the owner or developer shall furnish a copy of the recorded plat and recorded restrictive covenants.
3. Upon recording, the owner or developer shall furnish a copy of the Articles of Incorporation for the establishment of a property owner's association.

**3.16.08** Legal Status of Streets

The City of Bay Minette shall not accept, open, improve, maintain, grade or light any street right(s)-of-way and/or drainage and utility easement; authorize water mains, sanitary sewer, or connections to be made to any street, unless:

1. The street right(s)-of-way is a part of a subdivision plat approved by the Planning Commission; and,
2. Such street has been accepted or otherwise granted the legal status of a public street; and,
3. The right(s)-of-way corresponds with a street shown on or is compatible with the Comprehensive Plan; and,
4. Petition for acceptance and dedication of the street right(s)-of-way and drainage and utility easement(s) has been accepted and adopted by City Council Resolution.

## **SECTION 3.17 EXEMPTIONS**

As described herein, the following subdivisions and resubdivisions are not subject to the provisions of these Regulations.

**3.17.01** For exempt subdivisions hereunder, no public hearing shall be required, but the subdivisions shall be subject to review and approval of the City Planner for compliance with the requirements contained in this Section. Any subdivider or developer who appears to be circumventing the intent and substance of these Regulations may be required to submit a plat for review and approval by the Planning Commission and shall be subject to the penalties under Section 3.18 of these Regulations.

1. Subdivision of land by testamentary or intestate provisions.
2. Subdivision of land by court order including, but not limited to, judgments of foreclosure.
3. The public acquisition by purchase or donation of strips of land for the widening or opening of streets or for other public uses.
4. Common property lines are being reconfigured where no new lots are being created and involves no street or other public improvements

5. The subdivision of property into three (3) or less lots, tracts or parcels for the limited purpose of sale, deed or transfer of land by the owner to qualifying family member(s) and not within a previously recorded subdivision and involves no street or other public improvements. Each parcel which is subdivided pursuant to this subparagraph shall have deeded ingress/egress and utility access or easement that runs with the land of not less than 30 feet in width. A qualifying division hereunder is limited to a division among the following designated legally related immediate family members: Spouse, children, siblings, parents, grandparents, grandchildren, nieces, nephews, or step-related individuals of the same status.

### **3.17.02** Procedures

**3.17.02.01** For exemption requests herein, a public hearing is not required. Applicants shall be required to submit the following to the Planning and Development Department:

1. a completed Subdivision application and application fee in accordance with the current schedule of fees established by the City Council;
2. a plat or survey of the original parcel, drawn to scale, indicating any existing structures (with dimensions) and the setbacks from property lines;
3. a plat or survey of the proposed configuration, drawn to scale, indicating any existing structures (with dimensions) and the setbacks from proposed property lines;
4. Affidavit of Restrictive Covenants as detailed in subsection 3.17.06 herein;
5. a warranty deed for all parcels involved that includes an accurate description of the lots/parcels as proposed; and
6. any additional documentation deemed necessary to complete the review.

**3.17.03** In addition to the requirements set forth above, the following standards must be satisfied:

**3.17.03.01** The final configuration of all exempt subdivisions shall consist of three (3) or less lots and shall not contain any public improvements, nor require the expenditure of any public funds.

**3.17.03.02** Each lot created hereunder shall comply with all minimum lot size and setback requirements otherwise specified by the provisions herein or by provisions of the Zoning Ordinance.

**3.17.03.03** Maintenance of any easements, together with all improvements thereto, shall be the responsibility of all parties to which it is granted by written agreement or deed reference, and shall be noted on a recorded plat. Neither the City nor the County shall be responsible for any easement or improvements thereto.

**3.17.04** In the event the property to be divided is an existing lot (or lots) of record in a Regulatory Subdivision, the applicant shall be required to cause a certified plat to be recorded in the Office of the Probate Judge of Baldwin County upon receiving an exemption hereunder. The new plat reflecting the resubdivision of such lot or lots shall contain the following dedication and certificates (see Appendix B for sample certificates):

1. Licensed Surveyor's Certificate and Description of Land Platted
2. A Notarized Owner's Dedication
3. A Certificate of Approval by the Subdivision Property Owner's Association (if applicable)
4. A Certificate of Approval by Baldwin County E-911
5. A Certificate of Approval by the City Planner.

- 3.17.04.01** Said plat shall be appropriately labeled and named as a resubdivision or replat of the Regulatory Subdivision or lots thereof, and all lots shall have a number and be numbered sequentially.
- 3.17.04.02** If approved by the City Planner, the plat shall be recorded in the Office of the Judge of Probate of Baldwin County, Alabama as a subdivision and receive a Slide Number.
- 3.17.05** In the event the property to be divided is an existing parcel (or parcels) from a Pre-Regulatory Subdivision, the applicant shall be required to cause a survey to be recorded in the Office of the Probate Judge of Baldwin County upon receiving an exemption hereunder. The survey shall detail parcel dimensions, reflect the existing configuration and proposed reconfiguration of the parcel(s), and any existing structures with setbacks.
- 3.17.05.01** Said survey shall be appropriately labeled and include an accurate legal description of all parcels involved with the Point of Beginning noted for each.
- 3.17.05.02** If approved by the City Planner, the survey shall be recorded in the Office of the Judge of Probate of Baldwin County, Alabama as a survey and receive a Survey Number. The deeds required to be filed to complete the Exempt Division shall include an accurate metes and bounds description of the parcel and a reference to the Survey and its assigned number.
- 3.17.06** The owner of each parcel approved as exempt under this Section shall be required to submit, as a condition to such approval, an affidavit executed by such owner attesting, under oath, that there exist no restrictive covenants of record in the Office of the Judge of Probate of Baldwin County, Alabama which would prohibit the subdivision of the parcel for which an exemption is sought pursuant to this subparagraph.
- In the event a parcel is approved as exempt under this subparagraph, and it is later determined that such subdivision was prohibited by valid restrictive covenants recorded as of the date of such approval, the City Planner, or their designees, shall have the authority to revoke such exempt subdivision approval and to assess the cost of such approval and revocation on the party who executed the affidavit required hereby.
- 3.17.07** Official recording.
- 3.17.07.01** No plat or description of land subdivided as set forth in herein shall be filed in the Office of the Probate Judge, Baldwin County until such plat shall have been authorized for recording and signed by the City Planner.



- 3.17.07.02** The approved exemption letter, survey or certified plat and related deeds shall be recorded upon receipt of an exemption. If the required documentation has not been filed in the Office of the Probate Judge, Baldwin County within 90 days from the date of the exemption letter, the exemption shall be deemed null and void. The proposed subdivision will be required to submit a new request for exemption in accordance with this section.
- 3.17.08** Any subdivider who appears to the Planning Department to be circumventing the intent and substance of these Regulations shall be required to submit a certified plat for review and approval by the Planning Commission.
- 3.17.09** Any property included as part of an exempt subdivision shall not be eligible for consideration for further subdivision as an exempt subdivision for a period of one (1) year from the date of the last exempt or administrative subdivision.
- 3.17.10** Exemption from the requirement for approval to subdivide does not constitute exemption from the requirements of other applicable regulations including but not limited to state law, zoning regulations, other municipal ordinances, Health Department requirements or, where applicable, the regulations of Baldwin County Planning Department or Highway Department.

## **SECTION 3.18 PENALTIES**

Whoever, being the owner or agent of the 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 plat of a subdivision, before such plat has been approved by the Planning Commission and recorded in the records of the Office of the Judge of Probate of Baldwin County, shall forfeit and pay a penalty of one hundred dollars (\$100.00) for each lot or parcel so transferred to be sold or agreed or negotiated to be sold; and the description of such lot or 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 of Bay Minette 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.

## **SECTION 3.19 WAIVERS**

Where the Planning Commission finds that extraordinary hardship or practical difficulties may result from strict compliance with these Regulations and/or the purposes of these Regulations may be served to a greater extent by an alternative proposal, the Commission may approve waivers or modifications to these Regulations under the conditions specified herein. Any waiver granted shall be entered upon the minutes and the reason for the modifications specified therein.

### **3.19.01** Standards for the granting of a waiver or modification:

1. An unusual or experimental subdivision, which the Commission determines may prove of considerable merit toward the use of unusual materials in constructing required improvements, or a new or untried concept in the area which appears promising.

2. The condition(s) upon which the request for a modification is based are unique to the specific site and not generally applicable to other property.
3. Due to the particular physical surroundings, shape, or topographical conditions of the specific property involved, an extraordinary hardship may result with the strict compliance of these Regulations.
4. The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property.
5. Such waivers or modifications shall be the minimum deviation from the required standard necessary to relieve the hardship.
6. Such waivers shall not have the effect of nullifying the purpose and intent of these Regulations, the Zoning Ordinance, or the Comprehensive Plan.

**3.19.02** Conditions. In granting waivers or modifications to these Regulations, the Commission may require such conditions that will, in its judgment, achieve the purpose of these Regulations and secure the objectives and interests of the City.

**3.19.03** Procedures.

1. Waivers must be submitted in writing at the time of Preliminary Plat submission and the request will be considered by the Planning Commission at the time the plat is considered. The request shall state fully the grounds for the application and demonstrate hardship or unique circumstances that make compliance with these Regulations difficult.
2. Public Hearing Notifications sent to adjacent property owners shall include a description of any waiver requested.
3. Any waiver granted must be entered upon the minutes stating the grounds for the waiver.

## **SECTION 3.20 SPECIAL PROVISIONS**

**3.20.01** Nonresidential Subdivisions. It is recognized that the applicant, in creating nonresidential subdivisions/developments, faces unique problems of lot design not normally encountered in residential subdivisions. For this reason, the initial emphasis of the Planning Commission shall be upon street layout and block arrangement. Generally, the procedural requirements shall be for the applicant to follow the regular procedure outlined in Section 3.13 and to show the entire tract to be subdivided with necessary improvements and as many parcels as he cares to show but must include at least two parcels. Then, from time to time, as prospective buyers express interest in lots sized to their required specifications and following informal discussions with the Planning Commission if the applicant so requests, the applicant shall submit directly at a regular meeting of the Planning Commission an amendment to the preliminary plat for approval. Regular procedural requirements of the Planning Commission following receipt of a Final Plat shall then apply.

In addition to the principles and standards in these Regulations which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Planning Commission that

the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

- 3.20.01.01** Proposed nonresidential street layout, blocks, and parcels shall be suitable in area and dimensions to the types of development anticipated.
- 3.20.01.02** Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas, nor connected to streets intended for predominantly residential traffic, but shall be connected insofar as is possible to expressways, arterial, or collector streets in such a way that the number of intersections with such expressways, arterial, or collectors shall be minimized.
- 3.20.01.03** Street rights-of-way and pavement shall be adequate and in accordance with Section 4.16 to accommodate the type and volume of traffic anticipated to be generated thereon. Curb radii at driveway intersections shall be at least twenty-five (25) feet.
- 3.20.01.04** The applicant shall insure that the nonresidential subdivision as a whole may be self-sufficient with regard to providing necessary off-street parking. The applicant may make parking self-sufficiency a requirement of individual lots.
- 3.20.01.05** With respect to physical improvements, special requirements may be imposed by the Planning Commission with the advice of the City Planner within the nonresidential subdivision.
- 3.20.01.06** Every effort shall be made to protect adjacent residential areas from potential nuisances from nonresidential subdivisions, including the provision of extra depth in parcels backing up on existing or potential residential developments and provision for a permanently landscaped buffer strip when necessary.
- 3.20.02** Planned Unit Developments. A comprehensive group development including the large-scale construction of housing units together with necessary drives and ways of access, may be approved by the Planning Commission although the design of the project does not include standard width of streets, lots and other subdivision arrangements if the departure from the required standards contained herein can be made without destroying their intent. A master plan for such comprehensive group development shall be submitted to the commission for approval, provided that approval of the master plan shall not constitute approval of individual plats for phased development of the master plan over a period of years.

## **SECTION 3.21 ISSUANCE OF PERMITS, CERTIFICATES OF OCCUPANCY**

- 3.21.01** Building permits may be issued for a subdivision under construction provided the extent of street improvements is adequate for vehicular access by the prospective builder, police equipment and fire apparatus. However, no Building Permit may be issued for the final two lots, or ten percent of lots, whichever is greater, within a subdivision until all public improvements have been accepted by the City.

Notwithstanding the above, no building permit may be issued for any lot for which there is not both a live fire hydrant within 600 feet of the lot and an all-weather surfaced-street giving access to the lot from a dedicated street.

**3.21.02** No Certificate of Occupancy for any building in the subdivision may be issued prior to the completion and dedication of the improvements to the City, in accordance with the approved Final Plat.

## **SECTION 3.22 VACATION OF PLATS**

**3.22.01** Any plat or any part of any plat may be vacated by the Subdivider at any time before the sale of any lot therein, by a written instrument, to which a copy of the plat must be attached, declaring the plat to be vacated.

**3.22.02** Plat vacation is approved by the Commission in the same manner as subdivision plats. The City Council may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, streets or alleys.

**3.22.03** Such an instrument must be executed, acknowledged, or approved, and recorded or filed, in the same manner as subdivision plats; and being duly recorded or filed destroys the force and effect of the recording of the plat, and to divest all public rights in the streets, alleys, and public grounds, and all dedications laid out or described in the plat.

**3.22.04** When lots have been sold, the plat may be vacated in the manner herein provided by all the owners of lots in the plat joining in the execution of such vacation.

## **SECTION 3.23 VACATION OF PUBLIC RIGHTS-OF-WAY**

**3.23.01** Pursuant to the Code of Alabama, 1975, the City has the authority to vacate right-of-way with specific processes outlined therein. The Planning and Development Services Department will administer and process all requests to vacate right-of-way in accordance with State Code and this section.

**3.23.02** General Standards

**3.23.02.01** Where a portion of the width of a right of way is proposed to be vacated, a minimum right-of-way width should be maintained as follows:

1. Cul-de-sac 50 feet
2. Local 50 feet
3. Collector 60 feet
4. Arterial 80 feet

**3.23.02.02** Where a length of right-of way is proposed to be vacated, the vacation should extend the entire length of the block whenever possible.

**3.23.02.03** The vacation may not deprive property owners of any right they may have to convenient and reasonable means of ingress and egress to and from their property, and if that right is not afforded by the remaining streets and alleys, another street or alley affording that right must be dedicated.

**3.23.02.04** Entities with utility lines, equipment, or facilities in place at the time of vacation, have the right to continue to maintain, extend, and enlarge their lines, equipment, and facilities to the same extent as if the vacation had not occurred.

- 3.23.02.05** Drainage and utility easements will be retained where public infrastructure is located.
- 3.23.02.06** Title and all public rights, including the right to close the vacated street, alley, or highway vests in the abutting landowners.
- 3.23.03** Vacation of Right-of-Way by Abutting Property Owners
- 3.23.03.01** Where owners of property abutting any portion of a street, alley, or other public way within the City, may desire the vacation of such abutting right-of-way, to combine it with or add it into private property, they may request its annulment and vacation from public use and ownership by filing an application for hearing before the Planning Commission and City Council. Vacation of public rights-of-way may be initiated by the owners of abutting property or by the City in accordance with Section 23-4-20 and 11-49-6 of the Code of Alabama, 1975, as amended.
- 3.23.03.02** No street or easement may be vacated unless a petition for that purpose, accompanied by the necessary documents specified herein, is submitted through the Planning Commission to the City Council. The Planning Commission shall review such petition and make recommendations to the City Council, whose decision, following a public hearing, shall be final.
- 3.23.04** Procedures. Applicants proposing to vacate any portion of the right-of-way of public streets, alleys, or public ways, shall submit to the City an application on the prescribed form with a written petition and all other related documentation as required herein concerning the requested vacation.
- 3.23.04.01** Initial Review. In an effort to reduce the burden on citizens and City Staff, a written request for vacation shall be evaluated by applicable City Departments, including Administration, Streets and Sanitation, Fire, and Police, as well as the City Engineer and North Baldwin Utilities for evaluation of impacts of the proposal on current and potential public needs. If the Initial Review does not indicate any justification for rejection, the applicant may progress with the full application for vacation. If any cause is found for rejection, the applicant shall be notified and has full discretion to continue with the application process.
- 3.23.04.02** Applicant Responsibility
1. It shall be the responsibility of the owner or owners of the land abutting the street to be vacated to pay all administrative fees and advertising costs as may be required.
  2. Section 11-49-6 of the Code of Alabama, 1975, as amended, provides that a city council may require abutting property owners who will benefit from a right-of-way vacation to pay a vacation of right-of-way fee equal to the fair market value of the land which will be added to the holdings of the abutting landowners. The fair market value of the property must be calculated by the City Council according to specific criteria and a public hearing conducted.
  3. It is responsibility of the applicant(s) to provide all required submittals in such form as required herein, including but not limited to appropriate Petitions to Vacate, survey or plat as applicable, certified legal descriptions, cost of required advertising and public notice, and any necessary recording fees.
- 3.23.04.03** Submittal Requirements

1. A completed Petition to Vacate must be submitted, signed by all owners of property abutting the portion of right-of-way requested for vacation.
2. Five (5) copies of a survey which at a minimum depicts the right-of-way proposed to be vacated and all abutting parcels of real property, in a format to be clear and legible, but not to exceed 24" x 36."
3. Certified legal descriptions from a licensed surveyor for quit-claim deed(s) for (1) for the whole property to be vacated as well as (2) a separate legal description for the portion going to each abutting property owner. The legal descriptions must also be submitted in a Word or .PDF digital format.
4. A proposal regarding the consideration that is being offered for the vacation in accordance with Section 11-49-6 of the Code of Alabama, 1975, as amended, and detailed in subsection 3.23.04.02(2) herein.
5. A notification list must be furnished identifying the names and addresses, as shown in the Baldwin County Revenue Commissioner's Office, of all owners of property abutting the portion of right-of-way proposed for vacation, and all owners of property abutting any right-of-way to remain in the same block or abutting block face, where access rights may be affected. The list shall identify and include the names and current mailing addresses of any entities known to have facilities or equipment such as utility lines, both aerial or buried, within the public right-of-way of the street or alley proposed to be vacated.

**3.23.04.04** Following receipt of a complete application, the Planning Department shall coordinate with the City Clerk to schedule a Public Hearing for the Planning Commission and City Council and provide public notice as provided by law.

1. Notice of the public hearing is published in a newspaper of general circulation once a week for four consecutive weeks prior to the public hearing by the City Council.
2. A copy of the notice is posted on a bulletin board at the county courthouse.
3. A copy of the notice is served by U.S. mail at least 30 days prior to the scheduled City Council meeting to all abutting property owners and all landowners that are affected by the vacation.
4. A copy of the notice is served by U.S. mail at least 30 days prior to the scheduled City Council meeting on any entity known to have facilities or equipment such as utility lines, both aerial or buried, within the right-of-way to be vacated.

Said notice shall describe the street, alley, highway, or portion thereof proposed to be vacated and gives the date, time, and location of the Planning Commission and City Council meetings at which the proposed vacation is scheduled to be addressed.

**3.23.04.05** Any citizen alleging to be affected by the proposed vacation may submit a written objection to the City or may request an opportunity to be heard at the public hearings.

- 3.23.04.06** Any petition for vacation of easement and/or right-of-way may be withdrawn prior to action thereon by the Planning Commission or City Council at the discretion of the owner, authorized representative, firm, or corporation initiating such a request upon written notice to the City Planner.
- 3.23.05** Application submittal does not guarantee approval. In making its determination regarding a vacation, the Council, on receipt of a recommendation from the Commission, will take into consideration the following criteria:
1. No vacation shall deprive other property owners of any right they may have to convenient and reasonable means of ingress and egress to and from their property.
  2. Vacation of the right-of-way will better serve the public good than changing the right-of-way and/or the public way it contains
  3. The right-of-way is no longer needed for the public use it was originally created to serve
  4. The public benefit received from the right-of-way is insufficient to justify maintenance costs of the right-of-way
  5. Future development or other changes in the surrounding area will not increase public use or need for the right-of-way.
- 3.23.06** City Council Approval
- 3.23.06.01** The City Clerk shall prepare a resolution for the City Council to consider the right-of-way request, that shall:
1. Describe accurately the right-of-way, or portion thereof, to be vacated.
  2. Give the names of the owner or owners of the abutting lots or parcels of land.
  3. Give the names of the owner or owners of lots or parcels of land, if any, which will be cut off from access thereby over some other reasonable and convenient way.
  4. Set forth that it is in the interest of the public to vacate the right-of- way.
- 3.23.06.02** If, following the public hearing, the City Council determines that vacating the right-of- way is in the public interest, a resolution as described above must be approved by majority vote of the Council.
- 3.23.06.03** The approved resolution is filed, by the City Clerk, in the Office of the Judge of Probate, Baldwin County, along with the petition, declaration and quit-claim deed(s).
- 3.23.06.04** Notice of the City Council action is published by the City Clerk, once in a newspaper of general circulation no later than 14 days after its adoption.
- 3.23.07** Following approval by the Council of a right-of-way vacation, a certified plat must be submitted and approved by the City Planner to combine the vacated right-of-way with abutting lots. Said plat shall show the reconfiguration of the property lines to be established in accordance with City Council approval. Said plat shall be submitted as an Exempt Subdivision in accordance with Section 3.17 of these Regulations.

**3.23.08** Vacation of Right-of-Way Initiated by the City Council

The Planning Department will administer and process requests to vacate right-of-way initiated by the City Council in accordance with Section 23-4-2 of the Code of Alabama as follows:

**3.23.08.01** The Planning Department shall coordinate with the City Clerk to schedule a Public Hearing for the Planning Commission and City Council and provide public notice as provided by law.

1. Notice of the public hearing is published in a newspaper of general circulation once a week for four consecutive weeks prior to the public hearing by the City Council.
2. A copy of the notice is posted on a bulletin board at the county courthouse.
3. A copy of the notice is served by U.S. mail at least 30 days prior to the scheduled City Council meeting to all abutting property owners and all landowners that are affected by the vacation.
4. A copy of the notice is served by U.S. mail at least 30 days prior to the scheduled City Council meeting on any entity known to have facilities or equipment such as utility lines, both aerial or buried, within the right-of-way to be vacated.

Said notice shall describe the street, alley, highway, or portion thereof proposed to be vacated and gives the date, time, and location of the Planning Commission and City Council meetings at which the proposed vacation is scheduled to be addressed.

**3.23.08.02** Any citizen alleging to be affected by the proposed vacation may submit a written objection to the City or may request an opportunity to be heard at the public hearings.**3.23.09** City Council Approval**3.23.09.01** The City Clerk shall prepare a resolution for the City Council to consider the right-of-way request, that shall:

1. Describe accurately the right-of-way, or portion thereof, to be vacated.
2. Give the names of the owner or owners of the abutting lots or parcels of land.
3. Give the names of the owner or owners of lots or parcels of land, if any, which will be cut off from access thereby over some other reasonable and convenient way.
4. Set forth that it is in the interest of the public to vacate the right-of- way.

**3.23.09.02** If, following the public hearing, the City Council determines that vacating the right-of- way is in the public interest, a resolution as described above must be approved by majority vote of the Council.**3.23.09.03** The approved resolution is filed, by the City Clerk, in the Office of the Judge of Probate, Baldwin County, along with the petition, declaration and quit-claim deed(s).**3.23.09.04** Notice of the City Council action is published by the City Clerk, once in a newspaper of general circulation no later than 14 days after its adoption.



**3.23.10** Following approval by the Council of a right-of-way vacation, a certified plat shall be submitted for review by the City Planner to combine the vacated right-of-way with abutting lots. Said plat shall show the reconfiguration of the property lines to be established in accordance with City Council approval. Said plat shall be evaluated as an Exempt Subdivision in accordance with Section 3.17 of these Regulations.

**3.23.11** Appeals. Any party affected by the decision of the City Council to vacate any right-of-way may appeal within 30 days of the decision to the Circuit Court.

## **SECTION 3.24 SPECIFICATIONS FOR SUBMITTAL DOCUMENTS**

Documents specified herein shall be submitted in accordance with this section and Appendix A Submittal Requirements, which may be modified at the discretion of the City Planner when applicable.

**3.24.01** Plans and Plats

**3.24.01.01** All plans and plats shall be prepared by a Registered Design Professional and submitted on 24" x 36" black or blue-line prints with a portable document format (PDF) file of the hard copy and other such formats as the City Planner requires.

**3.24.01.02** Applicants shall also submit one (1) 11"x17" copy of the Master Plan, Sketch Plat, Preliminary Plat or Final Plat prepared in accordance with the requirements of this section.

**3.24.01.03** Digital Files. All Preliminary Plats, As-Builts and Final Plats must include the following digital submittals:

1. A portable document format (PDF) file of the hard copy
2. A georeferenced GIS shapefile (.SHP) or CAD drawing (.DWG) file, or equivalent
3. SHP or DWG files must be georeferenced in Projected Coordinate System: NAD\_1983\_State Plane\_Alabama\_West\_FIPS\_0102\_Feet.

**3.24.01.04** At the time of Preliminary Plat approval, the applicant shall also submit construction plans. Construction plans shall be prepared by an Alabama licensed professional engineer and submitted on sheets not larger than 24"x36" and shall include plans and profiles of all proposed infrastructure, including streets, sanitary sewer lines and facilities, stormwater structures, water lines, and fire hydrants. Construction plans shall reflect the approved Preliminary Plat and shall include sufficient data and calculations to allow verification of conformity to the requirements and specifications in these Regulations.

**3.24.01.05** At the time of Final Plat approval, the applicant shall also submit an engineering plan, or "As-Built" plan, giving details of construction and locations of the improvements which have been installed. The primary purpose of the engineering plan is to provide the City with a record of the location, size, and design of underground utilities for the City's use in the course of maintaining such improvements. If the installation of improvements is completed under a bond, the engineering plan shall be submitted to the City upon request of release of the bond by the applicant.

**3.24.01.06** As-Built plans must be submitted in hard copy, no larger than 24"x36", and digital format. Digital format must include a portable document format (PDF) file of the hard copy and a georeferenced GIS

shapefile (.SHP) or CAD drawing (.DWG) file with adequate formatting and information to show the following:

1. Sewer main diameter, length, material, and slope are to be called out on the plan.
2. Sewer manhole and t-type cleanout rims and inverts are to be located horizontally and vertically. All as-built elevations to be shown.
3. Water main diameter, length, and material are to be called out. Show all laterals.
4. Water fire hydrants, valves (main & hydrant), plugs, air-release and blow-off stations are to be located horizontally and vertically. Documented or known changes in types, lengths of pipe, location, or any other changes to the water system shall be indicated.
5. Storm drainage pipe diameter, length, material, pipe invert and pipe outfall, and slope are to be called out.
6. Storm drainage manhole and t-type cleanout rims and inverts are to be located horizontally and vertically.
7. Storm drainage related catch basins, culverts, and outfalls are to be located horizontally and vertically.
8. Any other changes to the construction drawings should be noted and shown with a revision cloud.
9. Digital file submittals must include a portable document format (PDF) file of the hard copy and a GIS shapefile (.SHP) or CAD drawing (.DWG), or equivalent, georeferenced in Projected Coordinate System: NAD\_1983\_State Plane\_Alabama\_West\_FIPS\_0102\_Feet.

## ARTICLE 4 DESIGN STANDARDS

### SECTION 4.01 MINIMUM STANDARDS

The following development standards shall be complied with, and no higher standard may be required by the Planning Commission, except where, because of exceptional and unique conditions of topography, location, shape, size, drainage, or other physical features of the site, minimum standards specified herein would not reasonably protect or provide for public health, safety, or welfare. Any higher standard required shall be reasonable and shall be limited to the minimum additional improvements necessary to protect the public health, safety, or welfare. In addition to the requirements established herein, all subdivision plats shall comply with the following laws, rules, and regulations:

1. All applicable statutory provisions.
2. The special requirements and rules of the Baldwin County Health Department and/or appropriate State agencies.
3. The rules and standards of the ALDOT if the subdivision or any lot contained therein abuts a State highway.
4. The standards and regulations adopted by all boards, commissions, agencies, and officials of the City of Bay Minette.
5. Plat approval may be withheld if a subdivision is not in conformity with the above guidelines or with the policy and purpose established in Article I of these Regulations.

**4.01.01** Conformity to City Plans. All proposed subdivisions must conform to any adopted City plan and to the Zoning Ordinance, where applicable. Whenever a tract to be subdivided embraces any part of a street designated on any City plan, that part of the proposed public way must be platted by the applicant in the same location and at the same width as indicated on the city plan.

**4.01.02** Character of the Land

**4.01.02.01** Land which the Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, adverse soil formations or topography, utility easements or other features which may reasonably be considered to pose harm to the health, safety and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, may not be subdivided or developed unless adequate methods are formulated by the Subdivider and approved by the Commission, upon recommendation of the City Engineer, to solve the problems created by the unsuitable land conditions, otherwise, such land must be set aside for uses that will not involve such danger.

**4.01.02.02** Land within any FEMA-designated floodway shall not be platted for residential occupancy or building sites. Land outside the floodway but subject to flooding or inadequately served by drainage facilities will not be acceptable for platting for residential occupancy or building sites. Fill may not be used to raise land in the floodway. Land outside the floodway, but subject to occasional inundation, may be platted for residential occupancy provided each lot contains a building site that may reasonably lend itself to construction of a minimum floor level of one (1) foot above flood elevation, or for such other use which will not increase the danger to health, life and property. In other areas subject to

inundation, fill may be used providing the proposed fill does not restrict the flow of water and unduly increase flood heights.

- 4.01.02.03** Where a parcel of land proposed to be subdivided contains an area of wetlands delineated as jurisdictional by the Corps of Engineers, said wetlands shall be preserved as defined by law. Lots may be platted where sufficient upland areas exist to provide a building site for the main structure and necessary ancillary facilities. Fill may not be used in wetlands to create building sites for the purpose of subdividing property unless approval for such fill has been received from the Corps of Engineers and other appropriate governmental agencies.
- 4.01.02.04** Subdivisions must be graded and streets and lots laid out so that, to the degree practicable, the ground floor elevation of buildings are at or above the elevation of the adjoining street. Where this is not practicable, the Commission, upon a recommendation of the City Engineer, may require buildings be elevated as necessary to meet this standard.
- 4.01.03** Names and Lot Numbers
- 4.01.03.01** Subdivision Name. The proposed name of a subdivision may not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by these Regulations. The Commission has final authority to approve the name of the subdivision, which must be determined at the time of Preliminary Plat approval.
- 4.01.03.02** Street Names. Proposed streets, which are obviously in alignment with others existing and named, must bear the assigned name of the existing streets. In no case may the name of proposed streets duplicate or be phonetically similar to existing street names, irrespective of the use of the suffix, street, avenue, boulevard, drive, place, court, etc. Street names and numbers are subject to the approval of the Commission and the Baldwin County 9-1-1 GIS/Addressing Department.
- 4.01.03.03** Lot Numbers. All lots shall have a number and be numbered sequentially. Lots dedicated to stormwater detention, open space, access, or other uses auxiliary in purpose to the rest of the subdivision may use a letter prefix. Example: Open space lots may use O-1, O-2, etc.
- 4.01.04** Population Densities: The population densities may not exceed those established by the Zoning Ordinance.
- 4.01.05** Waterbodies and Watercourses: If a tract being subdivided contains a waterbody, or portion thereof, the ownership and responsibility for safe maintenance of the water body is placed so that it will not become a City responsibility. No public roadways will be approved which provide access across dams.
- 4.01.06** Reasonable requirements for the preservation of outstanding natural features may be specified by the Planning Commission. These include large trees or groves, watercourses, historical sites, exceptional views, and similar irreplaceable community assets which, if preserved, will add attractiveness and value to the property.

## **SECTION 4.02 BLOCKS**

- 4.02.01** Blocks must generally be wide enough to provide for two tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to expressways, arterials, railroads, or waterways where single-tier lots are required to separate residential development from vehicular traffic or non-residential uses, or other physical barriers to development as approved by the Commission.
- 4.02.02** The lengths, widths and shapes of blocks must be appropriate for the type of development contemplated. Block lengths in residential developments may not exceed 1,500 feet nor be less than 500 feet in length. To the degree practicable, blocks along arterial streets must be at least 1,000 ft in length and blocks along collector streets must be at least 600 ft in length.
- 4.02.03** In long blocks, the Commission may require an easement through the block to accommodate utilities, drainage facilities and pedestrian use. Pedestrian passages, within an easement not less than ten feet wide, may be required by the Commission through the center of blocks longer than 800 feet where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities.
- 4.02.04** Blocks for industrial uses must be of such length and width as the Commission may determine for prospective uses.

### **SECTION 4.03 LOTS**

- 4.03.01** The lot size, width, depth, shape, and orientation must be appropriate for the location of the subdivision and for the type of development and use contemplated.
- 4.03.02** Lot dimensions must conform to the requirements of the Zoning Ordinance and the applicable zoning district. In areas not served by sanitary sewer, lot sizes shall meet the requirements of the Health Department. In such cases where requirements conflict, the larger requirement shall govern.
- 4.03.03** Each lot must front on an existing or proposed street having a right-of-way at least 50 feet wide.
- 4.03.04** All lots shall have a minimum frontage width as indicated in the Zoning Ordinance for the applicable zoning district. All lots at the end of a cul-de-sac must have sufficient frontage so that the lot width at the front building line meets the minimum requirements of the Zoning Ordinance. On irregularly shaped lots, a minimum street frontage of 30 feet is required. An "irregularly shaped lot" includes any lot located on a cul-de-sac or abutting a curved section of a roadway with a centerline radius of less than 200 feet.
- 4.03.05** Where land is subdivided into larger parcels than ordinary building lots, such parcels must be arranged to allow for the opening of future streets and logical future re-subdivision.
- 4.03.06** Depth and width of properties for nonresidential uses must be adequate to provide for off-street parking and loading for the use contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.
- 4.03.07** Double frontage lots must be avoided, except where essential to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography and

orientation. A planted buffer at least ten feet wide and across which there may be no right of access must be provided along the line of double frontage lots abutting an arterial street.

**4.03.08** Side lot lines should generally be at right angles to straight streets and radial to curved streets.

**4.03.09** Flag lots may be permitted in moderation to allow for the more efficient use of irregularly shaped parcels of land, sites with physical limitations or where the integrated nature of multiple buildings on a site dictates the need for such lots. Lots in the flag shape, but meeting the zoning district’s minimum lot width requirement and street access requirements, are not considered flag lots.

**4.03.09.01** The standards below are intended to minimize the negative impacts of flag lots and additional driveways while allowing land to be divided when other options are not achievable.

1. Flag lots shall have access to a public street or right-of-way. The minimum frontage at the right-of-way line and width for the staff portion of a flag lot is 30 feet. The staff must be part of the flag lot, connect to a street and be under the same ownership as the flag portion of the lot.
2. The staff shall be an all-weather driving surface with adequate drainage and properly maintained. “All-weather surface” means asphalt, concrete, gravel, or road base which is capable of handling the imposed weight of fire apparatus as determined by the City of Bay Minette Fire Department.
3. The length shall be a maximum of 300 feet and is subject to the requirements of the City of Bay Minette Fire Department. Owners/applicants may be required to install fire hydrants to meet fire code standards.
4. The staff portion of the driveway cannot serve more than one lot or dwelling unit without Planning Commission approval.
5. The staff portion of the lot shall not be considered in determining the minimum lot area, dimensions, density or building coverage
6. The recorded plat of any flag lot subdivision shall show that the staff, i.e., access from the dedicated public street to the property, is not a city street; and will not be maintained by the City of Bay Minette.
7. No more than the number of flag lots shown in the table below may be authorized in a subdivision.

TABLE 4-1 FLAG LOTS	
Size of Subdivision	Maximum Number or Percentage of Flag Lots
15 lots or less	1
16 – 25 lots	2
26 – 50 lots	10%
51 lots or more	20%

**4.03.10** Excessive depth in relations to width shall be avoided. A depth to width ratio of 3:1 will normally be considered maximum.

**4.03.11** Where necessary to provide fire apparatus access to within 100 ft of buildings, access drives must comply with the requirements of 4.21 Fire Apparatus Access. In the absence of a second means of

ingress and egress to a public street, a turnaround may be required as a maneuvering area for fire apparatus and other emergency vehicles. The design of the turnaround shall be subject to approval of the Fire Inspector.

## **SECTION 4.04 STREET PLAN GENERAL STANDARDS**

The arrangement, character, extent, location and grade of all streets must be laid out according to good land planning principles and integrated with all existing and all planned streets. New streets must be planned and design with consideration of topographical conditions, orientations to vistas and sun, public convenience and safety, and existing and proposed land uses to be served by them.

- 4.04.01** All streets must be properly integrated with the existing and proposed system of streets established in the Comprehensive Plan.
- 4.04.02** Street networks must be designed to disperse traffic, avoid undue congestion on collector streets and at intersections and to assure effective route options for emergency access.
- 4.04.03** All streets must be planned and designed with due consideration of special traffic generators such as industries, business areas, schools and places of assembly; to population densities; and to the pattern of existing and proposed land uses.
- 4.04.04** Streets must be related appropriately to and must be laid out to conform as closely as possible, to the topography in order to discourage use by through traffic, to permit efficient drainage and utility systems, and to provide the number of streets necessary to provide convenient and safe access to property. The Commission may require local streets be curved where possible to avoid monotony of lot appearance and to control vehicular speeds.
- 4.04.05** All streets must be arranged so that building sites, to the maximum extent practicable, are at or above street grade. Grades of streets must conform as closely as possible to the original topography. A combination of steep grades and curves must be avoided.
- 4.04.06** While street connectivity is encouraged, a rigid rectangular gridiron street pattern is not required, and the use of curved streets or u-shaped streets are encouraged where their use will result in a more desirable arrangement.
- 4.04.07** Proposed streets must extend to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Commission such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.
- 4.04.08** In nonresidential developments, the streets and other access ways must be planned in connection with the grouping of buildings and the provision of alleys, loading and maneuvering areas, walk and parking areas so as to minimize conflict of movement between the various types of traffic, including pedestrian circulation.
- 4.04.09** Proposed new streets must extend existing streets or their projections at the same or greater width, but in no case less than the minimum required width, unless variations are deemed necessary by the Commission for reasons of topography or other design constraints.

## SECTION 4.05 INTERSECTIONS

- 4.05.01** Streets should intersect as nearly at right angles as possible, with minimum design in accordance with Table 4-4. The design of all intersections involving Major Streets shall be subject to the approval of the City, State or County Engineer, whichever jurisdiction is applicable. For other streets, the proposed intersection of two (2) new streets at an angle of less than seventy-five (75) degrees shall not be acceptable. An oblique street should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet therefrom.
- 4.05.02** Not more than two (2) streets shall intersect at any one point unless specifically approved by the Planning Commission. Except, the Commission may permit more than two streets to converge at an intersection with a roundabout, as approved by the City Engineer.
- 4.05.03** Roundabouts must be designed according to accepted traffic engineering practices taking into consideration the number of lanes, access by fire trucks and other large vehicles, as appropriate to the location, and bicycle and pedestrian accessibility. The minimum diameter of a typical single-lane roundabout is 100 ft; however, the Commission may approve smaller diameter “mini-roundabouts” in certain locations and land use contexts upon a favorable recommendation from the City Engineer, based upon accepted traffic engineering practices. Driveways may not be located within the inscribed area of a roundabout and should be set back as far as practicable from roundabouts.
- 4.05.04** Proposed new intersections along one side of an existing street shall, wherever practical, coincide with any existing intersections on the opposite side of such street. Street jogs with centerline offsets of less than 125 feet shall not be permitted, except where the intersected street has separated dual drives without median breaks at either intersection. Where local streets intersect collectors or arterials, their alignment shall be continuous. Intersections of arterials shall be at least eight hundred (800) feet apart.
- 4.05.05** Where a street intersects a state highway, the design standards of the ALDOT shall apply.
- 4.05.06** Minimum curb radius at the intersection of two (2) local streets shall be at least twenty-five (25) feet; and minimum curb radius at an intersection involving a collector street shall be at least thirty (30) feet, subject to the approval of the City Engineer.
- 4.05.07** Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having a grade not greater than five percent (5%) at a distance of fifty (50) feet, measured from the nearest right-of-way line of the intersecting street.
- 4.05.08** Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the applicant shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to provide an adequate sight distance.
- 4.05.09** The cross-slopes on all streets, including intersections, shall be two and one-half percent (2.5%) or less.



**4.05.10** Property lines at street intersections shall be consistent with the roadway classification and generally follow the minimum standards below:

<b>TABLE 4-2 PROPERTY LINES AT STREET INTERSECTIONS</b>		
Use	Roadway Classification	Intersection
Residential	Local Streets or Alleyway	Rounded with a minimum radius of twenty-five (25) feet
Residential	Collector or Arterial	Subject to the review and approval of the City Engineer
Non-Residential	All	Subject to the review and approval of the City Engineer
Driveways shall be constructed in accordance with Section 4.18		

**4.05.11** Turn Lanes, Deceleration and/or Acceleration lanes may be required where necessary to maintain a safe flow of traffic on existing or proposed streets and the Planning Commission can require a traffic study be provided at the expense of the applicant. The Planning Commission and City Engineer reserve the right to require the construction of a turn lane, deceleration and/or acceleration lane when determined to be in the best interests of the City and its residents.

**SECTION 4.06 CONNECTIVITY**

**4.06.01** The street layout must provide for access to the existing street network and continuation and connection of streets between adjacent properties where necessary for the convenient movement and circulation of traffic, effective police and fire protection, access by public service vehicles, and efficient provision of utilities; and in accordance with the policies of the Comprehensive Plan.

**4.06.02** Nonresidential and mixed-use developments must provide sufficient external access to accommodate the ultimate traffic volume anticipated.

**4.06.03** If the adjacent property is undeveloped, the right-of-way to be continued must extend to the property line and a temporary turnaround must be provided. The temporary turnaround must comply with the dimensional requirements for turnarounds in 4.12 Cul-De-Sacs. The area necessary for the temporary turnaround outside the normal right-of-way must be contained within an easement that will automatically dissolve when the street is extended and approved by the City. The Commission may limit the length of such temporary dead-end streets in accordance with 4.12 Cul-De-Sacs. The paving or improvement of right-of-way to the boundary with the adjoining property may not be required. The intent is that paving and utilities be extended far enough to serve the subdivision lots; and the right-of-way and/or easements extended so that streets and utilities can be extended into adjoining property as needed.

**4.06.04** At the terminus of all stub streets, a sign must be installed with the words “STREET TO BE EXTENDED BY AUTHORITY OF THE CITY OF BAY MINETTE” to inform existing and prospective property owners.

**SECTION 4.07 ARTERIAL STREETS AND HIGHWAYS**

**4.07.01** Wherever a proposed subdivision contains or abuts an arterial street or highway, one of the following conditions must be met for the protection of properties and to provide separation of through and local traffic.

- 4.07.02 A marginal access street must be provided parallel to the highway or arterial for access to adjoining property
- 4.07.03 Lots adjoining the highway or arterial street must have reverse-frontage and screen planting must be provided in a non- access reservation along the property lines adjoining the highway or arterial street
- 4.07.04 Lots may front on the highway or arterial street but must have access from the rear of the lots, which access may be in the form of an alley.

## **SECTION 4.08 HALF STREETS**

- 4.08.01 New half-streets or half-alleys are prohibited.
- 4.08.02 Where an existing half street abuts a proposed subdivision, the Subdivider must offer for dedication additional right- of-way as necessary to bring the right-of-way into conformance with these Regulations. When the proposed subdivision lies on only one side of the half street, at least half of the normally required right-of-way width must be provided, as measured from the street centerline or right-of-way centerline, whichever width is greater.
- 4.08.03 The pavement width for any such half street must be increased by the Subdivider, as required for rights-of-way above, in addition to any required turn lanes. The cost of such widening is the responsibility of the Subdivider. However, the City Council may enter into a cost-sharing agreement with the Subdivider if the City has previously planned the widening of the half street—throughout its length or for at least that portion adjoining the proposed subdivision—in the City’s Transportation Improvement Plan. Such agreement must be authorized by the City before the Commission may approve the preliminary plat. In rolling or hilly terrain, construction easements may be required to ensure that appropriate front and back slopes are developed.
- 4.08.04 When a previously developed subdivision or portion thereof, which contains a half-street, is to be annexed into the City, the owners of the properties to be annexed must provide additional right-of-way to comply with the standards herein. When the properties to be annexed lie on only one side of the half-street, half of the width necessary to bring the right-of-way into conformance must be provided. However, when the concerned right-of-way contains a local street and is at least 40 ft in width, the Commission may waive or reduce this requirement if it determines that properties relying on the street for access are unlikely or incapable of being further subdivided or redeveloped in a manner that would increase traffic demand to an extent that additional right-of-way or physical improvements would be needed in the future.

## **SECTION 4.09 PLAT STRADDLING JURISDICTIONAL BOUNDARIES**

Whenever access to the subdivision is required across land within another jurisdiction, the Commission may request assurance from the City Attorney that access is legally established, and from the City Engineer that the access road is adequately improved, or that an improvement guarantee has been duly executed and is sufficient in amount to assure the construction of the access road. In general, lot lines should be laid out so as not to cross jurisdictional boundary lines.

## **SECTION 4.10 PRIVATE STREETS**

There shall be no private streets platted within a subdivision where adjoining properties will be sold, whether immediately or in the future, to the public; however, in certain instances, private streets may be approved by the Planning Commission provided they are constructed according to the standards of the City.

In the event that the Planning Commission does approve a private street, the developer shall install signage in accordance with the requirements of Section 5.07 to distinguish that the street is private and is not subject to public maintenance by the City. The preliminary and final plats shall identify said private streets and contain a statement that private streets are not subject to City maintenance.

#### **SECTION 4.11 PRIVATE RESERVE STRIPS**

Private reserve strips controlling access to streets are prohibited.

#### **SECTION 4.12 CUL-DE-SACS**

**4.12.01** For the purposes of these standards, the length of a dead-end street is measured from the centerline of the street from which it takes access to the center of the turnaround at the end of the dead-end street, or in the absence of a turnaround to the end of the pavement.

**4.12.02** Vehicular turnarounds are required as follows:

1. Dead end streets of 151-600 ft in length must have a cul-de-sac turnaround unless a hammerhead or similar turnaround is approved by the City Planner and Fire Inspector for dead end streets with low traffic volumes.
2. Dead end streets, regardless of whether a turnaround is provided, shall not exceed 600 ft in length.
3. Cul-de-sacs must terminate with a roadway diameter of not less than 120 ft. To reduce increases in stormwater runoff, a planted circle may be installed with a mountable curb and low maintenance plants at the center of the cul-de-sac. The circle must be dimensioned to accommodate fire apparatus as approved by the City Planner and Fire Inspector.

**4.12.03** In no case may a subdivision be approved that prevents the construction of a permanent cul-de-sac or turnaround required as part of a tentatively approved plat on adjoining land.

**4.12.04** Multi-phase Developments. In the case of a street that is to be continued as part of a subsequent phase of development, the Commission may require construction of a temporary turnaround, as required for stub streets in 4.06 Connectivity. If a preliminary plat for the phase of development in which the street would be continued has not been submitted within two years of recording of the phase containing the temporary turnaround, the Commission may require a permanent turnaround be constructed or a bond posted for same.

#### **SECTION 4.13 FRONTAGE ON IMPROVED STREETS**

**4.13.01** No subdivision shall be approved unless the area to be subdivided shall have frontage on, and access from an existing hard surface State, County, or City Road or highway; or

**4.13.02** A hard surface street upon a plat approved by the Planning Commission and recorded in the Baldwin County Probate Judge's Office. Such street or highway must be suitably improved as required by

rules, regulations, specifications, or orders, or be secured by an improvement guarantee required under these subdivision regulations, with the width and right-of-way required by these subdivision regulations.

**SECTION 4.14 STREET NAMES**

**4.14.01** Street Names shall be implemented in accordance with the City's established Addressing and Road Naming Policy.

**4.14.02** Proposed streets, which are in obvious alignment with others existing and named, shall bear the assigned name of the existing streets. In no case shall the names of proposed streets duplicate or be phonetically similar to existing street names, irrespective of the use of the suffix, street, avenue, boulevard, drive, place, court, etc.

**4.14.03** Street types for new public or private roadways shall generally be designated according to the terms defined in *Table 4-3 Standard Street Designations* with naming consistent with the directional line of the street as applicable.

TABLE 4-3 STANDARD STREET DESIGNATIONS		
Designation	Abbreviation <sup>1</sup>	Defining Characteristics
Avenue	Ave	A roadway aligned in an east-west direction conforming to the appropriate address gridline.
Boulevard	Blvd	A street with a divided pavement, either existing or planned, if the divided pavement ends, but the street continues, the same street name and suffix shall continue.
Circle	Cir	A roadway containing a closed loop creating two separate intersections or a closed loop interrupted by a through roadway.
Court	Ct	A cul-de-sac of eight (8) lots or less that is not interrupted by a through roadway.
Drive	Dr	A curvilinear roadway of more than one thousand feet (1,000') in length
Lane	Ln	A cul-de-sac of nine or more lots that is not interrupted by a through roadway.
Loop	Loop	A roadway creating a closed loop onto itself, creating 1 intersection and not interrupted by a through roadway.
Parkway	Pkwy	A special scenic route or park drive abutting a park, green way, or conservation area where zoning or topography would prohibit development on at least one side of the roadway.
Place	Pl	A short curvilinear or diagonal roadway less than one thousand feet (1,000') in length.
Road	Rd	A diagonal roadway more than one thousand feet (1,000') in length.
Street	St	A roadway aligned in a north-south direction conforming to the appropriate address gridline.

<sup>1</sup> Alphanumeric characters only, special characters are prohibited, including punctuation.

All street names are subject to the approval of the Planning Commission and Baldwin County 9-1-1 GIS/Addressing Department.

### SECTION 4.15 VACATING A STREET OR EASEMENT

No street or easement may be vacated unless a petition for that purpose (accompanied by the necessary documents specified by the City Planner) is submitted through the Planning Commission to the City. The Planning Commission shall review such petition and make recommendations to the City Council of Bay Minette, whose decision, following a public hearing, shall be final.

### SECTION 4.16 STREET DESIGN STANDARDS

**4.16.01** Proposed streets must be designed in accordance with the standards in Table 4-4, all applicable City Specifications and review of the City Engineer.

**4.16.02** Traffic Calming

Streets should be planned and designed to encourage safe driving behavior, particularly with regard to managing driving speed on Collector and Local Streets.

TABLE 4-4 STREET DESIGN STANDARDS							
	Major Street	Collector Street	Local Street	Cul-de-sac (Turnaround) <sup>5</sup>	Cul-de-sac (Turnaround with island) <sup>5</sup>	Hammer Head Turnaround <sup>5</sup>	Alley
Min. Right-of-way width <sup>1</sup>	100'	70'	60'	60' radius (120' diameter)	70' radius (140' diameter)	120'	30'
Min. Asphalt Width <sup>1, 2</sup>	12' per lane	12' per lane	22'	48' radius (96' diameter)	58' radius (116' diameter)	20'	20'
Max. Grade <sup>3</sup>	3%	3%	3%	3%	3%	3%	3%
Min. Angle of Intersection	80°	75°	75°	60°	60°	60°	60°
Min. Intersection Offset	150'	150'	150'	150'	150'	n/a	150'
Min. Curb Radius at Intersection	40'	30'	25'	25'	25'	28'	20'
Min. Horizontal Curve Radius <sup>4</sup>	300'	250'	100'	100'	120'	0 ft	100'
Min. Reverse Curve Tangent	100'	100'	100'	100'	100'	0 ft	100'
<sup>1</sup> Cul-de-sacs shall be no longer than 600 feet measured from the intersecting street to the center of the turnaround. <sup>2</sup> Measured from edge of pavement, excluding curb and gutter or valley gutter. All new streets constructed shall have a minimum 24" curb and gutter or 24" valley gutter. Other curb types must be submitted to the City Engineer for approval. <sup>3</sup> May vary with topography subject to Planning Commission approval based on recommendation of the City Engineer and City Planner. <sup>4</sup> May vary based on design speed and subject to the review and approval of the City Engineer. <sup>5</sup> Dead-end fire apparatus access roads in excess of 150' in length shall be provided with an area for turning fire apparatus as approved by the City Fire Department, see <i>Figure 4-2</i> .							

**4.16.03** Alignment and Visibility**4.16.03.01** Street Grades

1. Streets must be graded and improved in accordance with City Specifications and must be approved as to design and specifications by the City Engineer and the Commission in accordance with the construction plans required to be submitted prior to Preliminary Plat Approval.
2. Grades of all streets must be in accordance with Table 4-4 and may not be less than one half percent (0.5%). Waivers, for minor dead-end streets with low traffic volumes only, may be considered by the City Planner when submitted in writing. Grades approaching intersections may not exceed five percent for a distance of not less than one hundred feet (100') from the intersection centerline. Grades of circles may not be more than five percent for the last one hundred feet (100') of paving.

**4.16.03.02** Horizontal Curves

Where a centerline deflection angle occurs, a curve must be provided having a centerline radius as provided in Table 4-4. Tangents of at least one hundred feet (100') must be provided between reverse curves.

**4.16.03.03** Vertical Curves.

All changes in street grades must be connected by vertical curves of a minimum length as follows or as specified in AASHTO's "A Policy on Geometric Design of Highways and Streets," latest edition:

**4.16.03.04** Sight Distance

1. On arterial and collector streets, a minimum stopping sight distance of six hundred feet (600') must be provided.
2. On all other streets, a minimum stopping sight distance of three hundred feet (300') must be provided.
3. Stopping sight distance shall be measured from the driver's eye height at three and one-half feet (3 ½') above the street centerline to a point two and one-half (2 ½') feet above the street centerline.

**4.16.03.05** Allowable Curb Radius

Curb radii at intersections must be sized to provide safe right-turning movements appropriate to the traffic volume, travel speed, width and other characteristics of the streets involved. Larger radii will be required along streets with higher design speeds and at intersections where frequent turns by large vehicles are expected. On Local Streets, especially in residential areas, the smallest curb radius should be used to slow vehicular turning movements and to provide short crossing distances for pedestrians, while accommodating turning movements by emergency vehicles.

**4.16.3.06** Curb Types

All new roads constructed shall have a twenty-four inch (24") curb and gutter, twenty-four inch (24") valley gutter, or other type of curbing approved by the City Engineer.

## **SECTION 4.17 SIDEWALKS**

- 4.17.01** Whenever land to be subdivided embraces any part of a sidewalk or a pedestrian facility designated in the Comprehensive Plan, such facility must be provided as part of the subdivision.
- 4.17.02** Whenever land to be subdivided embraces or abuts an existing public street without sidewalks, such facilities must be provided by the Subdivider along the applicable portion of the existing street.
- 4.17.03** Sidewalks, when required or provided, must be at least five (5) feet wide. In subdivision involving nonresidential and mixed-uses (other than industrial), sidewalks must be at least eight (8) feet wide. All sidewalks shall be constructed of reinforced concrete that has a minimum twenty-eight (28)-day compressive strength of 3,000 psi.
- 4.17.04** All major subdivisions shall provide for sidewalks adjacent to all new lots.
- 4.17.05** Sidewalks shall be located within the right-of-way or within an easement of sufficient width adjacent to the right-of-way.
- 4.17.06** Sidewalks shall connect to any adjacent sidewalks and/or bike paths and shall be interconnected within said development to allow for sufficient pedestrian access. Sidewalks that are located adjacent to common areas or otherwise not adjacent to individual lots shall be constructed by the developer prior to final plat approval.
- 4.17.07** Sidewalks must be in accordance with the requirements of the Americans with Disabilities Act (ADA), including provision of pedestrian ramps at street intersections.
- 4.17.08** In determining any modifications of sidewalk requirements, the Commission uses the following guidelines:
- 4.17.08.01** 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.
- 4.17.08.02** 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.
- 4.17.08.03** 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.
- 4.17.08.04** Sidewalks along and parallel to the street will not be required where the running grade of the sidewalk would exceed five percent (5%).
- 4.17.08.05** A permanently dedicated greenway, walking trail, pedestrian passage or similar pedestrian facility may be required as an alternative to or in addition 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.

- 4.17.08.06** Pedestrian passages may be required to provide access across the depth of a block that exceeds 600 ft in length.
- 4.17.09** Pedestrian Passage
- 4.17.09.01** Cul-de-sacs within medium or high-density residential subdivisions may be required to provide a permanent pedestrian passage to nearby streets or community destinations. In determining whether a passage should be required, the Commission considers the degree to which the passage would increase the safety and convenience of pedestrians in reaching such destinations compared to other pedestrian routes within the subdivision.
- 4.17.09.02** A planting strip at least five feet (5') wide must be provided between the back of curb and sidewalk, except where the Commission determines that topography; tree preservation or conservation; right-of-way characteristics; or other conditions necessitate a modification or waiver.
- 4.17.09.03** Where required, pedestrian passages must be provided as follows:
1. The easement or right-of-way containing the passage must be at least ten feet (10') wide and the improved walkway must be at least five feet (5') wide in residential areas and six feet (6') wide in nonresidential areas. The design and surface material of the passage must be approved by the Planning Commission.
  2. If located in a right-of-way, the passage is subject to acceptance by the City.
  3. If located within a private easement, the Subdivider or property owners' association is responsible for maintenance.
- 4.17.10** Bicycle Facilities
- 4.17.10.01** The Subdivider is responsible for installation of any on-street bicycle lane or shared use path designated by the Comprehensive Plan along an existing or planned street located within a proposed subdivision, including if the subdivision embraces that frontage of an existing street along which the bicycle lane or shared use path is designated.
- 4.17.10.02** When a bicycle lane is required, additional right-of-way may be required by the Commission upon a recommendation of the City Engineer.
- 4.17.10.03** On-street bicycle lanes, when located on both sides of a street, must be at least five feet (5') wide, as measured to the face of curb, centerline of a valley curb or edge of pavement, in the absence of a curb. If bicycle lanes are located together on one side of the street, the minimum combined width is eight feet (8'). Pavement width required must be increased to accommodate bicycle lanes, when applicable.
- 4.17.11** Shared-use Paths
- 4.17.11.01** When a shared use path is required, additional right-of-way may be required by the Commission upon a recommendation of the City Planner.
- 4.17.11.02** Shared use paths must be at least ten feet (10') wide and separated from the travel way by a curb and planting strip at least five feet (5') wide.



- 4.17.11.03** Shared use paths are encouraged along streams and other drainageways, particularly when located at the rear of lots. An easement or right-of-way for maintenance access and path installation may be required by the Commission in accordance with Section 4.18.05
- 4.17.11.04** A shared-use path may be substituted for a required sidewalk in residential subdivisions and in other locations as approved by the Commission.
- 4.17.11.05** The side on which the shared use path is to be provided is subject to approval of the Commission. If the Commission determines it is not possible for the share-use path to be constructed on one side of the applicable street for its entire length, the Commission may authorize the path to be installed on alternating sides. In this case, the shared-use path must extend to a street intersection where a crossing must be provided with appropriate markings and traffic controls.

## **SECTION 4.18 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. See illustrations following.

- 4.18.01** General Conditions and Requirements. The location and design of vehicular accesses from existing or proposed streets must be specified in an Access Plan submitted as part of the Preliminary Plat. No curbs or rights-of-way may 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.
- 4.18.02** Accesses approved under these Regulations may be approved only for the use specified in the Preliminary Plat. Changes in use that would increase traffic or change the types of vehicles accessing the site will require a new approval of access. When a site existing at the time of these standards is redeveloped, the existing access(es) must be brought into conformity with these requirements.
- 4.18.03** Notwithstanding any other provisions of these Regulations, an access, which demonstrates a potential danger to the public and/or which could affect the safe, efficient flow of traffic, may be denied following a recommendation from the City Planner, based on commonly accepted and applied traffic engineering principles.
- 4.18.04** In determining any modifications of access requirements, the Commission uses the following guidelines:
- 4.18.04.01** Access to a corner lot should be placed on the street of lesser classification or lower average daily traffic, except as otherwise specified herein.
- 4.18.04.02** The number and location of access points shall be approved by the City Engineer.
- 4.18.04.03** Lots along an existing or proposed alley must be designed to and must have access from the alley. In the case of an existing unopened or substandard alley, construction of an access along the alley will not be required but the lot must nonetheless be designed so that access may be constructed once the alley is opened or its deficiencies are corrected.

**4.18.04.04** 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: shared access is not possible; 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; application of this Section would conflict with other provisions of these Regulations; and where the reduction would not compromise the safe, efficient flow of traffic.

<b>TABLE 4-5 DRIVEWAY SPACING REGULATIONS</b>			
Use and Street Type	Minimum Spacing		Max. number of driveways per frontage length <sup>2</sup>
	from intersection <sup>1</sup>	from other driveways	
All Uses			
Arterial streets and highways	150 ft	100 ft	1 per 150 ft
Single family and duplex dwellings			
Collector Streets	100 ft	25 ft	1 per 100 ft
All Other Uses			
Collector Streets	125 ft	75 ft	1 per 125 ft
<sup>1</sup> Where the frontage of an existing corner lot is less than the required distance, a driveway may nonetheless be approved by the Planning Commission provided it is as far as practicable from the intersection. Lots to be subdivided should have frontages of a length to accommodate required driveway spacing.			
<sup>2</sup> For interior lots less than 60 ft in width, one driveway may be approved, if in the opinion of the City Planner, the driveway will not adversely affect safety and movement on the street. Attached dwelling developments must normally have shared access to the side or rear of building groups.			

**4.18.05** Access Easements

**4.18.05.01** The Commission may require shared access easements or other conditions that require multiple lots to have one or a limited number of shared accesses to arterial or collector streets, including through the use of alleys, shared driveways, or marginal access streets.

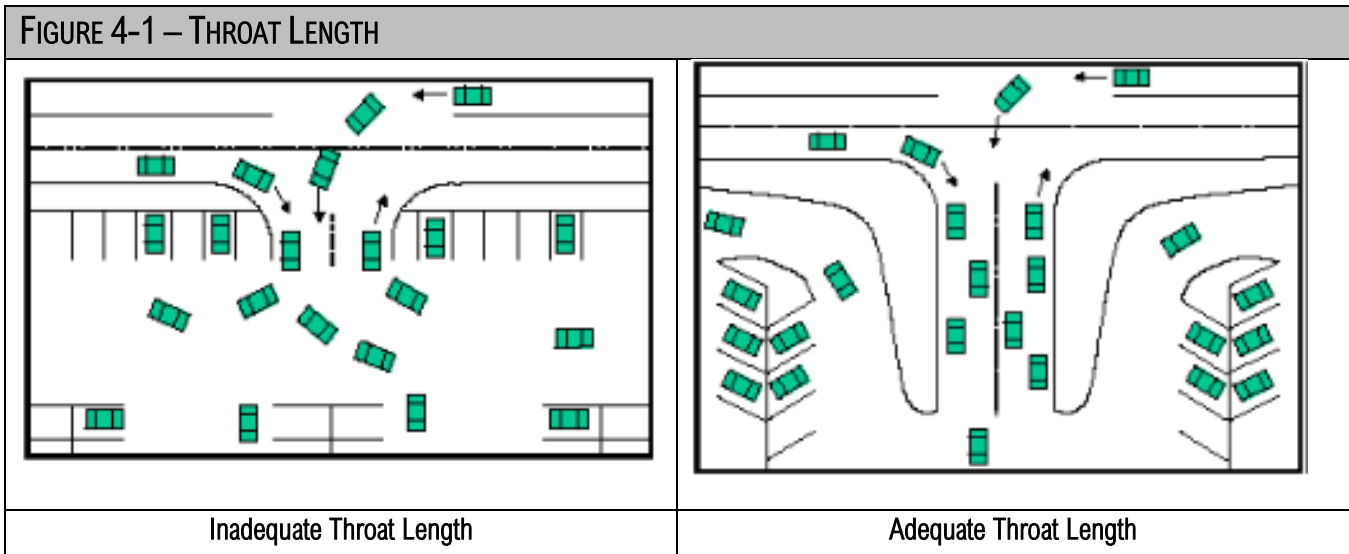
**4.18.05.02** Where private access easements are used, the subdivision plat must state that the easements run with the land and that transfer of lots is subject to the provision of such easements, which must provide for a guaranteed, unrestricted right of access to all other owners providing such easements and that the owners of lots subject to the easement must execute an agreement specifying responsibility for construction and perpetual maintenance of the easements and drives. The agreement must specify that the parties thereto must hold the City harmless from liabilities resulting from unsafe conditions on private access easements. Copies of the agreements, and any subsequent amendments, must be filed with the City Clerk. Construction on private access easements may not be commenced until all agreements are filed.

**4.18.05.03** The preliminary and final plat of a subdivision in which private access easements or common driveways are utilized shall contain the following notation as applicable:

**“The private access easement/common driveway shown hereon is private and shall not be maintained by the City of Bay Minette.”**

**4.18.05.04** To ensure efficient emergency response, private access easements servicing three or more dwelling units or structures shall be classified as Private Drives. The Private Drives shall be named in accordance with City and E-911 policies, and the developer shall install signage consistent with the requirements of Section 5.07 for private streets.

**4.18.06** Adequate throat length *Figure 4.1* must be provided to prevent traffic entering a premises from backing up onto the public street. A minimum length may be required by the City Engineer when anticipated traffic volumes and commonly accepted and applied traffic engineering principles justify the need for longer throat length.



**4.18.07** Turn Lanes

**4.18.07.01** Approval of access to an arterial or collector street may be conditioned upon the provision of a left-turn lane. The requirement and design of each turn lane, including the paved approach, bay, and departure tapers, must be determined from the recommendations of a traffic study and approved by the Planning Commission based on commonly accepted and applied traffic engineering principles. The Planning Commission and City Engineer reserve the right to require the construction of or modifications to a turn lane, deceleration and/or acceleration lane when determined to be in the best interests of the City and its residents.

**4.18.07.02** Right and left turn lanes at intersections may be required based upon existing or required traffic studies. Such lanes must be accommodated in the dedication of additional right-of-way widths on existing or proposed streets. Storage length will be determined from the applicable traffic study.

**4.18.08** Two-way Left Turn Lanes, Medians

**4.18.08.01** Two-way left-turn lanes may not be used along streets serving low and medium density residential uses and are discouraged in previously undeveloped areas. However, they may be necessary in previously developed areas where a median is impracticable due to the location and frequency of existing driveways.

**4.18.08.02** Medians are recommended to control access and turning movements between intersections on collector and arterial streets, particularly for subdivisions in previously undeveloped areas. Where a median is proposed, access to lots fronting on the street should be coordinated with median openings. Minimum spacing between median openings is determined by the City Planner.

**4.18.09** Driveways

The width of driveways, measured at the nearest points of radius returns, must comply with Table 4-6.

<b>TABLE 4-6 DRIVEWAY STANDARDS</b>				
<b>Use Classification</b>	<b>Access Type</b>	<b>Width</b>	<b>Driveway Radius <sup>2</sup></b>	
Single-family and duplex dwellings	Residential Driveway	10-14 ft <sup>1</sup>	Local street or Alley <sup>3</sup>	5-10 ft
			Collector Street	5-15 ft
Multifamily and Nonresidential Uses	One-Way Traffic (ingress or egress)	14-18 ft	Alley	10-15 ft
			Local Street	10-20 ft
	Two-Way Traffic (ingress and egress)	20-30 ft	Collector Street	15-25 ft
			Arterial	20-35 ft
<sup>1</sup> Width of driveway may exceed maximum width within the property for parking purposes. <sup>2</sup> The larger radius is appropriate on streets of higher design speed and in cases of limited sight distance. Otherwise, the smallest radius should be used. <sup>3</sup> A driveway flare may be used instead of a curve.				

**4.18.09.01** Driveways to nonresidential uses may exceed the maximum width, provided that it is determined by the City Planner that the need to provide safer turning movements and/or the number of trips generated for truck traffic to or from the property will justify the need for greater width and/or additional lanes.

**4.18.09.02** Driveways, in which ingress and egress lanes are separated by a raised median, may exceed the maximum two-way width, provided that individual ingress or egress lanes otherwise conform.

**4.18.09.03** The radius of curve connecting the edge of the acceleration or deceleration lane or through-traffic lane to the edge of the driveway must conform to Table 4-6.

**4.18.09.04** Driveways with more than one ingress or egress lane must be marked in accordance with the requirements of the Manual on Uniform Traffic Control Devices for Streets (MUTCD), latest revision.

Pavement markings and signage must be maintained by the owner in good condition and visible to drivers at all times.

**4.18.09.05** Within ten (10 ft) of the edge of pavement, driveway grade may not exceed six percent (6%).

**4.18.09.06** When sidewalks will pass through a driveway, the sidewalks shall remain or be reconstructed to be ADA-compliant.

**4.18.09.07** Where driveways require the cutting of existing curb, the curb shall be reconstructed with a sufficient transition to be consistent with Table 4-6.

## **SECTION 4.19 EASEMENTS**

**4.19.01** Except where alleys are provided for the purpose, easements must be provided—where necessary for poles, wires, conduits, storm and sanitary sewers, gas, water mains, or other utility purposes—ten-foot (10') wide on each side of side lot lines and rear lot lines of proposed lots. A wider easement may be required along rear lot lines at the perimeter of a subdivision if there is no existing easement on properties adjoining the subdivision. Should an easement be secured on adjoining property, the easement width may be reduced accordingly at that time.

**4.19.02** Where a subdivision is traversed by an existing or proposed water course, drainageway, channel or stream, a storm drainage easement or right-of-way must be provided conforming substantially to the lines of the drainageway. The width of the easement or right-of-way must be sufficient to contain the ultimate channel and maintenance way for the tributary area upstream. Wherever possible, drainage should be provided by a swale with landscaped banks and adequate width for maximum potential flow volume. See also 4.20 Drainage and Stormwater Management and 5.06 Storm Drainage Facilities. Where the rear of lots abuts a stream or other drainageway, the Commission may require an easement or right-of-way at least ten feet (10') wide for maintenance access and to allow installation of a shared use path.

**4.19.03** Lots and easements must be arranged to eliminate unnecessary easement jogs or off-sets, and to facilitate the use of easements for power distribution, telephone service, drainage, water, and sewer services.

**4.19.04** The Commission may require one or more easements along a block, as necessary for maintenance access, from the street to any utility and drainage easements located along the rear lot lines of the subdivision lots.

**4.19.05** No fences or structures, whether permanent, temporary or portable, may be placed within or extend into a drainage or utility easement.

## **SECTION 4.20 DRAINAGE AND STORMWATER MANAGEMENT**

**4.20.01** General Design Criteria. All drainage structures and facilities shall be designed and sized to meet the runoff of the drainage area to be served and in accordance with the City's Drainage and Stormwater Management Standards.

- 4.20.02** A drainage plan must be prepared by the Subdivision Engineer, which takes into consideration the ultimate or saturated development of the tributary area in which the proposed subdivision is located. Adequate provisions must be made to provide drainage easements needed within the subdivision, taking into consideration the saturated development of the tributary area. Post-development release rates may not exceed pre-development rates for a 2, 5, 10-, 25-, 50- and 100-year event. In no case may discharge from a drainage basin exceed the hydraulic capabilities of the initial receiving downstream drainage structures. The Commission may withhold approval of the subdivision until provision has been made for the necessary downstream improvement.
- 4.20.03** Storm and sanitary sewer plans must be developed prior to other utility plans. Engineering considerations must give preferential treatment to gravity flow improvements over other utilities and improvements. Off-premise drainage easements and improvements may be required to handle the runoff of subdivisions into a natural drainage channel. Under no condition may any storm drainage be emptied into or become a part of any sanitary sewer system and vice versa.
- 4.20.04** No subdivision or part thereof may shed storm runoff, either as surface runoff or an outfall from storm sewer structures, onto any adjacent land unless the runoff is contained within an existing drainage easement, swale, structure or right-of-way and provided further, that the existing drainage easement, ditch, structure or right-of-way provides outfall to an established drainage channel, as approved by the City Planner.
- 4.20.05** The Subdivider must dedicate, either in fee or by easement, land on both sides of existing watercourses, to a distance determined by the Commission.
- 4.20.06** The City Planner, City Engineer, or the Planning Commission may require whatever additional engineering information is deemed necessary to decide on subdivision and other development in an area of questionable drainage.
- 4.20.07** Drainage Easements. Where topography or other conditions make impracticable the inclusion of drainage facilities within street rights-of-way, perpetual unobstructed drainage easements at least twenty feet (20') wide must be provided across property outside the street right-of-way that and with satisfactory access to the street. Drainage easements must extend from the street to a natural watercourse or to other drainage facilities. When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights must be secured by the Subdivider.
- 4.20.07.01** Drainage easements must be indicated on the final plat.
- 4.20.07.02** Maintenance of drainage easements outside of the City right-of-way is the responsibility of the property owner, Subdivider or property owner's association and must be recorded as such.
- 4.20.07.03** An easement fifteen feet (15') wide, or as otherwise recommended by the City Engineer, must be provided along any USGS blue line streams, as measured from the stream centerline in which no fence or other barrier to access may be installed.
- 4.20.08** Areas Subject to Flooding
- 4.20.08.01** Whenever a plat is submitted in an area subject to flooding, the Commission may require that the elevation of streets and lots are at least twelve inches (12") above the elevation of the probable

maximum flood, as determined by FEMA. The plat must provide an overflow zone along the bank of any stream or watercourse of a width sufficient in times of high water to contain or move the water. No fill or structures may be placed in the overflow zone. The boundaries of the overflow zone must be approved by the City Engineer.

**4.20.08.02** Land area within the floodway and 100-year floodplain must be clearly marked on all subdivision plats. Such areas may not be developed in any way that reduces the floodplain’s capacity to store and convey stormwater.

**4.20.08.03** Low-lying lands along watercourses subject to flooding or overflowing during storm periods, whether or not included in areas for dedication, must be preserved and retained in their natural state as drainageways.

**4.20.08.04** The Commission may require whatever additional engineering information it deems necessary to make a decision on subdivisions containing areas of questionable drainage. Lakes, ponds and similar areas will be acceptable for maintenance only if sufficient land is dedicated as a public recreation area, or if such constitutes a necessary part of the drainage control system, and adequate access to the site is provided. Land proposed for public recreation areas require approval and acceptance by the City Council upon recommendation by the Commission.

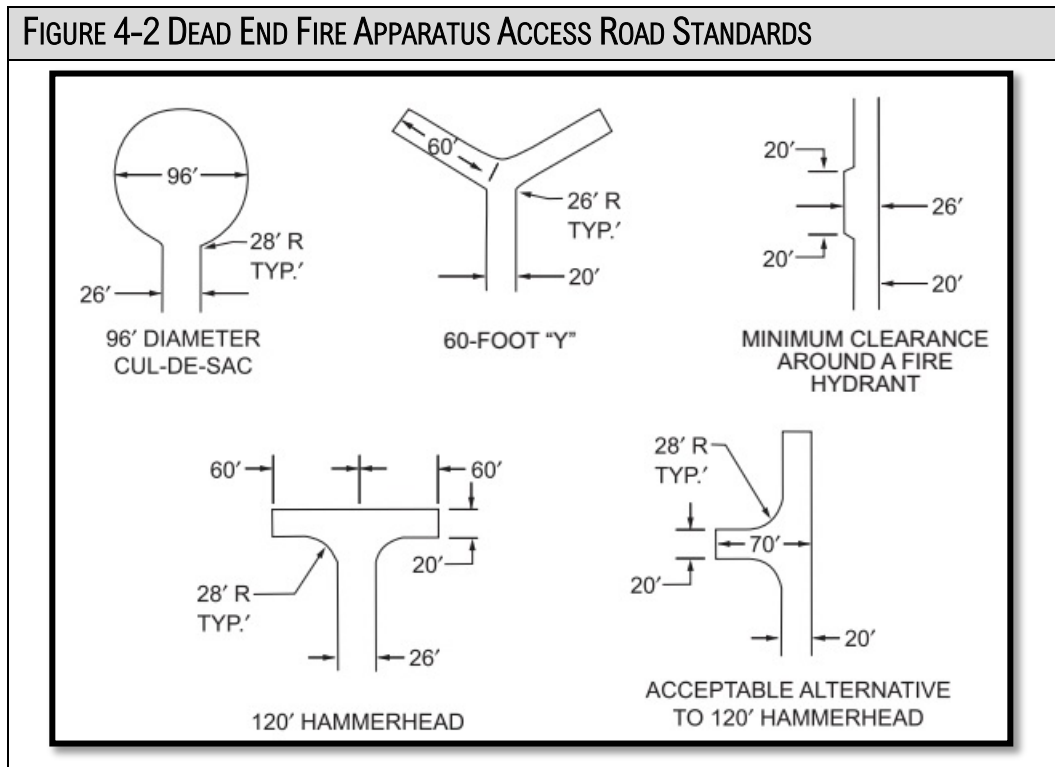
**4.20.09** Stormwater detention or retention facilities should be integrated into the design of parking, landscaping and open space areas to the extent practicable.

**SECTION 4.21 FIRE APPARATUS ACCESS**

**4.21.01** Where private drives are necessary to provide fire apparatus access in accordance with the City’s current adopted Fire Code, such drives must have an all-weather driving surface and must comply with the dimensional requirements in Table 4-7. If serving nonresidential development, the City Planner may require asphalt or concrete pavement.

<b>TABLE 4-7 FIRE APPARATUS ACCESS STANDARDS</b>		
	Residential	Non-Residential
Minimum unobstructed width <sup>1</sup>	20'	30'
Minimum width of driving	14'	20'
Minimum vertical clearance	13.5'	13.5'
Maximum grade	10%	10%
<sup>1</sup> Width exclusive of shoulders		

**4.21.02** Where dead-end fire apparatus access roads are in excess of 150’ in length, a turning area fire apparatus shall be provided in accordance with Figure 4-2 below and subject to additional modifications by the City Fire Department if determined to be necessary for public safety.



**SECTION 4.22 RECREATIONAL VEHICLE PARKS**

This section provides for all rules and regulations applicable to all Recreational Vehicle (RV) Parks, which shall meet the standards and requirements herein.

- 4.22.01 All RV Parks shall be primarily for recreational use by persons with transportable recreational housing, and associated accessory uses and structures. Recreational vehicles are primarily designed as temporary living quarters for recreational, camping, or travel use. RV Parks may operate on a year-round basis, however, no recreational vehicle shall be used as a permanent residential dwelling.
- 4.22.02 RV Parks shall be planned and developed under the guidance of a Master Plan and established as a whole in a single, unified development operation or as a series of phased development operations. The land on which RV Parks are established shall remain under a unified ownership and control providing for the accommodation of transient and temporary recreational vehicles, including travel trailers, campers, motor homes, and similar transient vehicles, that are not occupied in the same recreational vehicle park for a duration exceeding 180 days per calendar year.
- 4.22.03 Subsequent subdivision of lots or conveyance of sites to individual owners by any means is prohibited. If RV sites are sold, or if transient and temporary recreational vehicles, including travel trailers, campers, motor homes, and similar transient vehicles, are occupied in the same recreational vehicle park for a duration exceeding 180 days per calendar year, then the development shall be in violation of this ordinance and the Subdivision Regulations and shall be subject to all measures of enforcement and penalty herein, and may be required to proceed through the standard subdivision review process and comply with all applicable Subdivision Regulations.



- 4.22.04** Conformity. All recreational vehicle parks within the corporate limits of the City of Bay Minette shall conform to the Comprehensive Plan, the Zoning Ordinance of the City, and any other official development or planning document of the City of Bay Minette.
- 4.22.05** Approval Required. No person shall engage in the construction of an RV Park or make any addition or alteration to any recreational vehicle park so as to alter the number of RV Sites therein, or affect the facilities required therein, until such time as it has been approved and applicable permits have been obtained for such addition, alteration or construction.
- 4.22.06** Suitability of the Land. Land which the Planning Commission has found to be unsuitable for development due to flooding, inadequate drainage, and features likely to be harmful to the safety, health, and general welfare of the future residents shall not be subdivided for the purpose of an RV Park unless adequate methods approved by all public agencies concerned are formulated by the developer and demonstrated to provide appropriate mitigation to those impacts created by the development of the land.
- 4.22.07** Nothing in this Article shall be construed as a responsibility or liability of the City of Bay Minette to construct, operate or maintain any private street, drainage, open area, park, recreational or other facility. The developer/owner may petition the City Council to accept maintenance if built to the City specifications, but the City is under no obligation to accept.
- 4.22.08** Sale or Transfer. Notwithstanding a proper subdivision of a parcel, a parcel on which a recreational vehicle park is located may only be sold in its entirety. Individual RV Sites within a recreational vehicle park may not be transferred or sold.
- 4.22.09** Recreational vehicle parks are uses permitted subject to the approval of the Planning Commission and the requirements of the following provisions:
- 4.22.09.01** Streets. The proposed street layout shall be coordinated with the existing street system of the surrounding area and be designed and constructed in accordance with the City of Bay Minette Subdivision Regulations.
- 4.22.09.02** No recreational vehicle park shall be located except with direct access from a collector or arterial roadway with a minimum lot width of not less than one hundred (100) feet for the portion used for entrance and exit. No entrance or exit shall be through a residential district. Individual spaces shall have access to internal streets and shall not have direct access to adjoining public rights-of-way.
- 4.22.09.03** Proposed streets, which are obviously in alignment with others existing and named, shall bear the assigned name of the existing streets. In no case shall the name for the proposed streets duplicate or be phonetically similar to existing street names, irrespective of the use of the suffix street, avenue, boulevard, drive, place, court, etc.
- 4.22.09.04** Unless otherwise determined by a professional engineer, undercut, backfill, or other base and subbase requirements shall be in accordance with a geotechnical report prepared and signed by a licensed professional engineer. The minimum street pavement thickness requirement is two- and one-half inches (2.5") and shall consist of one- and one-half inch (1.5") bituminous binder layer and one inch (1") bituminous surface course placed over a minimum of eight inches (8") of stabilized base. Streets shall meet the City's latest approved technical specifications for streets.

- 4.22.09.05** Proposed streets must have a minimum weight load of 80,000 pounds to accommodate emergency vehicles.
- 4.22.09.06** Intersections with a major thoroughfare shall maintain a minimum separation of three hundred (300) feet measured from center line to center line, wherever possible.
- 4.22.09.07** The internal roadways of the recreational vehicle park shall, at a minimum, provide safe travel for the residents and emergency responders. The internal roadways must be a minimum of twenty-two feet (22') wide for two-way streets and twelve feet (12') wide for one-way streets. Parallel parking along the vehicular drive requires at least ten feet (10') in additional width.
- 4.22.09.08** Permanent dead-end streets shall not exceed six hundred (600) feet in length, and shall be provided with a turnaround having a roadway diameter of at least ninety-six feet (96') and a right-of-way diameter of at least one hundred twenty feet (120'). Temporary dead-end streets shall be provided with a turnaround having a forty-five-foot (45') radius. Cul-de-sacs shall not be used to avoid connection with an existing street.
- 4.22.09.09** All Recreational Vehicle Sites and all parking, sanitary, recreation and other common facilities must be accessed from an internal vehicular drive designed to accommodate recreational vehicles.
- 4.22.09.10** All internal roadways vehicular drives must be maintained by the park owner or operator and open for access at all times to emergency vehicles.
- 4.22.10** Allowable Uses. The allowable uses in a recreational vehicle park include the following:
1. Recreational vehicles
  2. Tents
  3. Convenience establishments for the sale or rental of supplies or for provision of services, for the satisfaction of daily or frequent needs of campers, within the park may be permitted. These establishments may provide groceries, ice, sundries, bait, fishing equipment, self-service laundry equipment, bottled gas, and other similar items needed by users of the park. These establishments shall be designed to serve only the needs of the campers within the park and shall not, including their parking areas, occupy more than five percent (5%) of the area of the park, and shall not be so located as to attract patronage from outside the grounds, nor have adverse effects on surrounding land uses.
  4. Operational Headquarters. Management headquarters, recreation facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to the operations of a park shall not occupy more than ten percent (10%) of the park area, and shall be restricted in their use to occupants of the park.
- 4.22.11** Site Design Requirements.
- 4.22.11.01** The following site design requirements shall be met:
1. The minimum land area for a recreational vehicle park shall be five (5) acres.
  2. The maximum density for a recreational vehicle park shall be ten (10) spaces per acre.

3. Only one (1) RV allowed per Recreational Vehicle Site.

- 4.22.11.02** Internal streets shall provide safe and convenient access to spaces and appropriate park facilities. Alignment and gradient shall be properly adapted to topography. Construction and maintenance shall provide a well-drained and dust-free surface that is of adequate width to accommodate anticipated traffic.
- 4.22.11.03** Easements. Utility easements centered on rear or side RV Site lines shall be provided where deemed necessary by the Planning Commission and shall be at least twenty (20) feet in width.
- 4.22.11.04** Drainage. A drainage plan shall be made for each recreational vehicle park by the Owner's Engineer. The plan shall take into consideration the ultimate or saturated development of the tributary area in which the proposed recreational vehicle park is located. Adequate provisions shall be made to provide drainage easements needed within the development property/site. The storm sewer plans shall be worked out prior to the development of the other utility plans. Engineering considerations shall give preferential treatment of these gravity flow improvements, as opposed to other utilities and improvements. Off premise drainage easements and improvements may be required to handle the runoff of the development into a natural drainage channel. The Planning Commission may require whatever additional engineering information it deems necessary to make a decision on a recreational vehicle park which contains an area of questionable drainage.
- 4.22.11.05** Fire Hydrants. Fire hydrants shall be installed along each street every six hundred (600) feet, or at the ends and center of each block. The water supply and pressure shall be sufficient to adequately serve the potential needs of the intended land use.
- 4.22.11.06** Utilities. All utilities, unless specifically addressed herein, shall be provided in accordance with Article 5 of these regulations. A contour map at one (1) foot intervals shall be provided as requested by the Planning Commission. The Planning Commission may require a different contour interval depending upon topographic and drainage characteristics.
- 4.22.11.07** Minimum twenty percent (20%) open space excluding required stormwater/drainage infrastructure. The minimum twenty percent (20%) shall be reserved collectively in contiguous areas accessible to all the Recreational Vehicle Sites and maintained by the property owners. This open space is to be used for: accessory uses, parks, recreation facilities, sidewalks, clubhouse, pool, and similar such uses.
- 4.22.11.08** Users of the Recreational Vehicle Sites shall meet all other applicable laws. Recreational Vehicle Sites shall only be rented by the day, week, or month and users shall not occupy any RV Site in the same recreational vehicle park for a duration exceeding 180 days per calendar year.
- 4.22.11.09** Recreational Vehicle Parks, and the RV Sites therein, shall not be used for storage. Users of RV Sites shall occupy the RV Site as a living quarter, subject to the terms and restrictions of these regulations. Placement of an RV on a Recreational Vehicle Park, or any RV Site therein, without occupancy as a living quarter for a period of seven (7) days or more is deemed storage for purposes of this Section.
- 4.22.11.10** Management headquarters, recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to operation of an RV park are permitted as accessory uses in any district in which recreational parks are allowed, provided:

1. Such establishments and the parking area primarily related to their operations shall not occupy more than ten percent (10%) of the area of the park.
2. Such establishments shall be restricted in their use to occupants of the park.
3. Such establishments shall prevent no visible evidence of their commercial character which would attract customers other than occupants of the park.

**4.22.11.11** No RV Site shall be so located that any part intended for occupancy for sleeping purposes shall be within one hundred (100) feet of the right-of-way line of any major, or collector street, or of any minor street. In addition to meeting the above requirements, the recreational vehicle park site plan shall be accompanied by a certificate of approval of the County Health Department.

**4.22.11.12** The proposed site shall be properly landscaped the purpose of which is to further enhance the natural qualities of the land. A landscaped buffer with a minimum width of twenty (20) feet shall be provided on the property lines. Said buffer shall consist of a combination of canopy trees, understory trees and shrubs which shall be of sufficient height to create a visual barrier.

**4.22.11.13** Landscape treatment for plazas, roads, paths, service and parking areas shall be designed as an integral part of a coordinated landscape design for the entire project area.

**4.22.11.14** Native vegetation shall be used where practicable and landscaping plans submitted for review shall identify which plants are native species.

**4.22.11.15** Site and landscaping plans will be approved by City Planner.

**4.22.11.16** Camping spaces shall be so located in relation to internal streets as to provide for convenient vehicular ingress and egress if the space is intended for use by wheeled units. Where back-in or back-out spaces are used, appropriate maneuvering room shall be provided in the adjacent internal street and within the space.

**4.22.11.17** Where spaces are to be used exclusively for erection of tents on the ground, provision for vehicular access onto such spaces shall not be required, but parking areas shall be located within one hundred (100) feet, except in circumstances in which providing such vehicular accessibility would result in excessive destruction of trees or other vegetation, or where it would be impractical to provide such parking areas within such distances for particularly desirable campsites.

**4.22.11.18** Spaces shall be so related to pedestrian ways and principal destinations within the park as to provide for convenient pedestrian access to such destinations by the pedestrian system.

**4.22.11.19** Each Recreational Vehicle Site shall contain a minimum of 1,200 square feet in area. Each tent space shall be a minimum of 500 square feet in area. Each R.V or tent space shall be clearly identified.

**4.22.11.20** Spaces for non-self-contained units shall be located within two hundred (200) feet by normal pedestrian routes of toilet, washroom, and bath facilities.

**4.22.11.21** Spaces for self-contained units, operating as such, may not be located more than four hundred (400) feet by normal pedestrian routes from toilet, washroom, and bath facilities.

- 4.22.11.22** Spaces shall be so located that when used, clearance from units, including attached awning and the like, shall be as follows:
1. From units on adjoining spaces: 10 feet.
  2. From internal streets of common parking area: 10 feet.
  3. From portions of building not containing uses likely to disturb occupants, or constructed or oriented so that noise and lights will not be disturbing to occupants of other spaces: 25 feet.
  4. From any other use or fueling facility: 50 feet.
- 4.22.11.23** Where fireplaces, cooking shelters, or similar facilities for open fires or outdoor cooking are provided within spaces or elsewhere, they shall be so located, constructed, maintained, and used as to minimize fire hazards and smoke nuisance within the park and in adjoining areas.
- 4.22.11.24** All R/V units or accessory buildings shall be parked or located at least 25 feet from any public roadway or right-of-way.
- 4.22.11.25** No structures, camp sites or RV spaces may encroach into the following minimum setbacks:
1. Front yard: 35 ft
  2. Side yard: 30 ft
  3. Rear yard: 35 ft
  4. All required yards shall be permanently landscaped and maintained with ground cover, trees and shrubs
- 4.22.11.26** A complete landscaped buffer, meeting the requirements of this Ordinance, located along the boundary of each recreational vehicle park except where crossed by driveways.
- 4.22.11.27** Minimum open space recreation area. At least 5,000 sf for the first 20 RV spaces plus 150 sf for each additional RV space.
- 4.22.11.28** Parking. At least one parking space must be provided for each camp site plus one parking space per employee. Parking spaces are not required to be paved but must be graded and surfaced as approved by the Director.
- 4.22.11.29** Lighting. All vehicular drives, walkways and common areas must be adequately lighted for vehicular and pedestrian traffic safety. Lighting must be arranged and designed to minimize illuminating individual RV spaces and camp sites.
- 4.22.11.30** Utilities. The entire developed area shall be adequately served by public water and sanitary sewer facilities meeting all requirements of the water provider, the sewer provider or the Baldwin County Health Department, and the City.
- 4.22.11.31** The proposed site shall be properly landscaped the purpose of which is to further enhance the natural qualities of the land. A landscaped buffer with a minimum width of twenty (20) feet shall be provided

on the property lines. Said buffer shall consist of a combination of canopy trees, understory trees and shrubs which shall be of sufficient height to create a visual barrier.

1. The following facilities must be provided, at a minimum, for the exclusive use of park occupants: two toilets and lavatories for every 15 Recreational Vehicle Sites or fraction thereof not provided with a water connection, two shower facilities and a washer and dryer.
2. If any Recreational Vehicle Sites are not provided with drain inlets to receive discharge of toilets, dump stations, built to code and designed to receive the discharge of sewage holding tanks of self-contained vehicles must be provided in an accessible location. Such stations must be separated from all camp sites and RV spaces by at least 100 ft.
3. Two-cubic yard or larger waste containers must be located within 300 ft of every Recreational Vehicle Site, but no closer than 100 ft. Alternatively, the Planning Director may approve the use of individual waste containers for each Recreational Vehicle Site provided the park operator provides for regular waste pickup from Recreational Vehicle Sites.
4. Dump stations and two-cubic yard and larger waste containers may not be closer than 30 ft to any property line and must be screened.

**4.22.11.32** Storm Shelters. One or more storm shelters must be provided on-site as follows:

1. Storm shelter must have a minimum floor area of seven sf for each Recreational Vehicle Site and camp site and be located no more than 1,320 linear ft from the furthest Recreational Vehicle Site.
2. Shelters must be designed by a licensed structural engineer or architect, must comply with all applicable City Building Codes and be installed as approved by the Building Official. Shelters must meet all applicable requirements of the Americans with Disabilities Act and, if located within a floodplain, must meet all FEMA requirements.
3. The park operator is responsible for maintaining and making the storm shelter accessible and usable in times of need. Storm shelters may not be used for storage purposes if such storage reduces the minimum floor area required herein.

This requirement may be waived if the applicant shows satisfactory evidence that a storm shelter is available with unrestricted public access within one-half mile of the campground.

**4.22.12** Standards for Recreational Vehicle Sites

**4.22.12.01** Each Recreational Vehicle Sites must be at least 500 sf in area. Sites for non-motorized recreational vehicles must be large enough for the RV and the passenger vehicle pulling the RV unless parking is provided for the passenger vehicle within 150 ft of the space served.

**4.22.12.02** No occupied RV may be located anywhere but in an approved Recreational Vehicle Site and only one recreational vehicle may be located in each Recreational Vehicle Site.

**4.22.12.03** Recreational Vehicle Sites must be designed to provide at least 20 feet of separation between RVs in adjoining sites.

**4.22.13** Occupation

- 4.22.13.01**      RV Parks are intended for transient use and in no case shall an RV occupy a park for longer than 180 days.
- 4.22.13.02**      Manufactured homes, mobile homes or other similar structures are prohibited.

## ARTICLE 5 REQUIRED IMPROVEMENTS

Final Plat Approval is subject to the installation of the improvements and utilities specified in this Section and satisfactorily completed in accordance with these Regulations and City Specifications or the posting of a bond in accordance with Article 6 Bonding, Inspection, Acceptance.

All street improvements must be in accordance with the most recent edition of the ALDOT Standards and Special Drawings for Highway Construction. When there is a conflict between the design requirements of these Regulations and the ALDOT standards, the more restrictive requirements govern. This does not include pavement widths, lane widths or intersection curb radii. However, the Commission may authorize the use of an alternate design or the design of an improvement not included within the ALDOT standards upon a favorable recommendation by the City Engineer.

### SECTION 5.01 STREETS AND ALLEYS

#### 5.01.01 Procedure

1. When water, sewer, electricity, telephone, and other utilities are to be installed in the street rights-of-way, said installation shall be completed prior to the construction of the streets or roadways.
2. Before construction of streets and drainage improvements, the City Planner must be notified no less than 24 hours before any phase of operation begins.
3. The base must be inspected and installed under the direction of the City Engineer.
4. No paving may be installed until the base course and type of paving and material are approved by the City Engineer.
5. In all cases in which the City Engineer has reasonable doubt concerning the stability or proper construction of any street or alley, he may require, after the installation of the binder course, that the seal course be delayed for a minimum of six (6) months.
6. No special drainage structure having twenty (20) square feet of end area or larger may be covered up without approval of the City Engineer.
7. After sewer and water utilities have been installed, the Subdivider must construct curbs and gutters, if required, and surface, or cause to be surfaced, streets and alleys to the required widths. All pavement, shoulders, drainage improvements and structures, curbs, turnarounds, and sidewalks must conform to City specifications and must be incorporated into the construction plans submitted for plat approval.

**5.01.02** Pavement. On all streets and alleys, a suitable hard surfaced permanent type of pavement shall be constructed in accordance with ALDOT and City specifications, including the following minimum pavement standards:



<b>TABLE 5-1 MINIMUM ROADWAY PAVING BUILD-UP</b>	
<b>Average Daily Traffic Count: 1-750 Vehicles</b>	
424-A Superpave Bituminous Concrete Wearing Surface layer, ¾ inch Maximum aggregate size mix, ESAL Range B (220 lb/sy)	
401-A Bituminous Treatment Type "A" (0.25 gal/sy)	
301-A Compacted Granular Soil Base Course (sand/clay) Type "A" minimum of two 4" lifts of compacted thickness;	
<b>OR</b>	
301-B Crushed Aggregate Base Course (limestone) Type "B" minimum 6-inch compacted thickness <sup>1</sup>	
<b>Average Daily Traffic Count: &gt;750 Vehicles</b>	
424-A Superpave Bituminous Concrete Wearing Surface layer, ½ inch Maximum aggregate size mix, ESAL Range B (125 lb/sy)	
405-A Tack Coat, Spread Rate of (0.10 gal/sy)	
424-B Superpave Bituminous Concrete Binder Layer, 1-inch Maximum aggregate size mix, ESAL Range B (220 lb/sy)	
401-A Bituminous Treatment Type "A" (0.25 gal/sy)	
301-A Compacted Granular Soil Base Course (sand/clay) Type "A" minimum of two 4" lifts of compacted thickness	
<b>OR</b>	
301-B Crushed Aggregate Base Course (limestone) Type "B" minimum 6-inch compacted thickness <sup>1</sup>	
<sup>1</sup> If used, delete 401-A treatment	

- 5.01.03** Curbs and Gutters. All new roads constructed shall have a 24" curb & gutter, 24" valley gutter, or other type of curbing approved by the City Engineer. Standard approved type curbs and gutters are required along any street where sidewalks are to be installed. Where curbs and gutters are required, they must be placed on both sides of the street.
- 5.01.04** Street markings must be applied after the binder is installed and must comply with the latest edition of the MUTCD and must consist of reflective beading and thermoplastic application.
- 5.01.05** The Subdivider must install approved traffic control devices in accordance with the MUTCD, any additional requirements of the City and/or ALDOT and the approved traffic control plan.

**SECTION 5.02 PEDESTRIAN AND BICYCLE FACILITIES**

- 5.02.01** All major subdivisions shall provide for sidewalks adjacent to all new lots.
- 5.02.02** Sidewalks are to be installed within the dedicated non-pavement right-of-way of streets as required in 4.17 Sidewalks.
- 5.02.03** Sidewalks shall be a minimum of five (5) feet in width. In subdivision involving nonresidential and mixed-uses (other than industrial), sidewalks must be at least eight (8) feet wide. All sidewalks shall be constructed of reinforced concrete that has a minimum twenty-eight (28)-day compressive strength of 3,000 psi.
- 5.02.04** Sidewalks shall connect to any sidewalks and/or bike paths within a reasonable distance and shall be interconnected within said development to allow for sufficient pedestrian access.
- 5.02.05** Sidewalks shall be constructed by the developer prior to final plat approval.

- 5.02.06** Shared Use Paths. Shared use paths may be asphalt, Portland cement concrete or other ADA-compliant surface approved by the City Planner.
- 5.02.07** All pedestrian and bicycle facilities installed shall be in accordance with current ADA Requirements.

### **SECTION 5.03 SANITARY SEWERAGE FACILITIES**

- 5.03.01** Sanitary sewers must be provided where a public sanitary sewer system is reasonably accessible as determined by the Commission and the public Sewer Authority responsible for the maintenance of the sanitary sewer system. The developer shall install a sanitary sewer system which meets the requirements of the Sewer Authority and shall connect to such system at their expense.
- 5.03.02** Where lots cannot be reasonably connected with a public or private sanitary sewerage system, they must contain adequate area for the installation of septic tanks and disposal fields and shall be approved by the Baldwin County Health Department.
- 5.03.03** When sanitary sewer facilities are required, the Subdivider must install the sanitary sewer facilities in a manner prescribed by the City Engineer and/or the Sewer Authority. All plans and specifications must be prepared by a registered engineer and submitted for approval at the time of submission of the preliminary plat.
- 5.03.04** Sewer stub-outs, capable of allowing gravity connections, shall be provided for each lot and shall extend to the right-of-way line of said lots.

### **SECTION 5.04 WATER FACILITIES**

- 5.04.01** Necessary action must be taken by the Subdivider to extend the public water supply systems capable of providing domestic water use and fire protection. Where a public water system is within reasonable distance of the subdivision, as determined by the Planning Commission, the developer shall connect with said water system. The design and specifications of the distribution system shall meet the specifications of the Water Authority having jurisdiction.
- 5.04.02** The Subdivider must install adequate water facilities, including fire hydrants, subject to the specifications of the Water Authority having jurisdiction. Water mains must be at least six inches (6") in diameter and must extend the full length or width of the pavement.
- 5.04.03** The location of all fire hydrants and all water supply improvements must be shown on the preliminary plat, and the cost of installation must be included in the performance bond, if applicable.
- 5.04.04** Water mains for both domestic use and fire protection shall be properly connected with a central water system or with an alternate water supply approved by ADEM for human consumption. The lines shall be constructed in such a manner as to serve adequately all lots shown on the subdivision plat.
- 5.04.05** If a well is required for each lot, the location, construction and use of such well shall also meet the standards of Baldwin County Health Department. If a well is to serve more than one lot, a public water system shall be required. The design and specifications of such system shall meet the Alabama Department of Environmental Management requirements.

## **SECTION 5.05 FIRE HYDRANTS**

- 5.05.01** Fire hydrants of a type acceptable to the Utility Authority and Fire Department are required for all subdivisions.
- 5.05.02** Fire hydrants shall be installed along each street at a maximum interval of 600 ft., or at the ends and center of each block as determined by the Planning Commission with the recommendation of the Fire Inspector. Fire hydrants must be located no more than 1,200 feet apart as measured along the applicable street centerline.
- 5.05.03** The water supply and pressure shall be sufficient to provide adequate fire protection as well as the future needs of the intended land use. Water supply and pressure shall be subject to the review and approval of the Fire Inspector.
- 5.05.04** All proposed buildings must be within six hundred feet (600') of the nearest fire hydrant, as measured along the applicable street centerline.
- 5.05.05** To eliminate future street openings, all underground utilities for fire hydrants and all other supply improvements must be installed before any final paving of a street shown on the subdivision plat.

## **SECTION 5.06 STORM DRAINAGE FACILITIES**

- 5.06.01** All subdivisions shall be provided with adequate storm drainage facilities. Any areas subject to periodic flooding caused by poor drainage facilities will not be approved for a development by the Planning Commission unless the developer or subdivider makes necessary provisions to eliminate such flooding.
- 5.06.02** In addition to the requirements herein, the Drainage and Stormwater Management Standards of the City of Bay Minette Zoning Ordinance shall also apply to all subdivisions.
- 5.06.03** A complete drainage plan and contour map showing the criteria outlined in Appendix A Submittal Requirements, shall be submitted along with the profile grades and typical roadway section for approval.
- 5.06.04** All existing drainage structures shall be shown on the preliminary plat, contour map, and construction plans.
- 5.06.05** All off project drainage, draining onto a subdivision or other development, shall be shown on contour maps and/or construction plans showing the areas in acres that the subdivision or development will have to accommodate.
- 5.06.06** On any single drainage structure requiring twenty (20) square feet or more of end area, a special design drawing will be required for approval.
- 5.06.07** Where the subdivider or developer has open ditches, a maximum of 3:1 front slopes and flat bottom ditch is required; the width of the ditch shall be determined by the required flows and the existing conditions and be approved by the City Engineer and Superintendent of Streets and Sanitation. V-bottom ditches or other special designs will be permitted in special cases. Resulting 2-year peak flow

rates in the natural system or open ditch drainage shall be less than the critical rates that would cause excessive channel scour.

**5.06.08** Storm sewers, where required, must be designed in accordance with acceptable engineering methods as approved by the City Engineer.

**5.06.09** Inlets must be provided so that surface water is not carried for a distance of more than 600 feet in the gutter. When calculations indicate that curb capacities are exceeded at a point, no further allowances may be made for flow beyond that point, and basins must be provided to intercept flow at that point.

**5.06.10** Every drainage structure must be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the planned subdivision. The Subdivision Engineer must determine the size of the facility based on City Specifications assuming conditions of the maximum potential development permitted by the Zoning Ordinance or as provided for in the Comprehensive Plan. Drainage structures must be designed in to a standard acceptable to the City Engineer.

**5.06.11** Storm drainage facilities must be installed where driveways connect with streets, must be specified in the Preliminary Plat. Size, location and width must be approved by the City Engineer.

**5.06.12** Swales. Where provided, swales must meet the following design criteria:

1. Swale may be trapezoidal or parabolic, with a bottom width of two (2) to ten (10) feet. Maximum side slope is 3:1.
2. The height of grass or other approved ground cover must be established and maintained at three (3) to six (6) inches.
3. Minimum swale length is fifty (50) feet.

## **SECTION 5.07 STREET SIGNS**

**5.07.01** Proper signage in accordance with the latest edition of the MUTCD as adopted by ALDOT shall be installed prior to receiving Final Plat approval, and maintained in all subdivisions, until such time as roads are accepted for maintenance by the City Council. All proposed signage shall be shown and detailed on the Construction Plans. The following minimum standards shall be adhered to:

**5.07.01.01** R1-1 Stop Sign - Diamond grade– Minimum 0.080" thick 36" for all intersections.

**5.07.01.02** Street Name Sign (Public) – 9" Aluminum Extruded Blade, High Intensity Prismatic, 6" tall white capital and 5" tall lower-case lettering on green background - for streets proposed to be public

**5.07.01.03** Street Name Sign (Private) – 6" tall white capital, and 5" tall lower-case lettering on blue background – for streets proposed to remain private

**5.07.01.04** Brackets - Vulcan type VS-8 vandal proof or approved equivalent.

**5.07.01.05** All other signs – High Intensity Prismatic or better – Minimum 0.080" thick.

**5.07.01.06** Posts for street signs – minimum 12 feet long – 2 3/8" galvanized round posts; street signs may be mounted on the same post or separate from the stop sign. In no case shall the street sign be attached directly to the stop sign.

- 5.07.01.07** Decorative sign posts may be permitted if approved by the City Planner. No decorative signposts shall be permitted unless the application is accompanied by a written statement from the property owner's association agreeing to maintain such decorative posts, and to replace the same if destroyed. Any damaged or destroyed decorative posts may be replaced by the City, and in such event, the City may install a 2 3/8" galvanized round post.
- 5.07.01.08** Posts for all other signs – #2 galvanized U-channel (minimum length 12 feet) of appropriate height embedded not less than 3 feet below the finished grade elevation, complying with minimum 7-foot clearance between grade level and the bottom of the sign.

## **SECTION 5.08 UTILITIES**

- 5.08.01** Underground utilities are required in all high-density residential developments and any mixed-use development containing residential uses. Underground utilities are required in medium-density residential developments unless this is shown to not be practicable due to the presence of rock or other site constraints.
- 5.08.02** For all other types of development, above-ground utilities may be permitted but must be installed in alleys or within rear lot easements in so far as practicable. Above-ground utility lines may cross streets only as needed. The number of such crossings must be minimized.
- 5.08.03** Electric lines shall be installed in such a manner as to serve adequately all lots shown on the subdivision plat. Electrical services and streetlights shall be installed along all new roadways within subdivisions at the expense of the developer. All electrical improvements shall be paid for and installed prior to final plat approval.
- 5.08.04** Telephone service shall be provided to all lots within proposed subdivisions. The installation of all telephone conduit, wire, and/or structures shall be coordinated by and if necessary, paid for by the developer prior to final plat approval.
- 5.08.05** The Subdivider must install conduit for the installation of fiberoptic cable or similar underground telecommunications infrastructure, in coordination with the telecommunication provider, to avoid the need for future street opening for telecommunications installation after street construction.
- 5.08.06** All utility facilities existing and proposed throughout the subdivision must be shown on the preliminary plat.
- 5.08.07** Easements centered on rear and/or side lot lines must be provided for utilities.

## **SECTION 5.09 STREET LIGHTS**

- 5.09.01** Street lights must be installed at all street intersections and other locations as necessary to maintain a maximum spacing of two hundred feet (200') along the right-of-way, as approved by the Commission to provide for the public's safety and general welfare. Streetlights shall be mounted on approved light posts and only allowed to be mounted on power poles if overhead power lines are utilized due to site constraints. The Subdivider, owner or property owners' association, but not the City or utility provider, is responsible for replacement or repair of any non-standard street light poles and fixtures.

**5.09.02** In order for the City of Bay Minette to provide regular maintenance of street lighting, said lighting shall be purchased through and installed by Alabama Power. Regular maintenance does not include replacement of lamps, luminaries or standards which are damaged or destroyed due to vandalism or any other cause beyond the utility's control. Such facilities damaged or destroyed under such circumstances shall be replaced by the utility company at the property owner's expense.

## **SECTION 5.10 COMMON OPEN SPACES AND FACILITIES**

**5.10.01** All subdivisions greater than twenty-four (24) lots shall be provided with open space.

**5.10.02** For every twenty-five (25) lots or fraction thereof, the developer shall provide an open space that is equal in size to one (1) average lot in the subject development.

**5.10.03** Said open space shall be provided in one location and all required open space shall be contiguous. This shall also apply to phased developments.

**5.10.04** Stormwater management facilities and narrow strips less than twenty feet (20') in width shall not be counted as the required open space.

**5.10.05** Open Spaces can be held by the developer, Homeowners' Association, or deeded to the city.

**5.10.06** For all subdivisions involving the creation of common open spaces or facilities, which may include subdivision entrances and signage, that are to be owned and maintained by the developer or a property owner association, the following apply:

**5.10.06.01** If not owned and maintained by the developer, an association representing the owners must own the common open space or facility in perpetuity. Membership in the association is mandatory and automatic for all owners of the subdivision or condominium and their successors. The association must have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the common open space and/or facilities is borne by the association.

**5.10.06.02** Management Plan. The applicant must submit a plan for management of open space and/or common facilities that:

1. Allocates responsibility and guidelines for the maintenance and operation of the common open space/facilities including ongoing maintenance and long-term capital improvements.
2. Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the common open space/facilities and outlines the means by which funding will be secured.
3. Provides that any changes to the plan must be approved by the Commission; and
4. Provides for enforcement of the plan.

**5.10.06.03** In the event the party responsible for the common open space or facilities fails to maintain all or any portion in reasonable order and condition, the City may assume responsibility for its maintenance and may enter the premises and take corrective action, including extended maintenance. The costs of such maintenance may be charged to the association, or to the individual owners that make up the association and may include administrative costs and penalties. Costs may become a lien on all involved properties.

**5.10.06.04** No decorative squares, tree, island, ornamental entrances, or any other obstruction to traffic shall be constructed or preserved with the right-of-way of a road dedicated to the public without the written permission of the Superintendent of Streets and Sanitation. If landscaping and/or irrigation are proposed within the right-of-way, the responsibility for maintenance of such facilities shall be borne by the developer or the Home Owner's Association (HOA).

## **SECTION 5.11 PERMANENT REFERENCE MARKERS**

**5.11.01** Prior to the approval of the Final Plat, permanent reference points shall have been placed in accordance with the following requirements:

1. Lots and Streets. All lot corners, points where street lines intersect the exterior boundary of the subdivision and intersections of curves and tangents along street lines must be marked.
2. Subdivision Corner Tie. At least one corner of the subdivision shall be designated by course and distance (tie) from an accepted corner of the Government Survey of Baldwin County. The subdivision corner shall be marked with a monument and shall appear on the map with a description of bearings and distance from the Government Survey corner to an accuracy of 1:5,000.
3. Monuments. Concrete monuments four (4) inches in diameter or four (4) inches square and three (3) feet long with a flat top shall be set at all exterior corners of the subdivision. The top of the monument shall have an indented mark to identify properly the location and shall be set flush with the finished grade. Elevation from mean sea level datum shall be established on a permanent benchmark at the corner of the subdivision and at a distance no greater than 2,000' on perimeter.
4. Property Markers. All lot corners not marked with a monument shall be marked with an iron pipe or iron pin not less than one-half inch (1/2") in diameter or in width, and twenty-four inches (24") long, and driven so as to be flush with the finished grade.
5. Accuracy. The land survey shall be in accordance with the State of Alabama's Minimum Technical Standards for Land Surveyors.

## **ARTICLE 6 BONDING, INSPECTION, ACCEPTANCE**

### **SECTION 6.01 INSTALLATION OF REQUIRED IMPROVEMENTS**

The subdivider/developer shall be responsible for the provision of all required improvements to the subdivision/development. This may be accomplished by either the full installation of all required improvements by the developer at the time the Final Plat is to be submitted to the Planning Commission, or by the provision of a financial guarantee of performance.

**6.01.01** Provisional final approval can be given by the Planning Commission under extenuating circumstances, provided that a financial guarantee in the form of a surety bond shall be given in the amount equal to one hundred fifty percent (150%) of the cost as estimated by an independent source of installing all improvements, including grading, paving of the streets, and installation of all required utilities, and fees encountered during execution of improvements. The cost estimate for all remaining civil improvements shall be certified and submitted by the design engineer with the application for final plat approval; a cost estimate of any remaining landscaping improvements must be certified and submitted by the professional landscape architect with the application for final plat approval and the financial guarantee.

**6.01.02** One (1) or more of the following may be accepted as a financial guarantee with surety payable to the City of Bay Minette:

1. a letter of credit approved by the City Administrator and City Attorney, or
2. a cash deposit to be held by the City, or
3. a certified check from an Alabama lending institution in an amount not to exceed one hundred fifty percent (150%) of the cost of the required improvements remaining.

**6.01.03** The surety bond will be made payable to the City of Bay Minette and will be held until all improvements are met per the specifications of the City. Once the development is satisfactorily constructed, the developer on said action will request the release of said bond through the Planning Commission, and the Planning Commission will then notify the City for said release.

**6.01.04** Failure to Complete Work. If within twelve (12) months after filing said surety, the subdivider/developer has not completed all necessary improvements or if in the opinion of the City Planning Commission said improvements have not been satisfactorily installed, the bond shall be used by the City to complete the improvements in satisfactory fashion, or the City may take such steps as may be necessary to require performance under the bond.

### **SECTION 6.02 INSPECTION AND CERTIFICATION**

The City Planner or their designee shall regularly supervise inspection for defects in the construction of the required improvements or assigns such work. The applicant shall pay to the City an inspection fee of \$20.00 per lot for the initial inspection. If additional inspections are required, additional fees shall be required in the amount of \$10.00 per lot and the Chairman of the Planning Commission shall not sign the subdivision plat until the applicant has paid all fees. These fees shall be due and payable



upon demand by the City. If the City Planner finds upon inspection that any of the required improvements have not been constructed in accordance with the City's adopted construction standards and specifications, the applicant shall be responsible for completing the improvements.

**6.02.01** Wherever a surety covers the cost of improvements, the applicant and the surety company shall be severally and jointly liable for completing the improvements according to specifications.

**6.02.02** Upon completion of the improvements, the applicant shall file with the Planning Commission a statement stipulating the following:

1. That all required improvements are complete.
2. That these improvements are in compliance with the minimum standards specified by the Planning Commission and the City for their construction.
3. That the applicant knows of no defects from any cause in these improvements; and,
4. That these improvements are free and clear of any encumbrance or lien.

**6.02.03** The applicant shall also file with the City an agreement dedicating all said improvements of the development.

**6.02.04** Upon completion of these improvements, the City Planner shall file with the Commission a statement either certifying that the improvements have been completed in the specified manner or listing the defects in these improvements.

### **SECTION 6.03 STREETS MAINTENANCE BOND**

**6.03.01** The developer/owner shall submit a Street Maintenance Bond payable to the City which shall be valid for a period of two (2) years. The bond shall be in an amount equal to twenty percent (20%) of the total street, utility, and drainage improvements in the subdivision. Said bond shall be required as a condition to dedication and acceptance of any new streets within the corporate limits. The City Administrator shall determine the adequacy of said bond and security thereon.

**6.03.02** The Street Maintenance Bond period shall begin upon the acceptance of the street and drainage improvements by resolution of the City Council. No less than thirty (30) calendar days prior to the expiration of said maintenance bond, an inspection shall be conducted by an Engineer designated by the City to ensure that the improvements are in satisfactory condition prior to acceptance.

**6.03.03** Based on the recommendations of the Engineer and other applicable City Staff, the City Planner may release or extend a street maintenance obligation for a period of time no greater than one (1) year. Upon approval of an extension of the original Street Maintenance Bond period, the developer shall submit to the Planning Department sufficient proof of the extended bond, and the City Administrator shall determine the adequacy of said extended bond and security thereon.

### **SECTION 6.04 ACCEPTANCE OF IMPROVEMENTS**

Acceptance of formal offers of dedication of streets, public areas, easements and parks are by express Resolution of the Council. Upon completion of the required improvements, the City Planner will file

with the Commission a statement either certifying that the improvements have been completed in the specific manner or listing the defects in those improvements.

- 6.04.01** Reduction of Guarantee. In those cases where an improvement guarantee has been made under subsection 3.16 of these Regulations, the amount of the surety may be reduced upon acceptance, in compliance with these Regulations, of the dedication of a portion of the required improvements. A surety shall be reduced upon actual dedication of public improvements and then only to the ratio that the public improvement dedicated bears to the total public improvements for the plat. In no event shall a surety be reduced below twenty percent (20%) of the principal amount.
- 6.04.02** Upon completion of the improvements, the applicant shall file with the Planning Commission a statement stipulating the following:
1. That all required improvements are complete.
  2. That these improvements are in compliance with the minimum standards specified by the Planning Commission and the City for their construction.
  3. That the applicant knows of no defects from any cause in these improvements; and,
  4. That these improvements are free and clear of any encumbrance or lien.
- 6.04.02.01** The applicant must also file with the Council an agreement dedicating the improvements. This agreement must include record drawings of the improvement and specify that all improvements, including all interest in real property except for water and sanitary sewer infrastructure are dedicated to the City and that all water and sanitary sewer infrastructure is dedicated to the Utility Authority. The Subdivider must submit a PDF or other electronic version of the subdivision plat As-Built as part of the filing.
- 6.04.02.02** If the Subdivider's Engineer has certified that the contracted improvements are complete and free from defect, and said improvements have passed inspection by the City Engineer, then upon receipt of the other statements and agreements detailed above, the Council may accept the dedication of the completed improvements. Improvements to be dedicated to the Utility Authority are accepted according to that Authority's rules. However, the Council may not accept infrastructure within any subdivision or part thereof until after the associated water and sanitary sewer improvements have been accepted by the applicable Utility Authority.
- 6.04.03** Guarantee Against Faulty Material and Workmanship. The City only in accordance with one of the following requirements shall grant final approval of all improvements on said development:
- 6.04.03.01** Said improvements shall have been completed and in place for a period of one (1) year and shall, upon inspection following such period of time, be found to be free from defective workmanship or material and free from sinkholes or other settling.
- 6.04.03.02** Following satisfactory completion of such work, the subdivider shall post with the City a guaranty bond in an amount equal to ten (10) percent of the improvement cost on said project for which acceptance is sought. Said bond will guarantee the City that the installation and workmanship is in acceptable condition for a period of one (1) year. Said guaranty bond shall be effective for a period of one (1) year. If at the end of the one (1)-year period the improvements is found to be defective or to be otherwise unacceptable because of faulty workmanship or material, said defects shall be repaired at

the cost of the developer up to the amount of the guaranty bond, and upon the developer's failure or refusal to do so within ninety (90) days after demand is made upon them by the City. Then the City shall make such repairs as are reasonably necessary and recover the cost thereof.

- 6.04.04** At the end of the maintenance period, and after inspection of the improvements and infrastructure by the City Engineer, the developer may request through the City Planner that the City Council accept the improvements and the responsibility of the maintenance. It is the developer's or subdivider's responsibility to make this request.
- 6.04.05** Failure to be Accepted. If any portion of the required improvements fails to be accepted for dedication in compliance with these Regulations within the allocated time period, either for reason of incompleteness or for reason of substandard construction, then the Commission shall declare whatever security has been pledged as a guarantee to be forfeit. If Commission is not already in possession of said guarantee, it will immediately take the actions necessary to obtain it. Upon receipt of these securities, the Commission will use them, or receipts from their sale if applicable, to finance the completion of contracted improvements or the rebuilding of such improvements to the proper specifications. Unused portions of these securities will be returned to the Subdivider, bonding company, or crediting institution, as appropriate.
- 6.04.06** Maintenance. The Subdivider must maintain all improvements until acceptance of the required improvements by the City in accordance with the following:
- 6.04.06.01** The Subdivider must file a Maintenance Bond with the recommendation of the Commission and approval by the Council for the repair and maintenance of the public improvements. The amount of the Maintenance Bond must be equal to fifteen percent (15%) of the total cost of all public improvements. The Sewer Board may require the posting of a maintenance bond to assure the satisfactory condition of the sanitary sewer improvements for a period of one year after their acceptance by the Board. Failure to post a maintenance bond or security may constitute cause for denial of acceptance by the City or Board, as applicable.
- 6.04.06.02** The Maintenance Bond must be secured in the same manner as required for Performance Bonds in this Article, must comply with all statutory requirements and be reviewed by the City Attorney as to form, sufficiency, and manner of execution as set forth in these Regulations.
- 6.04.06.03** The Maintenance Bond must remain in full force for a period of thirteen (13) months after the date of acceptance of the improvements. For subdivisions with multiple phases of construction, any street or alley within the subdivision used by construction traffic must be included under the Maintenance Bond for the duration of construction of any phases requiring the use of such street.
- 6.04.06.04** The Subdivider must provide a letter or statement in which the Subdivider agrees to maintain the backfill and any improvements located thereon or therein of any ditch that has been dug in connection with the installation of the improvements. The letter or statement must be binding on the Subdivider for a period of twelve (12) months from the date of acceptance of such improvements.
- 6.04.07** Improvements to be Dedicated to the Utility Authority, Guarantee

- 6.04.07.01** All sanitary sewer facilities (excluding easement and fee rights to real property), once constructed, accepted, and dedicated to public use, become the property of the Utility Authority. Consequently, a separate dedication procedure is required for these improvements and the Utility Authority prescribes the manner of the dedication. The Authority's approval and acceptance of sanitary sewer facilities for a subdivision satisfies the requirements of this Section with respect to those facilities.
- 6.04.07.02** The Utility Authority may elect to accept improvements guarantees, pursuant to the rules of the Authority. If the Authority does choose to accept an improvement guarantee, the Subdivider must post the form of guarantee as agreed, separate and apart from any guarantee accepted by the City. The Authority may choose to sign the Final Plat of the subdivision based on the posting of a guarantee acceptable to it.
- 6.04.08** If the City Planner has certified that the contracted improvements are complete and free from defect, then upon receipt of the other statements and agreements detailed above, the City may accept the dedication of these improvements for public use by Resolution at a regularly scheduled meeting. The City may, at its discretion, accept the dedication of any portion of the required improvements, provided that all statements and agreements specified above have been received for that portion of the improvements.

## **SECTION 6.05 RELEASE OF GUARANTEE**

Upon acceptance, in accordance with these Regulations of the dedication of the final portion of improvements, the City Council shall authorize the release of the remaining portion of the improvement guarantee.

## APPENDIX A - SUBMITTAL REQUIREMENTS

### SPECIFICATIONS FOR SUBMITTAL DOCUMENTS, GENERALLY

Documents specified herein shall be submitted in accordance with the Subdivision Regulations and this Appendix, which may be modified at the discretion of the City Planner when applicable.

### PLANS AND PLATS

- All plans and plats shall be prepared by a Registered Design Professional
- Submitted on 24" x 36" black or blueline prints with a portable document format (PDF) file of the hard copy and other such formats as the City Planner requires.
- Applicants shall also submit one (1) 11"X17" copy of the Master Plan, Sketch Plat, Preliminary Plat or Final Plat prepared in accordance with the requirements of this section.

### DIGITAL FILES

- All Preliminary Plats, As-Builts and Final Plats must include the following digital submittals:
  - o A portable document format (PDF) file of the hard copy
  - o A georeferenced GIS shapefile (.SHP) or CAD drawing (.DWG) file, or equivalent
  - o SHP or DWG files must be georeferenced in Projected Coordinate System: NAD\_1983\_State Plane\_Alabama\_West\_FIPS\_0102\_Feet.

### CONSTRUCTION PLANS

- Construction plans shall be prepared by a Registered Professional Engineer actively licensed in the State of Alabama
- Submitted on sheets not larger than 24"x36"
- Shall include plans and profiles of all proposed infrastructure, including:
  - o Streets
  - o Sanitary sewer lines and facilities
  - o Stormwater structures
  - o Water lines, and
  - o Fire hydrants
- Construction plans shall reflect the approved Preliminary Plat and shall include sufficient data and calculations to allow verification of conformity to the requirements and specifications in these Regulations.

## AS-BUILTS

- As-Built plans shall give details of construction and locations of the improvements which have been installed, including:
- the location, size, and design of underground utilities for the City's use in the course of maintaining such improvements.
- If the installation of improvements is completed under a bond, the engineering plan shall be submitted to the City upon request of release of the bond by the applicant.
- As-Built plans must be submitted in hard copy, no larger than 24"x36", and digital format.
- Digital format must include:
  - A portable document format (PDF) file of the hard copy, and
  - A GIS shapefile (.SHP) or CAD drawing (.DWG), or equivalent, georeferenced in Projected Coordinate System: NAD\_1983\_State Plane\_Alabama\_West\_FIPS\_0102\_Feet
- As-Built Plans must contain adequate formatting and information to show the following:
  - Sewer main diameter, length, material, and slope are to be called out on the plan.
  - Sewer manhole and t-type cleanout rims and inverts are to be located horizontally and vertically. All as-built elevations to be shown.
  - Water main diameter, length, and material are to be called out. Show all laterals.
  - Water fire hydrants, valves (main & hydrant), plugs, air-release and blow-off stations are to be located horizontally and vertically. Documented or known changes in types, lengths of pipe, location, or any other changes to the water system shall be indicated.
  - Storm drainage pipe diameter, length, material, pipe invert and pipe outfall, and slope are to be called out.
  - Storm drainage manhole and t-type cleanout rims and inverts are to be located horizontally and vertically.
  - Storm drainage related catch basins, culverts, and outfalls are to be located horizontally and vertically.
  - Any other changes to the construction drawings should be noted and shown with a revision cloud.
- Digital file submittals must include a portable document format (PDF) file of the hard copy and

## SKETCH PLAT

### Submittal Requirements for Sketch Plat

The Sketch Plat is intended to be a relatively simple conceptual drawing of the proposed subdivision, submitted prior to the preparation of the Preliminary Plat to enable the applicant to save time and expense in reaching general agreement with the Planning Commission as to the form of the plat and the objectives of these regulations.

Applicants shall submit the following:

- Pre-Application Conference Request\*
- Sketch Plat Application\*
- Applicable Fee in accordance with established fee schedule adopted by City Council
- Sketch Plat - Four (4) sets of legible prints, not to exceed 24" x 36", and a digital format submitted to COBM\_Planning@cityofbayminetteal.gov

*\*Required for Major Subdivisions, Optional for Minor*

A sketch plat should contain the following information:

- Name, address, and phone number of the applicant and the agent preparing the sketch plat
- Graphic scale and north arrow
- Proposed land uses
- Proposed name of subdivision
- Current zoning and district lines
- Total acreage of the site
- Proposed lot lines and approximate dimensions
- Proposed utility and street locations with approximate dimensions
- Proposed parcels for open space or public use with approximate dimensions
- Approximate topography
- Any existing facilities on or adjacent to and within 660 feet of the parcel, including streets, utilities, or parks
- Any other information essential to the purpose for which the sketch plat will be used.

## MASTER PLAN

### Submittal Requirements for Master Plan

Where any subdivision or development site is to be developed in stages or phases, no Preliminary Plat for any fraction of the site shall be accepted for review unless a Master Plan is submitted or has been previously approved.

Applicants shall submit the following:

- Master Plan application
- Master Plan - Four (4) sets of legible prints, not to exceed 24" x 36", and a digital format submitted to COBM\_Planning@cityofbayminetteal.gov

A Master Plan should contain the following:

- |                                                                                                             |                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Conceptual plan showing the overall development concept for the site at build-out  | <input type="checkbox"/> Streets                                                                                |
| <input type="checkbox"/> Conceptual plan showing entire development site and all component stages or phases | <input type="checkbox"/> Sidewalks                                                                              |
| <input type="checkbox"/> Graphic scale and north arrow                                                      | <input type="checkbox"/> Lot layout                                                                             |
| <input type="checkbox"/> Total acreage of the site                                                          | <input type="checkbox"/> Drainage                                                                               |
| <input type="checkbox"/> Proposed name of development                                                       | <input type="checkbox"/> Utilities                                                                              |
| <input type="checkbox"/> Proposed Land Uses                                                                 | <input type="checkbox"/> Detention Areas                                                                        |
| <input type="checkbox"/> Proposed Density                                                                   | <input type="checkbox"/> Common Areas                                                                           |
| <input type="checkbox"/> Entrances                                                                          | <input type="checkbox"/> Recreational Areas                                                                     |
| <input type="checkbox"/> Exits                                                                              | <input type="checkbox"/> Landscaped/Open Space                                                                  |
| <input type="checkbox"/> Connectivity/Stub Outs                                                             | <input type="checkbox"/> Amenity/Public Use Areas                                                               |
|                                                                                                             | <input type="checkbox"/> Any other information essential to the purpose for which the sketch plat will be used. |

If the Planning Director finds that any proposed preliminary plat substantially deviates from the approved master plan, a revised master plan must be approved by the Planning Commission prior to approval of further plats within the development. Examples of a substantial deviation includes an increase in the overall lot density; change in number of entrances, connections, or stub outs; decrease in proposed open space or amenity areas.



## PRELIMINARY PLAT – MAJOR SUBDIVISIONS

The purpose of the Preliminary Plat is to provide a basis for construction of a proposed Major Subdivision and its improvements. The Preliminary Plat is intended to be a detailed presentation of the site and shall include engineering plans for the construction of all improvements.

To be submitted after the required Pre-Application Conference and Sketch Plat approval:

- A complete Preliminary Plat application
- Proof of ownership, such as a copy of a recorded warranty deed of the property proposed for development, or written permission from the property owner stating the applicant has the authority to act as agent on behalf of the owner.
- Four (4) sets of 24" x 36" prints of the proposed subdivision and construction plans prepared by a Alabama licensed professional engineer or land survey and in accordance with the requirements of Section 3.13 of the Subdivision Regulations
- One (1) 11" X 17" copy of the plat and
- Digital format of the plat and construction plans
- Documentation from all applicable utility companies detailing service availability, stating their capacity and willingness to provide service.
- List of adjacent property owners - Names and addresses shall be from the latest records of the Baldwin County Revenue Commissioner's Records and the accuracy of the list shall be the applicant's responsibility. Where land adjacent to the subject property involves leasehold property, the names and addresses of the landowner and the leasehold improvements shall be notified.
- Any applicable approvals from local, state and/or federal agencies
- Other documentation as deemed necessary by the Planning Director.
- Fees - To partially defray costs of filing a Preliminary Plat application, notifying interested parties, investigation, and holding a hearing on a Preliminary Plat, a fee according to the current schedule of fees established by the City Council of Bay Minette must be paid to the City by the Subdivider at the time of filing of the application. Fees are not subject to refund or adjustment, irrespective of the final outcome of the application.

Preliminary Plat shall be clearly and legibly drawn at a convenient scale of not less than one (1) inch equals one hundred (100) feet. Construction Plans shall be prepared by a Alabama licensed professional Engineer and drawn at a scale of not less than one (1) inch equals fifty (50) feet. All sheets shall be 24" x 36" and numbered in sequence if more than one (1) sheet is used

### PRELIMINARY PLAT CONTENT:

- Name of owner(s) or record
- Proposed name of subdivision, date, north point, scale, and location
- Name of registered engineer and/or land surveyor
- Vicinity map showing location of the subdivision
- Exact boundaries of the tract of land being subdivided shown with bearings and distances
- Names and addresses of the owners of land immediately adjoining the tract of land being subdivided

- Wooded areas, marshes, and any other conditions affecting the site
- The location of existing streets, buildings, water courses, railroads, transmission lines, drainage structures, public utilities, jurisdiction lines, and any public utility easements on the tract being subdivided and on adjacent land within 100 feet of the tract being subdivided
- Proposed rights-of-way or easements including location, widths, purposes, and street names
- Proposed lot lines with bearings and distances, square footage or acreage of each and lot and block numbers
- Proposed minimum building setback lines
- Proposed parks, school sites, or other public open spaces, if any
- Site data:
  - Acreage in total tract
  - Smallest lot size
  - Total number of lots
  - Linear feet in streets
- Any area within 100 feet of the proposed subdivision subject to inundation by the 100-year flood as defined herein, or subject to periodic inundation by storm drainage overflow or ponding, shall be clearly shown and identified on the plat
- If all or any part of the proposed subdivision lies within an existing flood hazard zone as indicated on the latest Flood Insurance Rate Map (FIRM) for the area, a statement to that effect should be written on the Preliminary Plat and on the Final Plat
- North Point, graphic scale of not less than 1-inch equals 100 feet and date.
- Vicinity map showing location
- Name and address of the owner of record and subdivider
- Name and registration number of surveyor.
- Proposed name of subdivision and current parcel identification number(s).
- Legal Description and acreage
- Exact boundary lines of the tract by bearings and distance, also bearings and distance to the nearest established street lines or official monuments, location of concrete monuments, section corner accurately tied to the lines of the subdivision by distances and bearings to an adjacent plat which is tied to a section corner.
- Block letters and lot numbers.
- Names and addresses of owners of record of adjoining land with their approximate acreage.
- Existing streets, utilities and easements on and/or adjacent to the tract including the name, size and width of each; include buildings, water courses, transmission lines, drainage structures, public utilities, jurisdiction lines, public utility easements on or adjacent to the land within 100 feet.
- Location of existing fire hydrant(s) which would serve the proposed development.
- Proposed subdivision layout using contours of vertical intervals of not more than five (5) feet and including streets, alleys and easements (ingress/egress, drainage and/or utility) with both dimensions and proposed street names

- Land to be reserved or dedicated for public uses; and any land to be used for purposes other than single family dwellings. Common areas should be labeled with lot numbers, note indicating ownership and maintenance and note indicating that common areas are not intended to be buildable lots for conversion or residential use.
- Indication of zoning district boundaries and indicate the proposed use of all land within the subdivision as well as any restriction on the lots.
- Proposed lot lines with bearings and distances, square footage or acreage of each lot. Dimensions to the nearest one-hundredth (1/100) foot and bearings to the nearest second.
- Proposed building envelope with minimum building setback lines for each lot and clearly labeled on the plat.
- Site Data Table for residential development shall include the following at minimum:
  - Acreage in total tract;
  - Smallest lot size;
  - Total number of lots;
  - Total area and percentage of open space (recreation areas and other common areas-not detention/retention);
  - Zoning district;
  - Minimum building setbacks; and,
  - Minimum finished floor elevation of buildings
- Site Data Table for commercial development shall include the following at minimum:
  - Acreage in total tract;
  - Total number of lots;
  - Total area and percentage of open space (recreation areas and other common areas-not detention/retention);
  - Zoning district;
  - Minimum building setbacks; and,
  - Minimum finished floor elevation of buildings
- Identify low-lying lands along watercourses subject to flooding or overflowing during storm periods.
- Location of any wetlands, on-site waterbodies, swamps and land subject to flooding as determined from past history of flooding, and as delineated by the U.S.G.S. or U.S. Corp of Engineers. Any area within 100 feet of the proposed subdivision subject to inundation by the 100-year flood, or subject to periodic inundation by storm drainage overflow or ponding, shall be clearly shown and identified.
- Wooded areas, cultural resources and any other conditions affecting the site.
- Certifications showing:
  - Notarized proof of ownership of the land.
  - Surveyor's attest to the accuracy of the survey.
  - Compliance with applicable Board of Health Codes and Ordinances.
  - Granting of all easements included in the plat.
  - Signatory block for approval by the City of Bay Minette Planning Commission.
  - Provide lot restrictions or restrictive covenants when applicable.
  - Signatory block for approval by E-911 GIS/Addressing.
  - Signatory block(s) for Utility Providers

- Preliminary sketch plans of proposed utility layouts (sewer, water, gas and electricity) including pipe sizes and the location of valves and fire hydrants, and showing feasible connections where possible to existing and proposed utility systems.
- Preliminary plan of all drainage facilities
- Typical street cross-section and center-line profiles
- Location of streams, lakes, and swamps and land subject to flooding as determined from past history of flooding, and as delineated by the U.S.G.S or U.S. Corps of Engineers.
- Location of land dedicated for a neighborhood park or open space area for subdivisions exceeding fifty (50) lots.
- Soils in the area to be subdivided at a scale equal to that of the preliminary plat.
- Any other information that may be considered necessary by the committee for full and proper consideration of the proposed subdivision.
- Inscription saying "NOT FOR FINAL RECORDING".

#### **PRELIMINARY PLAT CONSTRUCTION PLANS CONTENT:**

- Shall be prepared by an Alabama licensed professional engineer
- Include construction plans for all required improvements that meet the minimum standards of design and general requirements for the construction of public improvements as set forth in the Subdivision Regulations
- Profiles of all proposed infrastructure, including
  - Streets
  - Sanitary Sewer Lines and Facilities
  - Stormwater Structures
  - Water Lines
  - Fire Hydrants
- Include sufficient data and calculations to allow verification of conformity to the requirements and specifications in these regulations
- Street Plan containing the following information:
  - Locations of all proposed and existing streets or rights-of-way in or adjacent to the subdivisions
  - Width of existing and proposed rights-of-way and easements
  - Street names
  - Plan and Profile of all streets, showing natural and finished grades drawn to scale of not less than one (1) inch equals one hundred (100) feet horizontal and one (1) inch equals ten (10) feet vertical
  - Cross sections of proposed streets at a minimum of 100-foot stations
  - Curve data for the centerline of each street: Delta, Tangent, and Radius
  - Location of all required sidewalks and crosswalks
- Storm Drainage Plan containing the following information:
  - Location of proposed drainage ways, streams, and ponds in the subdivision
  - Topography at two-foot contour intervals; on more severe terrain, greater intervals may be accepted

- Location, size, and invert elevations of existing and proposed drainage structures including culverts, bridges, pipes, drop inlets, and top elevations of head walls, etc., showing details on Drainage plan, including conduit schedule
  - Construction details of typical manholes, connections, and other drainage structures proposed
  - Area of land contributing run-off to each drainage structure along with run-off calculations of each area and drainage calculations for each drainage structure and drainage ditch
  - Location of easements and rights-of-way for drainage ways and maintenance access thereof
  - Typical cross sections of each drainage way
  - Direction of stormwater flow throughout subdivision and compatibility with existing drainage
- Sanitary Sewer Plan, if applicable, containing the following information:
- Location and size of all existing and proposed sewers in the subdivision and tie-points of the subdivision. Location of sewer laterals
  - Direction of flow of each sewer line
  - Location of each manhole and other sewage system appurtenances including lift stations, oxidation ponds, and treatment plants, if any
  - Construction details of typical manholes, connections, and other sewage structures proposed
  - Plan and profile of sewage system
- Water Distribution Plan containing the following information:
- Location and size of existing and proposed water distribution system including pipes, valves, fittings, hydrants, high pressure pumping equipment, etc
- Electric Distribution Plan containing the following information:
- Location of existing and proposed poles or subsurface facilities, as detailed by the Utility Provider, as necessary to serve each lot or parcel of land within the subdivision
- Gas Distribution Plan showing the following information (if applicable):
- Location and size of existing and proposed gas distribution lines including pipes, valves and fittings
- Approvals
- No Preliminary Plat shall be approved by the Planning Commission until each utility affected has submitted a letter to the Planning Commission as to whether the service to be provided by such utility is reasonable and adequate.

## FINAL PLAT – MINOR SUBDIVISIONS

The Final Plat for Minor Subdivisions shall contain the following information:

- North Point, graphic scale of not less than 1-inch equals 100 feet and date.
- Vicinity map showing location
- Name and address of the owner of record and subdivider
- Name and registration number of surveyor.
- Proposed name of subdivision and current parcel identification number(s).
- Legal Description and acreage
- Exact boundary lines of the tract by bearings and distance, also bearings and distance to the nearest established street lines or official monuments, location of concrete monuments, section corner accurately tied to the lines of the subdivision by distances and bearings to an adjacent plat which is tied to a section corner.
- Block letters and lot numbers.
- Names and addresses of owners of record of adjoining land with their approximate acreage.
- Existing streets, utilities and easements on and/or adjacent to the tract including the name, size and width of each; include buildings, water courses, transmission lines, drainage structures, public utilities, jurisdiction lines, public utility easements on or adjacent to the land within 100 feet.
- Location of existing fire hydrant(s) which would serve the proposed development.
- Proposed subdivision layout using contours of vertical intervals of not more than five (5) feet and including streets, alleys and easements (ingress/egress, drainage and/or utility) with both dimensions and proposed street names
- Land to be reserved or dedicated for public uses; and any land to be used for purposes other than single family dwellings. Common areas should be labeled with lot numbers, note indicating ownership and maintenance and note indicating that common areas are not intended to be buildable lots for conversion or residential use.
- Indication of zoning district boundaries and indicate the proposed use of all land within the subdivision as well as any restriction on the lots.
- Proposed lot lines with bearings and distances, square footage or acreage of each lot. Dimensions to the nearest one-hundredth (1/100) foot and bearings to the nearest second.
- Proposed building envelope with minimum building setback lines for each lot and clearly labeled on the plat.
- Site Data Table for residential development shall include the following at minimum:
  - o Acreage in total tract;
  - o Smallest lot size;
  - o Total number of lots;
  - o Total area and percentage of open space (recreation areas and other common areas-not detention/retention);
  - o Zoning district;
  - o Minimum building setbacks; and,

- Minimum finished floor elevation of buildings
- Site Data Table for commercial development shall include the following at minimum:
  - Acreage in total tract;
  - Total number of lots;
  - Total area and percentage of open space (recreation areas and other common areas-not detention/retention);
  - Zoning district;
  - Minimum building setbacks; and,
  - Minimum finished floor elevation of buildings
- Identify low-lying lands along watercourses subject to flooding or overflowing during storm periods.
- Location of any wetlands, on-site waterbodies, swamps and land subject to flooding as determined from past history of flooding, and as delineated by the U.S.G.S. or U.S. Corp of Engineers. Any area within 100 feet of the proposed subdivision subject to inundation by the 100-year flood, or subject to periodic inundation by storm drainage overflow or ponding, shall be clearly shown and identified.
- Wooded areas, cultural resources and any other conditions affecting the site.
- Certifications showing:
  - Notarized proof of ownership of the land.
  - Surveyor's attest to the accuracy of the survey.
  - Compliance with applicable Board of Health Codes and Ordinances.
  - Granting of all easements included in the plat.
  - Signatory block for approval by the City of Bay Minette Planning Commission.
  - Provide lot restrictions or restrictive covenants when applicable.
  - Signatory block for approval by E-911 GIS/Addressing.
  - Signatory block(s) for Utility Providers

## FINAL PLAT – MAJOR SUBDIVISIONS

### Submittal Requirements for Final Plat:

- A complete application on such forms provided by the Planning and Development Services Department.
- Proof of ownership, such as a copy of a recorded warranty deed of the property proposed for development, or written permission from the property owner stating the applicant has the authority to act as agent on behalf of the owner.
- Four (4) large-format and an electronic version of the proposed Final Plat and subdivision construction plans prepared in accordance with the plat requirements herein.
- Documentation from all applicable utility companies detailing service availability and willingness to provide service.
- Application Fee in accordance with the established fee schedule adopted by the City Council.
- Other documentation as deemed necessary by the City Planner

### The Final Plat for Major Subdivisions shall contain the following information:

- North Point, graphic scale of not less than 1-inch equals 100 feet and date.
- Vicinity map showing location
- Name and address of the owner of record and subdivider
- Name and registration number of surveyor.
- Proposed name of subdivision and current parcel identification number(s).
- Legal Description and acreage
- Exact boundary lines of the tract by bearings and distance, also bearings and distance to the nearest established street lines or official monuments, location of concrete monuments, section corner accurately tied to the lines of the subdivision by distances and bearings to an adjacent plat which is tied to a section corner.
- Block letters and lot numbers.
- Names and addresses of owners of record of adjoining land with their approximate acreage.
- Existing streets, utilities and easements on and/or adjacent to the tract including the name, size and width of each; include buildings, water courses, transmission lines, drainage structures, public utilities, jurisdiction lines, public utility easements on or adjacent to the land within 100 feet.
- Location of existing fire hydrant(s) which would serve the proposed development.
- Proposed subdivision layout using contours of vertical intervals of not more than five (5) feet and including streets, alleys and easements (ingress/egress, drainage and/or utility) with both dimensions and proposed street names
- Land to be reserved or dedicated for public uses; and any land to be used for purposes other than single family dwellings. Common areas should be labeled with lot numbers, note indicating ownership and maintenance and note indicating that common areas are not intended to be buildable lots for conversion or residential use.
- Indication of zoning district boundaries and indicate the proposed use of all land within the subdivision as well as any restriction on the lots.



- Proposed lot lines with bearings and distances, square footage or acreage of each lot. Dimensions to the nearest one-hundredth (1/100) foot and bearings to the nearest second.
- Proposed building envelope with minimum building setback lines for each lot and clearly labeled on the plat.
- Site Data Table for residential development shall include the following at minimum:
  - Acreage in total tract;
  - Smallest lot size;
  - Total number of lots;
  - Total area and percentage of open space (recreation areas and other common areas-not detention/retention);
  - Zoning district;
  - Minimum building setbacks; and,
  - Minimum finished floor elevation of buildings
- Site Data Table for commercial development shall include the following at minimum:
  - Acreage in total tract;
  - Total number of lots;
  - Total area and percentage of open space (recreation areas and other common areas-not detention/retention);
  - Zoning district;
  - Minimum building setbacks; and,
  - Minimum finished floor elevation of buildings
- Identify low-lying lands along watercourses subject to flooding or overflowing during storm periods.
- Location of any wetlands, on-site waterbodies, swamps and land subject to flooding as determined from past history of flooding, and as delineated by the U.S.G.S. or U.S. Corp of Engineers. Any area within 100 feet of the proposed subdivision subject to inundation by the 100-year flood, or subject to periodic inundation by storm drainage overflow or ponding, shall be clearly shown and identified.
- Wooded areas, cultural resources and any other conditions affecting the site.
- Certifications showing:
- Notarized proof of ownership of the land.
- Surveyor's attest to the accuracy of the survey.
- Compliance with applicable Board of Health Codes and Ordinances.
- Granting of all easements included in the plat.
- Signatory block for approval by the City of Bay Minette Planning Commission.
- Provide lot restrictions or restrictive covenants when applicable.
- Signatory block for approval by E-911 GIS/Addressing.
- Signatory block(s) for Utility Providers
- Preliminary sketch plans of proposed utility layouts (sewer, water, gas and electricity) including pipe sizes and the location of valves and fire hydrants, and showing feasible connections where possible to existing and proposed utility systems.
- Preliminary plan of all drainage facilities.
- Typical street cross-section and center-line profiles.

- Location of streams, lakes, and swamps and land subject to flooding as determined from past history of flooding, and as delineated by the U.S.G.S or U.S. Corps of Engineers.
- Location of land dedicated for a neighborhood park or open space area for subdivisions exceeding fifty (50) lots.
- Soils in the area to be subdivided at a scale equal to that of the preliminary plat.
- Any other information that may be considered necessary by the committee for full and proper consideration of the proposed subdivision.

## ENGINEERING PLANS

The developer or contractor shall submit detailed drainage plans and drainage calculations to the City for review and approval for all commercial developments and subdivisions. Said plans shall be prepared by a Licensed Professional Engineer registered in the State of Alabama and shall contain the following information.

- Topography map of proposed developed areas.
- Existing and proposed contours at sufficient intervals, usually 2 feet if not over 5%.
- Existing drainage system, effecting the proposed development or subdivision.
- Proposed drainage system, including onsite and offsite drainage areas.
- Structure location, type and size, and slope, cfs, Inlet El., Outlet El., Velocity, Headwater El., Tailwater El.
- Discharge quantities, pre and post runoff cfs.
- Other pertinent information necessary for review of the drainage plans as may be required by the City Planner
- Erosion and sediment control plan.
- Description of natural water body to receive the site runoff.
- Inlets
  - Inlets shall be provided so that surface water is not carried across any intersection or for a distance of more than 600 feet in the gutter unless approved by the Public Works Director.
  - When calculations indicate that curb capacities are exceeded at a point, catch basins shall be used to intercept flow at that point.
- Culverts
  - All roadway cross drain pipes shall be reinforced concrete and have a minimum size of 18 inches. Only pipe that meets specifications equaling ALDOT Specifications will be acceptable.
  - Culverts under arterial roadways shall normally accommodate a minimum of 25-year frequency design storm. Conditions may dictate that 100-year design storms must be accommodated.
  - Culverts under all other roadways shall normally accommodate a minimum of a 10-year storm.
  - Design storm criteria will be used by the Design Engineer based on the site-specific conditions that warrant life and property protection.
  - All types of culverts within the rights-of-way of public roads must be approved by the City Engineer and shall conform to ALDOT Standards.
- Culverts shall be placed in excavated trenches to the line and grade shown on the plans. The maximum width of the excavated trenches shall not exceed the outside diameter of the pipe by more than 1.5 feet on either side of the pipe.
  - Material used for backfilling culvert trenches shall consist of small diameter uniform material and shall be free of large rock or other unsuitable material. The backfill material shall be placed in uniform 8-inch lifts and mechanically compacted to 95% of relative density. The backfill shall be placed uniformly on each side of the pipe and all pipes shall be laid in accordance with City Standards.
  - A minimum of 12 inches cover shall be placed over each culvert pipe 48 inches or less in diameter and 24 inches or more of cover shall be placed on all larger diameter pipes.
  - When a battery of pipes is used, a clear spacing of 1/2 the pipe diameter shall be provided between adjacent pipes.
  - The maximum cover allowed, pipe class, and strength requirements shall be in accordance with the manufacturer's recommendation.

- The velocity of the flow in culverts shall be calculated using ranges from the latest edition of the ALDOT Hydraulics Manual.
- Bridges
  - Bridges shall accommodate a minimum of a 50-year frequency design storm. Conditions may dictate that of a 100-year frequency design storm.
- Open Channels and Ditches
  - Open channels and ditches shall be designed so as not to create a traffic hazard or create hazardous erosion.
  - The minimum flow line slope for paved ditches shall be 0.3% and shall be a maximum of 1% for unpaved ditches.
  - The recommended maximum flow velocities shall be in accordance with the ranges recommended in the latest edition of the ALDOT Hydraulics Manual.
  - Cleanout accesses shall be provided at least every 300 feet for continuous pipes of 24 inches in diameter or less and at least every 400 feet for larger continuous pipes if required. Clean out accesses are also required at each angle point and at each change in grade in the pipe.
- Storm Runoff Estimates
  - Basic design data and calculations shall be prepared, sealed and submitted by a registered professional engineer in the State of Alabama for the developer, contractor or owner.
  - The method of determining storm runoff shall be based on acceptable engineering practice and/or these standards.
- For small basins, up to 200 acres, the Rational Method ( $Q=cia$ ) may be used.
  - Q = estimated peak discharge in cubic feet per second.
  - c = runoff coefficient (to be taken from the table below).
  - I = rainfall intensity in inches per hour for a design storm derived from the time of concentration
  - a = runoff area in acres
- Recommended "C" Values
  - Flat or Rolling Terrain
    - Farmland 0.20 to 0.40
    - Barren 0.40 to 0.65
    - Irrigated 0.40 to 0.55
  - Streets and Parking Lots
    - Unpaved 0.60 to 0.80
    - Paved 0.80 to 1.00
  - Improvements
    - Buildings 0.80 to 0.95
    - Lawns 0.25 to 0.40
- Special Construction
  - Concrete Box Culverts. Concrete box culverts used as culverts shall be designed and constructed according to the latest edition of the Standards and Specifications for Road and Bridge Construction, ALDOT.
  - Headwalls and Riprap. Concrete headwalls shall be required on all culverts, and head walls shall have a minimum slope of 3:1. Special types of headwalls may be required by the City when deemed necessary for erosion control. Riprap may be required at the upstream and downstream ends of

culverts and shall be placed at these locations based on the velocities at these locations. Culverts placed within the state of Alabama's right-of-way shall be permitted by ALDOT.

## APPENDIX B - SAMPLE CERTIFICATIONS

### SAMPLE CERTIFICATIONS FOR MAJOR AND MINOR SUBDIVISION PLATS

#### MISCELLANEOUS NOTES

#### BUILDING, FIRE AND UTILITY REQUIREMENTS

All lots shall comply with applicable utility and fire protection requirements, including without limitation, the Zoning Ordinance of the City of Bay Minette Zoning, the Subdivision Regulations of the City of Bay Minette, and the 2018 International Residential Code and 2021 International Fire Code, as adopted by the City of Bay Minette. No lot shall be eligible for a certificate of occupancy until all utility and fire protection requirements have been satisfied in connection therewith.

#### PLATS STRADDLING JURISDICTIONS

This plat is being reviewed by the City of Bay Minette pursuant to paragraph 5 of the agreement between the City of Bay Minette and the Baldwin County Commission concerning the exercise of subdivision regulations within the planning jurisdiction of the municipal planning commission.

#### SURVEY CERTIFICATIONS

#### SURVEYOR'S CERTIFICATE AND DESCRIPTION OF PROPERTY

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, \_\_\_\_\_, a licensed Surveyor of Baldwin County, Alabama, hereby certify that I have surveyed the property of \_\_\_\_\_, owner, situated in Baldwin County, Alabama and described as follows:

#### DESCRIPTION OF SURVEY

*(INSERT LEGAL DESCRIPTION)*

And that the plat or map contained hereon is a true and correct map showing the subdivision into which the property described is divided giving the length and bearings of the boundaries of each lot and easement and its number and showing the streets, alleys and public grounds and giving the bearings, length, width and names 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 (\_\_\_\_) as hereon shown. I further certify that all parts of this survey and drawing have been completed in accordance with the requirements of the Standards of Practice of land surveying in the State of Alabama to the best of my knowledge, information, and belief.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Surveyor

Alabama License # \_\_\_\_\_

**FOR ENTITY/CORPORATION(S) OWNERSHIP  
CERTIFICATE OF OWNERSHIP AND DEDICATION**

I (WE), \_\_\_\_\_, \_\_\_\_\_ OF  
\_\_\_\_\_, AS PROPRIETOR(S), HAVE CAUSED THE LAND SHOWN AND DESCRIBED IN THE  
WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS \_\_\_\_\_,  
TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL  
DOCUMENT; AND THAT THE STREETS, DRIVES, ALLEYS AND EASEMENTS, AS SHOWN ON SAID PLAT, ARE HEREBY  
DEDICATED TO THE USE OF THE PUBLIC OR AS OTHERWISE NOTED.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
SIGNATURE(S)

**CERTIFICATE OF OWNERSHIP**

I (WE), \_\_\_\_\_, \_\_\_\_\_ OF  
\_\_\_\_\_, AS PROPRIETOR(S), HAVE CAUSED THE LAND SHOWN AND DESCRIBED IN THE  
WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS \_\_\_\_\_,  
TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL  
DOCUMENT; AND THAT NO ARE TO BE DEDICATED TO THE USE OF THE PUBLIC.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
SIGNATURE(S)

**MORTGAGEE'S ACCEPTANCE**

IN WITNESS WHEREOF, (INSERT NAME OF AUTHORIZED REPRESENTATIVE) OF (INSERT NAME OF FINANCIAL  
INSTITUTION), THE OWNERS OF THE MORTGAGE ON THE ATTACHED DESCRIBED PROPERTY, HAS CAUSED THIS  
INSTRUMENT TO BE EXECUTED BY THE UNDERSIGNED OFFICER(S), THEREUNTO DULY AUTHORIZED ON THIS THE  
\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
MORTGAGEE: (INSERT NAME OF FINANCIAL INSTITUTION)

BY: \_\_\_\_\_

AS ITS: \_\_\_\_\_

**ACKNOWLEDGMENT FOR ENTITY**

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR THE COUNTY OF BALDWIN IN THE STATE  
OF ALABAMA, HEREBY CERTIFIES THAT \_\_\_\_\_,  
WHOSE NAME AS \_\_\_\_\_, IS SUBSCRIBED TO THE CERTIFICATION OF OWNERSHIP  
AND DEDICATION, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED BEFORE ME ON THIS DAY  
THAT, BEING INFORMED OF THE CONTENTS OF THE INSTRUMENT, THEY, AS SUCH OFFICER AND WITH FULL  
AUTHORITY, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID ENTITY.

GIVEN UNDER MY HAND AND NOTARIAL SEAL

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: \_\_\_\_\_

**FOR OWNERSHIP BY INDIVIDUAL(S)**

**CERTIFICATE OF OWNERSHIP**

I (WE), \_\_\_\_\_, THE UNDERSIGNED, AS PROPRIETOR(S), HAVE CAUSED THE LAND SHOWN AND DESCRIBED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS \_\_\_\_\_, AS INDICATED HEREON FOR THE USES AND PURPOSES HEREIN SET FORTH, A PART OF SECTION \_\_\_\_\_, T\_\_\_\_\_, R\_\_\_\_\_, BALDWIN COUNTY, ALABAMA, TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT; AND THAT NO STREETS ARE TO BE DEDICATED TO THE USE OF THE PUBLIC.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
SIGNATURE(S)

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I (WE), \_\_\_\_\_, THE UNDERSIGNED, AS PROPRIETOR(S), HAVE CAUSED THE LAND SHOWN AND DESCRIBED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS \_\_\_\_\_, AS INDICATED HEREON FOR THE USES AND PURPOSES HEREIN SET FORTH, A PART OF SECTION \_\_\_\_\_, T\_\_\_\_\_, R\_\_\_\_\_, BALDWIN COUNTY, ALABAMA, TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT; AND THAT THE STREETS, DRIVES, ALLEYS AND EASEMENTS, AS SHOWN ON SAID PLAT, ARE HEREBY DEDICATED TO THE USE OF THE PUBLIC OR AS OTHERWISE NOTED.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
SIGNATURE(S)

**CERTIFICATION BY NOTARY PUBLIC**

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR THE COUNTY OF BALDWIN IN THE STATE OF ALABAMA, HEREBY CERTIFIES THAT WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THE CERTIFICATION OF OWNERSHIP AND DEDICATION, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY, AS OWNER, AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY.



GIVEN UNDER MY HAND AND NOTARIAL SEAL

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: \_\_\_\_\_

**CERTIFICATE OF APPROVAL BY THE CITY OF BAY MINETTE PLANNING COMMISSION**

I, \_\_\_\_\_, THE UNDERSIGNED, AS AUTHORIZED BY THE BAY MINETTE PLANNING AND ZONING COMMISSION, HEREBY CERTIFIES THAT, AT ITS MEETING OF \_\_\_\_\_, THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE CITY OF BAY MINETTE SUBDIVISION REGULATIONS WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION AND WRITTEN UPON SAID PLAT AND THAT THE PLANNING COMMISSION APPROVED THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
AUTHORIZED REPRESENTATIVE

**CERTIFICATION OF APPROVAL BY BALDWIN COUNTY E-911 GIS/ADDRESSING**

THE UNDERSIGNED, AS AUTHORIZED BY THE BALDWIN COUNTY E-911 BOARD, HEREBY APPROVES THE ROAD NAMES AS DEPICTED ON THE WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
BALDWIN COUNTY E-911 AUTHORIZED SIGNATURE

**CERTIFICATION OF APPROVAL BY UTILITIES**

CERTIFICATE OF APPROVAL BY THE  
(INSERT NAME OF ELECTRIC, WATER, OR SEWER UTILITY)

THE UNDERSIGNED, AS AUTHORIZED BY THE (NAME OF ELECTRIC, WATER, OR SEWER UTILITY) HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
AUTHORIZED SIGNATURE

**CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY HEALTH DEPARTMENT**

THE LOT(S) ON THIS PLAT ARE SUBJECT TO APPROVAL OR DELETION BY THE BALDWIN 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 THE SAID HEALTH DEPARTMENT AND ARE MADE A PART OF THIS PLAT AS IF SET OUT HEREON. SIGNED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
AUTHORIZED SIGNATURE

**OR**

THE LOT(S) ON THIS PLAT MEET THE ALLOWED EXEMPTIONS TO THE LARGE-FLOW DEVELOPMENT RULES AS PROVIDED IN 420-3-1-.17 OF THE ONSITE SEWAGE TREATMENT AND DISPOSAL REGULATIONS, AND THE HEREIN PLAT IS APPROVED FOR RECORDING, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_. THE SIGNATURE AFFIXED HEREON DOES NOT IMPLY AN APPROVAL FOR ANY EXISTING OR FUTURE ONSITE SEWAGE TREATMENT SYSTEM.

\_\_\_\_\_  
AUTHORIZED SIGNATURE

**ENGINEER'S CERTIFICATION OF IMPROVEMENTS**

LICENSED ENGINEER'S CERTIFICATION OF IMPROVEMENTS

I, \_\_\_\_\_, THE UNDERSIGNED, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF ALABAMA WITH A LICENSE NUMBER OF \_\_\_\_\_, HEREBY CERTIFY THAT I HAVE DESIGNED THE WITHIN IMPROVEMENTS IN CONFORMITY WITH APPLICABLE CODES AND LAWS AND WITH THE PRINCIPLES OF GOOD ENGINEERING PRACTICE INCLUDING THE DESIGN REQUIREMENTS OF THE CITY OF BAY MINETTE SUBDIVISION REGULATIONS. I FURTHER CERTIFY THAT I HAVE PROVIDED OVERSIGHT OF THE CONSTRUCTION TO MY DESIGN, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE WITHIN IS A TRUE AND ACCURATE REPRESENTATION OF IMPROVEMENTS AS INSTALLED.

\_\_\_\_\_  
ENGINEER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
FIRM

# SAMPLE CERTIFICATIONS FOR EXEMPT SUBDIVISIONS

## MISCELLANEOUS NOTES

### BUILDING, FIRE AND UTILITY REQUIREMENTS

All lots shall comply with applicable utility and fire protection requirements, including without limitation, the Zoning Ordinance of the City of Bay Minette Zoning, the Subdivision Regulations of the City of Bay Minette, and the 2018 International Residential Code and 2021 International Fire Code, as adopted by the City of Bay Minette. No lot shall be eligible for a certificate of occupancy until all utility and fire protection requirements have been satisfied in connection therewith.

### PLATS STRADDLING JURISDICTIONS

This plat is being reviewed by the City of Bay Minette pursuant to paragraph 5 of the agreement between the City of Bay Minette and the Baldwin County Commission concerning the exercise of subdivision regulations within the planning jurisdiction of the municipal planning commission.

## SURVEY CERTIFICATIONS

### SURVEYOR'S CERTIFICATE AND DESCRIPTION OF PROPERTY

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, \_\_\_\_\_, a licensed Surveyor of Baldwin County, Alabama, hereby certify that I have surveyed the property of \_\_\_\_\_, owner, situated in Baldwin County, Alabama and described as follows:

### DESCRIPTION OF SURVEY

*(INSERT LEGAL DESCRIPTION)*

And that the plat or map contained hereon is a true and correct map showing the subdivision into which the property described is divided giving the length and bearings of the boundaries of each lot and easement and its number and showing the streets, alleys and public grounds and giving the bearings, length, width and names 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 (\_\_\_\_) as hereon shown. I further certify that all parts of this survey and drawing have been completed in accordance with the requirements of the Standards of Practice of land surveying in the State of Alabama to the best of my knowledge, information, and belief.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Surveyor

Alabama License # \_\_\_\_\_

**FOR OWNERSHIP BY INDIVIDUAL(S)**

**CERTIFICATE OF OWNERSHIP**

I (WE), \_\_\_\_\_, THE UNDERSIGNED, AS PROPRIETOR(S), HAVE CAUSED THE LAND SHOWN AND DESCRIBED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS \_\_\_\_\_, AS INDICATED HEREON FOR THE USES AND PURPOSES HEREIN SET FORTH, A PART OF SECTION \_\_\_\_\_, T\_\_\_\_\_, R\_\_\_\_\_, BALDWIN COUNTY, ALABAMA, TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT; AND THAT NO STREETS ARE TO BE DEDICATED TO THE USE OF THE PUBLIC.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
SIGNATURE(S)

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I (WE), \_\_\_\_\_, THE UNDERSIGNED, AS PROPRIETOR(S), HAVE CAUSED THE LAND SHOWN AND DESCRIBED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS \_\_\_\_\_, AS INDICATED HEREON FOR THE USES AND PURPOSES HEREIN SET FORTH, A PART OF SECTION \_\_\_\_\_, T\_\_\_\_\_, R\_\_\_\_\_, BALDWIN COUNTY, ALABAMA, TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT; AND THAT THE STREETS, DRIVES, ALLEYS AND EASEMENTS, AS SHOWN ON SAID PLAT, ARE HEREBY DEDICATED TO THE USE OF THE PUBLIC OR AS OTHERWISE NOTED.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
SIGNATURE(S)

**CERTIFICATION BY NOTARY PUBLIC**

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR THE COUNTY OF BALDWIN IN THE STATE OF ALABAMA, HEREBY CERTIFIES THAT WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THE CERTIFICATION OF OWNERSHIP AND DEDICATION, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY, AS OWNER, AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY.

GIVEN UNDER MY HAND AND NOTARIAL SEAL

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: \_\_\_\_\_

**FOR ENTITY/CORPORATION(S) OWNERSHIP**

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I (WE), \_\_\_\_\_, \_\_\_\_\_ OF \_\_\_\_\_, AS PROPRIETOR(S), HAVE CAUSED THE LAND SHOWN AND DESCRIBED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS \_\_\_\_\_, TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT; AND THAT THE STREETS, DRIVES, ALLEYS AND EASEMENTS, AS SHOWN ON SAID PLAT, ARE HEREBY DEDICATED TO THE USE OF THE PUBLIC OR AS OTHERWISE NOTED.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
SIGNATURE(S)

**CERTIFICATE OF OWNERSHIP**

I (WE), \_\_\_\_\_, \_\_\_\_\_ OF \_\_\_\_\_, AS PROPRIETOR(S), HAVE CAUSED THE LAND SHOWN AND DESCRIBED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS \_\_\_\_\_, TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT; AND THAT NO ARE TO BE DEDICATED TO THE USE OF THE PUBLIC.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
SIGNATURE(S)

**MORTGAGEE'S ACCEPTANCE**

IN WITNESS WHEREOF, (INSERT NAME OF AUTHORIZED REPRESENTATIVE) OF (INSERT NAME OF FINANCIAL INSTITUTION), THE OWNERS OF THE MORTGAGE ON THE ATTACHED DESCRIBED PROPERTY, HAS CAUSED THIS INSTRUMENT TO BE EXECUTED BY THE UNDERSIGNED OFFICER(S), THEREUNTO DULY AUTHORIZED ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

MORTGAGEE: (INSERT NAME OF FINANCIAL INSTITUTION)

BY: \_\_\_\_\_

AS ITS: \_\_\_\_\_

**ACKNOWLEDGMENT FOR ENTITY**

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR THE COUNTY OF BALDWIN IN THE STATE OF ALABAMA, HEREBY CERTIFIES THAT \_\_\_\_\_, WHOSE NAME AS \_\_\_\_\_, IS SUBSCRIBED TO THE CERTIFICATION OF OWNERSHIP AND DEDICATION, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENTS OF THE INSTRUMENT, THEY, AS SUCH OFFICER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID ENTITY.

GIVEN UNDER MY HAND AND NOTARIAL SEAL

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: \_\_\_\_\_

**CERTIFICATE OF APPROVAL BY THE CITY OF BAY MINETTE**

I, \_\_\_\_\_, THE UNDERSIGNED, AS PLANNER FOR THE CITY OF BAY MINETTE, HEREBY AUTHORIZE THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
BAY MINETTE CITY PLANNER

**CERTIFICATION OF APPROVAL BY BALDWIN COUNTY E-911 GIS/ADDRESSING**

THE UNDERSIGNED, AS AUTHORIZED BY THE BALDWIN COUNTY E-911 BOARD, HEREBY APPROVES THE ROAD NAMES AS DEPICTED ON THE WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
BALDWIN COUNTY E-911 AUTHORIZED SIGNATURE