PUBLIC NOTICE

Priceville Planning Commission Meeting

Notice is hereby given to all citizens, press and any interested parties that the Priceville Planning Commission will hold a public hearing at the following place and time to consider adopting amended subdivision regulations for the City:

Monday, June 19, 2023

at Priceville City Hall

242 Marco Drive, Priceville, Alabama

Meeting begins at 7 p.m.

Date of Notice: May 26, 2023

Matt Spicer, Commission Secretary

Notice posted at the following four locations within the City of Priceville:
Priceville Municipal Building, 242 Marco Drive
Priceville Public Library, 1612 S Bethel Rd
Priceville Foodland, 470 Hwy 67
Marathon Station, 172 Hwy 67

Notice also posted at:
https://www.cityofpriceville.com/news/

PUBLIC HEARING SET FOR JUNE 19, 2023 @ 7 PM

PENDING PUBLIC HEARING

City of Priceville, Alabama
Subdivision Regulations

AMENDED

June 19, 2023

SUBDIVISION REGULATIONS

for the City of Priceville, Alabama

2023 Municipal Officials

Mayor

The Honorable Sam Heflin

City Council

Tommy Perry, Mayor Pro Tem

Charles Black

Patrick Dean

Melvin Duran III

Ashley England

Planning Commission

Erin Owens

Kelly Butler

Patrick Dean, Council Liaison

Sam Heflin, Mayor

Stacy Davis

Mary Ratliff

Paul “Chip” Spicer, Zoning Officer

Alex White

Doc Wilder

Matt Spicer, Planning Commission Secretary

Shannon Weissend, City Clerk

M.S. “Sonny” Wright, P.E., City Engineer

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Subdivision Regulations initially adopted by Ordinance 1975-4, July 10, 1975. Amended as provided for in Section 11-52-31 of the 1975 Code of Alabama and amendments thereto:

July 13, 1987

August 12, 1991

June 14, 1993

August 14, 1995

August 11, 1997

April 9, 2001

October 8, 2001

August 19, 2002

September 15, 2003

January 18, 2021

June 21, 2021

March 20, 2023

June 19, 2023

PENDING PUBLIC HEARING

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ARTICLE 1 GENERAL PROVISIONS

§1.01 TITLE, AUTHORITY, JURISDICTION, APPLICABILITY

§1.01.01 Title. These Regulations are hereafter known, cited and referred to as the Subdivision Regulations of the City of Priceville, Alabama.

§1.01.02 Authority. These Regulations are adopted under authority of Section 11-52-30, et. seq., of the Code of Alabama, 1975, as amended. The existing Subdivision Regulations of the City and all subsequent amendments conflicting with this revision of the Subdivision Regulations are hereby repealed upon the effective date of these Regulations.

Any standard, specification, or form attached to these subdivision regulations as an appendix, or as part of the appendix, is subject to revision, modification or adjustment on the recommendation of the Administrative Officer and approval of the Planning Commission without amendment of the Subdivision Regulations.

§1.01.03 Jurisdiction. From and after the date of adoption, these regulations govern all land subdivision within the corporate limits and planning jurisdiction of the City of Priceville.

§1.01.04 Applicability

1. Any owner of land within the limits of said subdivision jurisdiction wishing to subdivide land must submit to the Commission a plat of the subdivision, which must conform to the minimum requirements set forth in these regulations. No plat of a subdivision lying within such territory or part thereof may be filed or recorded in the office of the Probate Judge, and no subdivider may proceed with the sale of lots in a subdivision until such approval is entered in writing on the plat by the Chairman and the Secretary of the Planning Commission (see Article 3 Procedures).
2. These regulations do not apply to the sale, deed or transfer of any tract of five acres or more by the owner to an immediate family member. However, any subsequent sale, deed or transfer of such tract or portion thereof and any sale, deed or transfer of land to someone other than an immediate family member is subject to these regulations.

§1.02 MINIMUM STANDARDS

The provisions of these Regulations are held to be the minimum requirements for the promotion of the health and general welfare of the citizens of the City of Priceville and compliance is mandatory. The Commission may require higher standards where, due to exceptional and unique conditions of topography, location, shape, size, drainage, or other physical features of the site, such higher standards are necessary to protect or provide for the public's health, safety, or welfare. Any higher standard required must be reasonable and limited to the minimum additional improvements necessary to protect the public's health, safety or welfare. In addition to the requirements established herein, all subdivision plats shall comply with the following laws, rules and regulations:

§1.02.01 All applicable State and County statutory provisions and ordinances

§1.02.02 The City of Priceville Zoning Ordinance, Building Code, Flood Ordinance and all other applicable laws of the City's jurisdiction

§1.02.03 The Comprehensive Plan for the City of Priceville.

§1.03 INTERPRETATION

§1.03.01 These Regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other ordinance, rule, regulation, easement, covenant, or other provision of law or private restriction, whichever provisions are more restrictive or impose higher standards control.

§1.03.02 If the Subdivider places restrictions on any land in a subdivision greater than those required by the Zoning Ordinance or these Regulations, the Commission may require such restrictions be indicated on the subdivision plat or may require that restrictive covenants be recorded with the Probate Judge in a form approved by the City Attorney with recording information shown on the subdivision plat.

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§1.04 SEVERABILITY

The requirements and provisions of these regulations are severable. Should any section or part thereof be declared by any court of competent jurisdiction to be unconstitutional or invalid, the decision of the Court may 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.

§1.05 SAVINGS PROVISION

These Regulations are not to be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations; or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue; or as affecting the liability of any person, firm or corporation; or as waiving any right of the City under any provision existing on the effective date of these Regulations; or as vacating or annulling any rights obtained by any person, firm or corporation by lawful action of the municipality except as expressly provided in these Regulations.

§1.06 VARIANCE

In keeping with the intent and purpose of these regulations, circumstances may arise which would place undue hardship on either the Subdivider or the City in which case the Commission may consider and authorize the granting of variances from the strict interpretation of these Subdivision Regulations.

§1.07 APPEALS

§1.07.01 In accord with the notice and hearing procedures set forth in §3.03 Preliminary Plat, the Commission will hear and decide all appeals by any party aggrieved or adversely affected, where it is alleged that:

1. There is an error in any written order, requirement, decision, interpretation or determination by the Subdivision Official or other official responsible for enforcing these Regulations, OR
2. Any particular provision of these regulations conflicts with another specified federal, state or local law.

§1.07.02 Appeals must be filed with the Commission at the time of Preliminary Plat submission or no later than 15 days from the date of the determination being appealed.

§1.08 EFFECTIVE DATE

These regulations shall take effect from and after the date of their adoption.

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ARTICLE 2 DEFINITIONS

For the purpose of interpreting this Ordinance, certain words and phrases have the meaning ascribed to them in this Article. In the event a word or phrase is not listed in this Article or is not defined elsewhere in this Ordinance, the conventional meaning of the term applies.

§2.01 INTERPRETATION OF COMMONLY USED WORDS

The Building Official is authorized to make a final determination of the meaning of any word or phrase used in this Ordinance.

In the interpretation of these Regulations, the provisions of this Section are applied unless the context clearly requires otherwise. Words used or defined in one tense or form include the other tenses and derivative forms. Words in the singular number include the plural; and words in the plural number include the singular. The masculine gender includes the feminine and the feminine gender includes the masculine.

§2.01.01 The word "person" includes a firm, association, corporation, trust, and company, as well as an individual.

§2.01.02 The words "used" or "occupied" as applied to any land or structure include all modifying words such as "intended", "arranged", or "designed" to be used or occupied.

§2.01.03 The word "structure" includes the word "building"

§2.01.04 The word "lot" includes the words "plot", "parcel", or "tract".

§2.01.05 The word "must" is mandatory and not merely directory.

§2.01.06 The word “may” is permissive. When used in the negative, it is prohibitive.

§2.02 DEFINITIONS

As used in these regulations, the following words or phrases shall have the following meaning or definitions:

§2.02.01 ALLEY. A public right-of-way, other than a street, providing access to the side or rear of properties.

§2.02.02 AS-BUILT DRAWINGS. Drawing set of a subdivision and its improvements as they have been constructed and indicating any modifications and deviations from approved construction drawings.

§2.02.03 BIKE LANE. A portion of the travelway of a street, typically adjacent to the curb, marked for use by bicyclists.

§2.02.04 BLOCK. A tract of land entirely surrounded by streets, streams, parks or other public spaces or by a combination thereof.

§2.02.05 CITY. The City of Priceville, Alabama.

§2.02.06 CITY COUNCIL. The City Council of the City of Priceville, Alabama.

§2.02.07 CITY FIRE CODE. The most recent edition of the International Fire Code, including all appendices, as adopted by the City Council.

§2.02.08 CITY SPECIFICATIONS. All construction specifications adopted by the City or as required by the Planning Commission or utility departments.

§2.02.09 COMPREHENSIVE PLAN. That plan made and adopted by the Priceville Planning Commission for the physical development of the City of Priceville and surrounding area, including any component part of such plan separately adopted and any amendment of such plan or part thereof.

§2.02.10 CROSS ACCESS. A driveway providing access between two or more abutting lots so that a driver need not enter the public thoroughfare system to access one of said sites from the other. Cross access is privately maintained and does not include the term ALLEY.

§2.02.11 CULVERT. A structure with appurtenant works, which carries a watercourse under or through an embankment or fill.

§2.02.12 DEDICATION. The transfer of property from private to public ownership.

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§2.02.13 DETENTION BASIN or DETENTION POND. A basin designed to drain completely after retarding stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate.

§2.02.14 DEVELOPER. See SUBDIVIDER as defined in this section.

§2.02.15 DEVELOPMENT. Any of the following activities:

1. The improvement of one or more lots for any purpose involving:
   a. a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building regardless of the number of occupants or tenure; or
   b. the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups, or other features;
2. A subdivision of land.
3. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

§2.02.16 DRAINAGE EASEMENT. A right granted by a landowner to a grantee, allowing the use of private land for stormwater management purposes.

§2.02.17 DRAINAGE FACILITIES. Structural and nonstructural elements designed to collect stormwater runoff and convey it away from structures and through the roadway right-of-way in a manner, which adequately drains sites and roadways and minimizes the potential for flooding and erosion.

§2.02.18 EASEMENT. A grant by the owner of the use of a parcel of land by others for specific purposes.

§2.02.19 ENGINEER or REGISTERED ENGINEER. A professional engineer registered and in good standing with the State of Alabama Board of Registration for Professional Engineers and Surveyors.

§2.02.20 ENGINEERING PLAN. Plans prepared by an engineer registered in the State of Alabama showing details of the design and construction of required improvements in a proposed subdivision.

§2.02.21 EROSION. The wearing away of the ground surface as a result of the movement of wind, water, and/or ice.

§2.02.22 EROSION CONTROL. Measures and actions taken to control potential erosion and sedimentation problems.

§2.02.23 FINAL PLAT. A plat which meets the requirements of these regulations and is in form for recording in the office of the Probate Judge.

§2.02.24 FINAL PLAT APPROVAL. The official action of the Commission taken on a preliminarily approved plat, after all conditions, engineering plans and other requirements have been completed or fulfilled and the required improvements installed, or guarantees properly posted for their completion; or approval conditioned upon the posting of such guarantees.

§2.02.25 FLOOD ZONES

1. FLOODWAY. The channel of a river or other watercourse and the adjacent land areas that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Development in FLOODWAYS is regulated to ensure that there are no increases in upstream flood elevations.
2. 100-YEAR FLOODPLAIN. Land that has a one percent annual chance of flooding as determined by the Federal Emergency Management Association (FEMA), including FEMA-designated Flood Zones A, AE, AH and AO.

§2.02.26 GRADE. The slope of land or a built feature such as a street, specified in percentage terms.

§2.02.27 GRADING. The movement of dirt, top soil, grass, native material, landscaping or other forms of surface material which will result in a difference of six inches or greater from the original elevation.

§2.02.28 GRADING PLAN. A map of a proposed development defining existing and proposed elevations, watercourses, vegetative cover and drainage patterns, including one-foot contours, spot elevations, and flow arrows. The plan also describes the limits and depths of excavations, fills and removal of native vegetation.

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§2.02.29 HALF ALLEY. An alley that does not comply with the minimum right-of-way and/or pavement widths required in these Regulations.

§2.02.30 HALF STREET. A street that does not comply with the minimum right-of-way and/or pavement widths required in these Regulations.

§2.02.31 HEALTH DEPARTMENT. County Health Department of Morgan County, Alabama.

§2.02.32 HIGHWAY. A street that is part of the Federal Aid Highway System or the State Highway System.

§2.02.33 IMPROVEMENTS. Street surfacing, sidewalks, water mains, fire hydrants, sanitary sewers, storm sewers, utilities, street markers, and monuments.

§2.02.34 INDUSTRIAL ACCESS. A street designed and intended specifically for access to properties developed for industrial use.

§2.02.35 LOT. A portion of a subdivision intended as a unit for transfer of ownership or for development.

§2.02.36 LOT SPLIT. A subdivision of a previously recorded lot into two lots on an existing street, not involving any construction or extension of streets, public improvements or public facilities.

§2.02.37 MAINTENANCE BOND. Financial security filed by the Subdivider with the City to secure structural integrity of all required improvements as well as the functioning of said improvements for an initial period of time.

§2.02.38 MAJOR SUBDIVISION. See SUBDIVISION, MAJOR.

§2.02.39 MAJOR STREET PLAN. The major street plan of the City prepared as an element of the Comprehensive Plan, pursuant to §11-52-3, Code of Alabama, 1975.

§2.02.40 MINOR SUBDIVISION. See SUBDIVISION, MINOR.

§2.02.41 MONUMENT. A permanent object serving to indicate a limit or to mark a boundary.

§2.02.42 OPEN SPACE. Land, not covered by parking areas, rights-of-way or buildings other than recreational structures, pools and stormwater facilities, which is landscaped or left in a natural state as may be required by the provisions of these Regulations or of the Zoning Ordinance.

§2.02.43 OWNER. Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.

§2.02.44 PAVEMENT WIDTH. The width of that portion of a street or alley as measured from the inside vertical face of a masonry curb, the center line of a valley gutter, or the edge of the pavement where no curbs or gutters exist.

§2.02.45 PEDESTRIAN PASSAGE. A walkway that provides access across the middle of a block or from a cul-de-sac to an adjacent street. A PEDESTRIAN PASSAGE may be within a public right-of-way or easement. PEDESTRIAN PASSAGES may also be designed to accommodate bicycle access.

§2.02.46 PERFORMANCE BOND. Financial security filed by the Subdivider with the City to assure the construction of all required improvements at a specified time in the future.

§2.02.47 PLANNING COMMISSION or COMMISSION. The Planning Commission of the City of Priceville.

§2.02.48 PLANNING JURISDICTION. The area within which the City of Priceville has legal jurisdiction to plan for and regulate DEVELOPMENT. The PLANNING JURISDICTION is co-extensive with the police jurisdiction of the City of Priceville, Alabama.

§2.02.49 PLANTING STRIP. The portion of the street between the curb and sidewalk.

§2.02.50 PLAT. A map or plan of a subdivision or land development and related written material indicating the manner or layout of a street, parcel, and/or subdivision to be submitted to the City for approval and/or recording purposes.

§2.02.51 PRELIMINARY PLAT. A map and related materials indicating the proposed layout of a development submitted for preliminary approval in accordance with these Regulations.

§2.02.52 PRELIMINARY PLAT APPROVAL. The conferral of certain rights prior to final approval after specific elements of a development plan have been agreed upon by the Commission and the Subdivider.

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§2.02.53 PRIVATE STREET. A street for vehicular travel that is privately owned and maintained.

§2.02.54 RESIDENTIAL DENSITY

1. Very Low Density: more than 40,000 sf per lot
2. Low Density: 14,000 to 40,000 sf per lot
3. Medium Density: 10,000 to 13,999 sf per lot
4. High Density: less than 10,000 sf per lot and all multifamily developments

§2.02.55 RESERVE STRIP. A strip of land smaller than a lot retained in private ownership for the purpose of controlling access to land dedicated or intended to be dedicated to street or other public uses.

§2.02.56 RESURVEY. A MINOR SUBDIVISION that involves changing of lot boundaries where no additional lots are created, including the combining of lots.

§2.02.57 RETENTION BASIN or RETENTION POND. A basin designed to capture stormwater runoff with its primary release of water being through the infiltration of said water into the ground. RETENTION BASINS normally contain some pooling of water.

§2.02.58 SHARED ACCESS. A driveway, alley or other access facility connecting two or more contiguous sites to a public street.

§2.02.59 SHARED USE PATH. A hard-surfaced path designed for two-way travel primarily by pedestrians and bicyclists. Shared Use Paths may or may not be associated with a street. SHARED USE PATHS that run along a street are separated from the TRAVELWAY by a PLANTING STRIP or swale.

§2.02.60 SIDEWALK. A paved path for pedestrian use located along the side of a street and usually located within the public right-of-way.

§2.02.61 SIGHT DISTANCE. The length of street visible to a driver at any given point in the street when viewing is unobstructed by traffic.

§2.02.62 SIGNIFICANT CHANGE. Any alteration in a subdivision plat following tentative approval of the PRELIMINARY PLAT including but not limited to the following: any change in the number of proposed lots; a change of more than five percent in the square footage of proposed nonresidential uses; a change to the street layout; a change to drainage patterns; any change resulting in a SIGNIFICANT INCREASE IN TRAFFIC GENERATION; or a request to alter or delete a condition attached to the approved PRELIMINARY PLAT.

§2.02.63 SIGNIFICANT INCREASE IN TRAFFIC GENERATION. An increase in the trip generation—due to a change in the use of a property, including land, structures, or facilities, or an expansion of the size of structures or facilities—exceeding ten percent (either peak or daily) and 100 vehicles per day more than the existing use for all streets under local jurisdiction; or exceeding 25% (either peak or daily) and 100 vehicles per day more than the existing use for all roads under state jurisdiction.

§2.02.64 SKETCH PLAT. A map and related materials indicating the conceptual layout of certain MINOR SUBDIVISIONS (see §3.01.02) and for any MAJOR SUBDIVISION submitted for review prior to PRELIMINARY PLAT application in accordance with these Regulations.

§2.02.65 STREET. A public right-of-way which provides access to adjacent properties.

1. ARTERIAL STREET. A street used primarily for moving fast or heavy traffic across or beyond the city or that distributes traffic to and from Collector Streets.
2. COLLECTOR STREET. A street intended to carry traffic between MINOR STREETS and ARTERIAL STREETS.
3. CUL-DE-SAC STREET. A short street having one end open to traffic and terminated at the other end with a vehicular turnaround.
4. MINOR STREET. A street used primarily for access to abutting properties.
5. NON-RESIDENTIAL / MIXED-USE STREET. A street used by, or is intended for the development of, purposes other than strictly residential, and/or in which commercial or industrial traffic is expected.

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6. MARGINAL ACCESS STREET. A minor street parallel and adjacent to arterial streets and highways which serve to reduce the number of access points to the arterial or highway streets to increase traffic safety.

§2.02.66 SUBDIVIDER. Any person who (1) having an interest in land, causes it, directly or indirectly, to be divided 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, an interest, lot, parcel, site, unit, or plat in a subdivision. May also be referred to as DEVELOPER.

§2.02.67 SUBDIVISION. The division of a lot, tract, or parcel of land into two or more lots, plats, sites or other division of land for the purpose, whether immediate or future, of sale or building development. The term includes re-subdivision and when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

1. MAJOR SUBDIVISION. Any subdivision not classified as a MINOR SUBDIVISION including but not limited to subdivisions of five or more lots, or any size requiring any new streets or extension of public facilities, or the construction of any public improvements.
2. MINOR SUBDIVISION. Any subdivision containing not more than four lots fronting on an existing street, not involving any new street, extension of public facilities, or construction of public improvements, and not adversely affecting the remainder of the parcel or adjoining property including LOT SPLITS and RESURVEYS; and subdivisions creating plots of ten or more acres for the purpose of selling or conveying, such as to family members, said lots but not for development of the same.

§2.02.68 SUBDIVISION ENGINEER. An ENGINEER or SURVEYOR who is the agent in his professional capacity of the SUBDIVIDER.

§2.02.69 SUBDIVISION OFFICIAL. The person appointed by the City Council to administer and enforce these Regulations, including their authorized representative.

§2.02.70 SURETY. A legally-binding agreement with the City by which a Subdivider assures the construction of improvements required by these Regulations. See also PERFORMANCE BOND.

§2.02.71 SURVEYOR or REGISTERED SURVEYOR. A land surveyor registered and in good standing with the State of Alabama Board of Registration for Professional Engineers and Surveyors.

§2.02.72 SWALE. A constructed watercourse shaped or graded in earth materials and stabilized with vegetation, for the conveyance of water quality improvement of stormwater runoff.

§2.02.73 TRAVELWAY. That portion of a public right-of-way available for vehicular traffic.

§2.02.74 VALLEY GUTTER. A concrete channel with a "V"-shaped profile installed at roadside to capture and convey stormwater runoff.

§2.02.75 ZONING ORDINANCE. The official Zoning Ordinance of the City of Priceville, Alabama.

§2.03 ABBREVIATIONS USED IN THESE REGULATIONS

§2.03.01 AASHTO: American Association of State Highway and Transportation Officials

§2.03.02 ADEM: Alabama Department of Environmental Management

§2.03.03 ALDOT: Alabama Department of Transportation

§2.03.04 CAD: computer-aided drafting

§2.03.05 FEMA: Federal Emergency Management Administration

§2.03.06 FHWA: Federal Highway Administration

§2.03.07 ft: Feet

§2.03.08 PDF: Portable document format

§2.03.09 max.: maximum

§2.03.10 min.: minimum

§2.03.11 mph: miles per hour

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§2.03.12 MUTCD: Manual on Uniform Traffic Control Devices

§2.03.13 sf: square feet

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ARTICLE 3 PROCEDURES

§3.01 GENERAL PROCEDURE

§3.01.01 The general procedure for review and approval of a subdivision plat consists of three steps:

1. The initial step is the preparation and submission to the Subdivision Official of a Sketch Plat for review by the Technical Review Committee (TRC).
2. The second step is the preparation and submission to the Planning Commission of a Preliminary Plat. However, Minor Subdivisions may not require Preliminary Plat approval as described in §3.01.02.
3. The third step is the preparation and submission to the Commission of a Final Plat. This Final Plat is to be duly signed by the Secretary of the Commission after its acceptance by that body and then recorded in the office of the Probate Judge within thirty days of the Commission's actions.

§3.01.02 Minor Subdivisions. Minor Subdivisions do not require Preliminary Plat approval but must receive Final Plat approval. Prior to accepting a Final Plat application, the TRC holds a Pre-Application Conference (see §3.02 Pre-Application Conference) with the Subdivider. If the TRC finds 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 Subdivider may file a Final Plat application.

If the TRC finds that any improvements are necessary for the proposed subdivision to comply with these Regulations, the proposed subdivision is considered a Major Subdivision subject to the procedure outlined in §3.01.03. However, if the required improvements are limited solely to widening of a half street, a Preliminary Plat is not required but the Subdivider must submit a Sketch Plat (§3.02) prior to Final Plat application. Upon receipt of City findings and recommendation on the Sketch Plat, the Subdivider may prepare and submit a Final Plat (§3.05) application.

§3.01.03 Major Subdivisions. Major Subdivisions require Preliminary and Final Plat approvals by the Commission. Prior to submitting a plat application for Commission consideration, a Pre-Application Conference with the TRC is required for all Major Subdivisions.

1. The Subdivider must submit five copies of the Sketch Plat for review by the TRC.
2. Upon receipt of TRC findings and recommendations on the Sketch Plat, the Subdivider may prepare and submit a Preliminary Plat (§3.03) 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 or construction of the subdivision (§3.04 Construction of Improvements). Upon completion of improvements, the Subdivider may then submit a Final Plat (§3.05) application.
3. Any deed transfer of property for which a preliminary plat has been granted, shall immediately void such preliminary plat unless the Commission has been notified in writing within 30 days of the transfer. The Commission may impose a preliminary plat transfer fee, in an amount determined by the Commission, to cover any costs incurred by the City as a result of the transfer (staff review, legal review, etc.) Any preliminary plat that is void as a result of a non-approved transfer must be re-submitted for preliminary plat approval as a new subdivision, subject to all applicable regulations in effect at the time of re-submission.

§3.02 PRE APPLICATION CONFERENCE

§3.02.01 The purpose of Pre-application Conference is to acquaint the Subdivider with the regulations governing land subdivision, procedures for approval, and other agencies or officials who must approve any part of a subdivision plat. Neither the Subdivider nor the Commission are bound by considerations delivered during the Pre-Application Conference.

§3.02.02 Sketch Plat Review. Sketch Plat review is conducted by the TRC. See §3.10 Submittal Requirements. The Subdivision Official will transmit copies of the Sketch Plat to the TRC, including all pertinent City departments, and schedule a Pre-application Conference with the Subdivider and TRC for review and recommendation. The Subdivider is responsible for submitting all plans to all applicable County and State agencies and utilities for their

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review and comment. The Subdivision Official reports findings and recommendations of the TRC to the Subdivider in writing. Upon receipt of these findings and recommendations, the Subdivider may prepare and submit a Preliminary Plat application.

§3.03 PRELIMINARY PLAT

§3.03.01 Purpose. The purpose of the Preliminary Plat is to provide a basis for construction of a proposed subdivision and its improvements. 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, County 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.

§3.03.02 Procedure

1. Following completion of Sketch Plat Review by the TRC, the Preliminary Plat application must be submitted to the Subdivision Official at least 21 days prior to the Commission's regularly scheduled meeting, along with five copies and a PDF file of the Preliminary Plat and construction drawings, one copy and a PDF file of drainage calculations. A required fee must accompany the application. See §3.10 Submittal Requirements.
2. Upon receipt of a complete application and all required materials, the Subdivision Official shall transmit copies to all applicable City departments. The Subdivision Official shall also transmit a PDF file of the plans to all outside utility providers. The plans shall be submitted to City Departments at least 15 days prior to the Commission meeting at which it is to be considered. Each department will review the documents provided, and shall provide the Commission with written recommendations relating to specific service requirements for approval. Any recommendations made by a utility provider must be returned to the Commission ten days prior to the scheduled meeting date. Failure to notify the Developer does not relieve Subdivider from complying with any requirement of these Regulations. The Developer is responsible for providing any physical copies to utilities outside of City control, if requested or required by the utility provider.
3. Following City reviews of the subdivision plan and prior to the Commission setting its hearing on the preliminary plat, a review meeting must be held with the Developer and all applicable utility providers. The Subdivider is responsible for coordinating any comments, recommendations and changes from outside agencies and utility providers. Following this review meeting, the Developer must submit the following documents: ten (10) copies and a PDF file of the revised preliminary plat, three (3) copies and a PDF file of the revised construction drawings, one (1) copy and a PDF file of the revised drainage calculations, and letters of plan approval from all applicable State and County agencies and utilities as provided in §3.10.02. The Developer must also provide payment for all mail and legal notice fees.
4. Prior to approval of the Preliminary Plat, the Commission will hold a hearing thereon. Notice of the hearing is sent to all adjoining land owners as their names appear on the plats in the County Tax Assessor's Office. Notice of the public hearing is sent at least six days prior to the hearing date.
5. Preliminary approval is required prior to any grading or other improvements to the subdivision. The Developer may not begin construction without obtaining excavation, building, and other required permits. See §3.04 Construction of Improvements.
6. Within 30 days after the hearing, the Commission will review the plat and indicate its approval, disapproval, or approval subject to any required modifications. If a plat is disapproved, the reasons for each disapproval will be recorded in the minutes. If approved subject to modifications, the nature of the required modifications will also be recorded in the minutes. Failure of the Commission to render a decision on a Preliminary Plat within 30 days is considered approval of same as submitted unless the Preliminary Plat shows on its face that it violates one or more provisions of these regulations.

§3.03.03 Duration of Approval. Preliminary Plat approval remains in effect for 12 months unless extended by the Commission. Any Subdivision, the Final Plat of which is not submitted within this time, must be re-submitted for Preliminary Plat approval as a new subdivision, subject to all applicable regulations in effect at the time of re-

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submission. A corrected Preliminary Plat with all conditions fulfilled must be submitted prior to the construction or installation of any improvements. However, if a Final Plat of a part of the subdivision is submitted and approved within the 12-month period, Preliminary Plat approval is automatically extended for 12 months from the date of approval of the Final Plat of that part of the subdivision. The Commission may grant an extension of the original 12-month period upon written request prior to end of the 12-month period.

§3.03.04 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, as set from time to time by the Council, must be paid to the City by the Subdivider at the time of filing of the application.

§3.04 Construction of Improvements

§3.04.01 Following preliminary plat approval but prior to the start of any on-site development, a pre-construction meeting including the Developer, the site General Contractor, and all applicable utility providers must be held. A site construction permit must be issued by the City prior to the initiation of any excavation and/or infrastructure development. All developers, contractors, and sub-contractors must meet all licensing requirements of the City and any applicable regulatory bodies and agencies. The Developer must notify the City of any contractor change within seven days of any such change. In the event a contractor change occurs without City notification, the developer shall be responsible for any damages that occur during the delayed notification period.

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

§3.04.03 Installation must conform substantially to the Preliminary Plat, as approved, and if desired by the Developer, 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.

§3.04.04 After completion of the above, the Developer may apply for Final Plat approval.

§3.05 Final Plat

Final approval will be considered only for subdivisions or portions of subdivisions that meet the requirements of §3.04 Construction of Improvements.

§3.05.01 Purpose. 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 Developer 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.

§3.05.02 Procedure. Final Plat approval must be obtained by the Developer as the Preliminary Plat or portions of it are constructed or included in the performance bond.

1. At least 21 days prior to the hearing at which it is to be considered, the Developer must submit a complete final plat application, including a written title opinion by a licensed attorney, five (5) copies and a PDF file of the Final Plat, three (3) copies and a PDF file of As-Built Plans (as available), all required approval letters from applicable agencies and utility providers, and any other required documents. Any required fees must accompany the application. See §3.10 Submittal Requirements.
2. Upon receipt of a complete Final Plat application and all required materials, the Subdivision Official shall transmit copies of the Final Plat application to all applicable City departments for review and recommendations. Prior to the Commission hearing, the Subdivision Official will notify the Developer of any errors or omissions or if the application is considered “incomplete.” Failure to notify the Developer does not relieve the Developer from compliance with any requirement of these Regulations.

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3. Within one week following receipt of reviewed plans, the Developer must submit ten (10) copies of the revised final plat, three (3) executed mylars, all applicable fees, a copy of proposed development restrictions and covenants, and the following, when applicable: one (1) copy and a PDF file of the revised As-Built Plans (as available), one (1) copy of the subdivision improvement agreement, a performance bond (§6.01), reimbursement of City costs of developing performance bond estimates (§6.01.03(2), payment of Sewer System Availability Fee(s), and payment of all mail and legal notice fees.
4. If the Final Plat is for a Minor Subdivision for which improvement of only a half street is involved, an engineering plan must be submitted prior to or at the time of Final Plat application. The engineering plan need not include all of the materials normally required for Major Subdivisions but must include all those materials necessary to determine compliance of the street improvements with these Regulations, as determined by the Subdivision Official.
5. Within 30 days after the hearing, the Commission must indicate its approval, disapproval, or approval subject to any required modifications. If a plat is disapproved, the reasons for such disapproval must be indicated in writing. If approved subject to modifications, the nature of the required modifications must be indicated in writing. Failure of the Commission to approve, approve with conditions, or disapprove any Final Plat within these 30 days will be considered as approval of same as submitted; provided, however, that the Subdivider may waive this requirement and consent to an extension of such period.
6. When the Final Plat receives final approval by the Commission, the following sequence of events takes place:
    a. Three copies of the plat will be executed by the Secretary of the Commission
    b. The City Clerk will have the Probate Judge execute three copies within 30 days and file one for record. Approval of the Final Plat by the Commission is null and void if the plat is not recorded with the Probate Judge within 12 months after the date of Final Plat approval unless application for an extension of time is made in writing and granted by the Commission during the 12-month period.
    c. One original executed copy is retained by the City Clerk

§3.05.03 Approval of a Final Plat by the Commission does not constitute acceptance of the dedication of any street or other public way or ground. 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.

§3.06 Combined Preliminary and Final Plat

In unusual circumstances, the Commission may authorize a Subdivider to submit a combined request for both Preliminary Plat and Final Plat approval. In such cases all requirements for both Preliminary and Final Plat approval must be met.

§3.07 Issuance of Permits, Certificates of Occupancy

§3.07.01 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 and by police and fire equipment. 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 500 feet of the lot and an all-weather surfaced-street giving access to the lot from a dedicated street.

§3.07.02 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.

§3.08 Vacation of Plats

§3.08.01 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.

§3.08.02 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.

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§3.08.03 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.

§3.08.04 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.

§3.09 Vacation of Public Rights-of-Way

§3.09.01 Vacation of public rights-of-way may be initiated by the owners of abutting property or by the City in accordance with §23-4-2 and §11-49-6 of the Code of Alabama, 1975, as amended. 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. 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.
2. The right-of-way is no longer needed for the public use it was originally created to serve.
3. The public benefit received from the right-of-way is insufficient to justify maintenance costs of the right-of-way.
4. Future development or other changes in the surrounding area will not increase public use or need for the right-of-way.

§3.09.02 Following approval by the Council of a right-of-way vacation, a resurvey must be submitted and approved by the Commission to combine the vacated right-of-way with adjoining lots.

§3.10 Submittal Requirements

§3.10.01 Sketch Plat Requirements

1. Vicinity sketch at a scale of 1" =800'
2. Layout Plans
   a. Subdivision boundary line and location of all lots, streets and watercourses within the proposed subdivision at a scale of 1”=100’
   b. Topography at five-foot Intervals
   c. Adjoining development: property lines, roads, and water courses
   d. Name of subdivision
   e. Approximate acreage
   f. Zoning classification of proposed subdivision and the surrounding properties
   g. Location of all existing utilities and easements
   h. Location of all existing and proposed community facilities

§3.10.02 Preliminary Plat Requirements. The Preliminary Plat must indicate the proposed future development, including the proposed street and drainage pattern. The Preliminary Plat must clearly note what improvements the Subdivider proposes to make off-premises necessary to the development of the subdivision, including drainage, utilities and other improvements. It must also note all off-premises improvements the Subdivider proposes to request the City Council to make, if any, necessary to the development of the subdivision, including drainage, improvements necessary to carry stormwater runoff to a major drainage channel, extension of water mains, sewers and other improvements.

The Preliminary Plat must be clearly and legibly drawn, may not be smaller than 11 inches by 17 inches, nor at a scale smaller than 1" = 100' and must contain the following information:

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1. General
    a. Date, north point scale, and 1" = 800' vicinity sketch map
    b. Name of Owner, Subdivider, and Subdivision Engineer
    c. Width, location, and purpose of all easements
    d. Public land-location and dimension of land to be dedicated or reserved for parks, open space, or other public use
    e. Lot number and block number clearly identifying each parcel
    f. Dimensions of all lots and location of all existing structures
    g. Building setback line along each street
    h. Any portion of land in or adjacent to the subdivision subject to periodic flooding by storm drainage, overflow, or ponding
    i. Zoning classification
    j. Proposed use of the lots and a copy of the document used in establishing restrictions
    k. The names of adjacent subdivisions and the names and addresses of the record owners of adjoining properties (including those property corner-to-corner and across street rights-of-way) as they appear on current tax records
    l. Topography at five foot or smaller intervals as required by the Subdivision Official
    m. Description of any requested variances from these regulations
2. Street Plan
    a. Location of all existing and proposed public ways, drives, and easements in or adjacent to the proposed subdivision. In addition, the names of existing or proposed public ways must be identified.
    b. Widths of existing and proposed rights-of-ways
    c. Clear identification of location and width of rights-of-ways of any street adopted as part of the Major Street Plan.
    d. Street names which are subject to approval by the Commission and City Council
    e. Topography at five-foot contour intervals unless a closer contour interval is required by the Commission
    f. Plan and profile of all streets
    g. Location of all sidewalks and crosswalks
    h. Typical cross sections of proposed streets or as recommended by the City Engineer
    i. Curve data for the centerline of each street: delta, tangent, and radius
    j. Lighting plan
3. Storm Drainage and Erosion Control Plan
    a. Location of proposed drainageways, streams, and ponds in the subdivision
    b. Location, size, and invert elevations of proposed drainage structures including profiles of the storm drainage system, culverts, bridges, pipes, drop inlets, and top elevations of headwalls and any other data as may be required by the Commission
    c. Area of land contributing runoff to each drainage structure
    d. Location of easements and rights-of-way for drainageways and maintenance as recommended by the City Engineer
    e. Typical cross sections of each drainageway
    f. Direction of water flow throughout the subdivision

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g. Stormwater drainage calculations, including all assumptions made along with pre- and post-development delineation maps

h. Erosion and Sediment Control Plan showing all Best Management Practices (BMPs) for controlling pollutants leaving the site through stormwater runoff.

i. Letter of certification of engineering sufficiency signed by the subdivision engineer

j. Letter of certification signed by the subdivision engineer ensuring installation in accordance with the approved plat

4. Sanitary Sewer Plan, when applicable

   a. Location and size of all existing and proposed sewers in the subdivision, the points of the subdivision and location of sewer laterals;

   b. Direction of flow of each sewer line;

   c. Location of each manhole and other sewage system appurtenances including lift stations, oxidation ponds, treatment plants;

   d. Profiles of sewage system;

   e. After application review but prior to the Commission setting the hearing, certification of approval by the applicable sewer authority;

5. Septic System Plan, if applicable, must meet the requirements of and be submitted for approval to the Health Department or other authority having jurisdiction, including but not limited to:

   a. Location and capacity of all septic tanks proposed within the subdivision;

   b. Soil type according to County soil survey;

   c. Depth of soil, if less than six feet;

   d. Location of percolation test holes and soil bores and results of percolation tests;

   e. Location of tile fields and minimum lengths of tile runs;

   f. After application review but prior to the Commission setting the hearing, certification of approval by the Health Department or other authority having jurisdiction;

6. Water Distribution Plan

   a. Location and size of the water distribution system including pipes, valves, fittings, high pressure pumping equipment, and other data as may be required by the Commission;

   b. Location of all fire hydrants

   c. After application review but prior to the Commission setting the hearing, certification of approval by the applicable water authority;

   d. Water systems not to be served by the applicable county water authority must have a notation of the same on the certificate of the Subdivision Engineer and will be subject to approval by the water authority and §5.04 Water Facilities

7. Electrical, Gas and Telecommunications Distribution Plan

   a. Location of all poles or subsurface electrical, gas, telecommunications and other utility facilities serving each lot or parcel within the subdivision and, where necessary, to abutting property

   b. All required easements, including anchor easements for guy wires

   c. After application review but prior to the Commission setting the hearing, certification of approval by the applicable utility providers.

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8. US Postal Service – Cluster Box Unit (CBU) Plan
    a. Locations of all CBU's
    b. After application review but prior to the Commission setting the hearing, certification of approval by the US Postal Service
9. Management plan for any proposed common open spaces and facilities (see §5.11 Common Open Spaces and Facilities)

§3.10.03 Final Plat Requirements. The plat must be drawn to a scale not smaller than one inch equals 100 ft on sheets not larger than 24 x 36 inches on mylar. When more than one sheet is required, an Index sheet of the same size must be filed as a key, showing the entire subdivision, with the sheets in alphabetical order. The Final Plat must include the following Information:

1. General
    a. Name and location of subdivision
    b. Name of Owner, Subdivider, and subdivision engineer
    c. North point, graphic scale and date
    d. Plan of all streets and names of all streets, roads and alleys, and other rights of way
    e. Location of all blocks and lot lines with all block and lot numbers in numerical order
    f. Front, side and rear setback lines on each lot
    g. Sufficient data to readily determine and reproduce on the ground the location, bearing, and length of every road line, boundary line, block line, and building line, whether curved or straight, and including the radius, central angle, and tangent distance, and the length of curve for the center line of all curved roads and property being subdivided. The length of all dimensions must be to the nearest one tenth of one foot, and bearing of all angles to the nearest one minute.
    h. Location, dimensions, and purpose of all easements
    i. Location and description of all property markers
    j. Changes made from the Preliminary Plat must be submitted as supporting documentation with the Final Plat.
2. As-built drawings of all applicable improvements constructed prior to Final Plat
3. The following bonds, agreements and fees, as required:
    a. Performance Bond (if improvements have not been completed)
    b. Subdivision Improvement Agreement
    c. Fee for recording the Final Plat
    d. Fees for streets, traffic control signs or signals
    e. Sewer System Availability Fee
4. At time of application, the following certifications and approvals:
    a. Letter of approval by the Health Department when individual sewage disposal or water systems are to be installed
    b. Letter of certification by the Subdivision Engineer that all improvements have been installed in accordance with the requirements of these Regulations
    c. Letter of completion of inspections from all applicable City, County and State agencies and utility providers. If inspections and/or improvements are not complete, the letter must specify the remaining work, estimated time, and cost to complete.

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d. A written title opinion certified by a licensed attorney confirming that all names shown on the plat include all owners as of the date of signing and that the owners of the property are one and the same as those signing the plat.

5. After application review but prior to Final Plat approval; the following certifications on the plat for approval:
   a. A signed and notarized certification on the plat showing that the Subdivider is the legal owner of the land and formally dedicates all streets, rights-of-way and any other sites for public use. Restrictions or restrictive covenant must be included.
   b. Certification with seal and registration number by a registered surveyor attesting to the accuracy of the survey and plat and the placement of all required monuments
   c. Unsigned certification for the Commission, Probate Judge, City Engineer and County Engineer
   d. Signed certification by Health Department (if applicable), water, electrical, gas, telecommunication and any other applicable utility providers (Subdivider is responsible for obtaining signatures)
6. A copy of deed restrictions and covenants and the final management plan for common open spaces and facilities (see §5.11 Common Open Spaces and Facilities)
7. The following notations:
   a. "Approval of this plat does not constitute acceptance of any streets by the City, which may only be secured by a vote of the City Council."
   b. "All tracts and/or areas shown as 'Common Areas' shall be maintained by the property owner and/or homeowner's association."
   c. "Maintenance of easements outside of the city right-of-way shall be the responsibility of the property owner, Developer/Subdivider, or homeowner's association."
   d. "Privacy fences, storage buildings, dog enclosures, trees, hedges, or any other structure or landscaping constructed or maintained within any drainage or utility easement may be subject to removal at the owner's expense if such item impedes the legal use of the easement. The City of Priceville is not responsible for the replacement of any item located in such easements."
8. Prior to final plat approval, a statement from the City Clerk/Secretary that all required fees have been received, and that all final plat documents have been reviewed and approved by the City Attorney.

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ARTICLE 4 DESIGN STANDARDS

§4.01 GENERAL STANDARDS

§4.01.01 Conformity to City, County and Regional Plans. All proposed subdivisions must conform to any adopted City, county or regional plan and to the Zoning Ordinance, where applicable.

1. Whenever a tract to be subdivided embraces any part of a street designated on any city, county, or regional plan, that part of the proposed public way must be platted by the Subdivider in the same location and at the same width as indicated on the city, county, or regional plan.
2. To ensure development of the community in substantial conformity with the general principles set forth in the official plans and maps of the City, the Planning Commission may require that the Subdivider reserve suitable open spaces for parks, schools, fire stations, playgrounds, and any other use essential to the welfare of the community. This area must be made available to the City for purchase at fair market value. Such offer must extend for at least 90 days from the date of receipt by the City of the written offer.
3. Wherever a park, recreational space, school site or other areas for public use shown on an official map or plan adopted by the Commission is located in whole or in part within the proposed subdivision, the Commission will seek to secure reservation of the necessary land for the use. Such reservation will remain in effect only during the duration of the preliminary proposal to afford the appropriate government agency the opportunity to coordinate acquisition of the area with the development of the proposed subdivision.

§4.01.02 Character of the Land

1. Land which the Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, 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 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. Such land must be set aside for uses that will not involve such danger.
2. Subdivisions within the city limits are subject to all applicable requirements of the Priceville Flood Ordinance; and those outside the city limits are subject to the County Flood Ordinance. Land within any FEMA-designated floodway may not be platted 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 every lot contains a building site that may reasonably lend itself to construction of a floor level 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.
3. 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. Low areas subject to periodic inundation may not be developed or subdivided unless the Commission establishes that:
   a. The nature of the land use (i.e., recreation areas) will not lend itself to damage by water inundation to an appreciable extent;
   b. The area will be filled or improved in such a manner to prevent such periodic inundation; or
   c. Minimum floor elevations are required to prevent damage to structures and adjacent sites.

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§4.01.03 Subdivision and Street Names

1. 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.
2. 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 Morgan County 911 Board.

§4.01.04 Population Densities: The population densities may not exceed those established by the Zoning Ordinance. Beyond the jurisdiction of the Zoning Ordinance, population densities may not exceed one dwelling unit per 15,000 sf of lot area.

§4.01.05 Waterbodies and Watercourses: If a tract being subdivided contains a waterbody, or portion thereof, lot lines must be drawn to distribute the entire ownership of the water body among fees of adjacent lots. The Commission may approve an alternative plan whereby the ownership of and responsibility for safe maintenance of the water body is placed so that it will not become a City responsibility. Where a watercourse separates the buildable area of a lot from the street by which it has access, provisions must be made for installation of a culvert or other structure necessary to access the building site, as approved by the City Engineer.

§4.02 BLOCKS

§4.02.01 Blocks must generally be wide enough to provide for two tiers of lots of appropriate depths. Exceptions include blocks adjacent to arterial roads, major waterways 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 1,320 feet nor be less than 400 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.

§4.03 LOTS

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.

§4.03.01 Lot dimensions must conform to the requirements of the applicable zoning district and of the Health Department.

§4.03.02 Each lot must front on a dedicated or approved private street having a right-of-way at least 50 feet wide.

§4.03.03 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.

§4.03.04 Depth and width of properties for nonresidential uses must be adequate to provide for off-street parking and loading for the use contemplated.

§4.03.05 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.

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

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§4.03.07 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.

§4.03.08 Requirements beyond the corporate limits but within the planning jurisdiction:

1. Except as permitted for flag lots in §4.03.09, all single-family lots must be at least 100 feet wide at the front building line, 60 feet wide at the front lot line, and 200 feet deep.
2. All other lots must be at least 100 feet wide at the front building line, 75 feet wide along the front lot line and at least 200 ft deep.

§4.03.09 Flag Lots. Where permitted, flag lots must comply with the following:

1. Flag lots for residential purposes may only be approved by the Commission in very low density residential and agricultural areas. Flag lots for nonresidential purposes may be considered by the Commission based upon topography, existing development patterns and related circumstances.
2. For approved residential purposes, the "staff" portion of the lot must be at least 30 ft in width throughout its length and may not exceed a length of 300 ft unless expressly approved by the Fire Marshal. For lots over three acres, the staff must be at least 60 ft wide throughout its length.
3. For approved nonresidential purposes, the staff portion of the lot must be at least 35 ft wide throughout its length. A higher minimum width may be required by the Commission for nonresidential flag lots located along arterials streets or highways.
4. Where necessary to provide fire apparatus access to within 100 ft of buildings, access drives must comply with the requirements of §4.10 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 Marshal.
5. No more than two flag lots may be created abutting one another along the same street frontage. Where two flag lots abut, the staff portions of the lots may not abut and access points must be in accordance with §4.07 Access Management.
6. The staff portion of the lot is not included in determination of the minimum lot area or front yard setback.

§4.04 Street Plan

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 General Standards

1. All streets must be properly integrated with the existing and proposed system of streets established in the Comprehensive Plan.
2. 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.
3. 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.

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4. Minor streets must be laid out to conform, as much as possible, to the topography, 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.
5. Streets must be related appropriately to the topography. The Commission may require minor streets be curved where possible to avoid monotony of lot appearance and to control vehicular speeds. 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.
6. 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. Consideration should be given to emphasizing an East-West orientation for street alignments within residential neighborhoods to enable energy conservation practices.
7. 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.
8. 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.
9. 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.

§4.04.02 Intersections

1. Street intersections with three or more streets converging together are prohibited; except however that, the Commission may permit more than two streets to converge at an intersection with a roundabout, as approved by the City Engineer.
2. Streets should intersect as nearly at right angles as possible; and, in no case may intersect at an angle less than 60 degrees.
3. 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.

§4.04.03 Connectivity

1. 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.
2. External Access to Residential Subdivisions. Residential subdivisions must provide access points to the existing street network, in accordance with the following guidelines, based upon the number of lots or dwelling units contained within the subdivision, including the total number of lots or dwelling units projected for multi-phased subdivisions. In applying these guidelines, the Commission will take into consideration the arrangement and capacity of the existing street network and constraints that would make strict adherence to these guidelines impractical or unduly harsh including but not limited to steep topography, hydrology, geology, and railroads. In

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addition, the Commission will consider the findings of a traffic study, whenever required, and may modify these requirements accordingly.

a. 75-99 lots or dwelling units—at least two separate access points, one of which may be a stub street

b. 100-149 lots or dwelling units—at least two separate access points, excluding any stub streets

c. 150-399 lots or dwelling units—at least three separate access points, one of which may be a stub street

d. 400 or more lots or dwelling units—at least three separate access points, excluding any stub streets

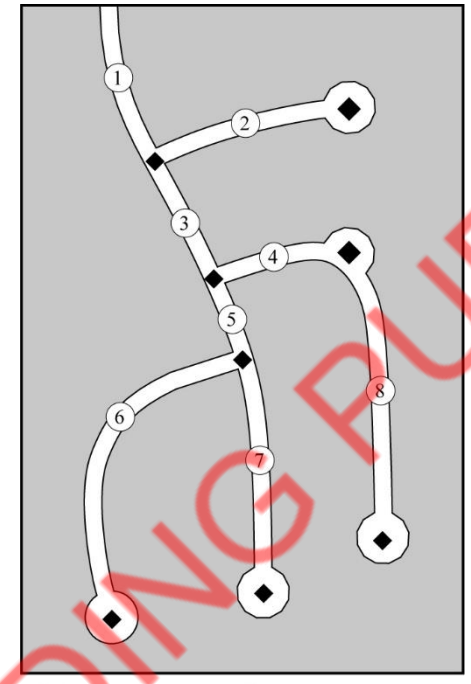
3. To provide adequate internal connectivity within a subdivision, the street network must have a connectivity index of not less than:

   a. 1.0 for very low density residential and agricultural uses

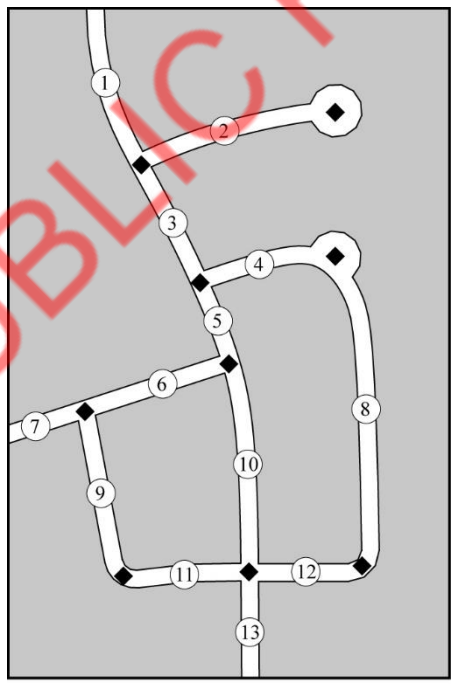
   b. 1.25 for low density residential development

   c. 1.5 for medium and high density residential, nonresidential and mixed-use development

   The connectivity index is measured as the number of street "links" divided by the number of "nodes". A link is a street segment between two intersections or from an intersection to a cul-de-sac or street stub. This includes street segments leading from the adjoining street network or adjacent development. Nodes include intersections, cul-de-sacs and circles, but not the end of street stubs or intersections with the adjoining street network.



8 links / 8 nodes = 1.0 ratio



13 links / 8 nodes = 1.63 ratio

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

5. Existing streets that abut a subdivision must be continued, and the continuations must be in alignment with and at least as wide as the existing street unless a reduction in width is approved by the Commission.

6. The street layout must provide stub streets for future continuation into unsubdivided lands where necessary to meet the purposes of this §4.04.04.

   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 §4.04.09 Dead End Streets, 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

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street is extended and approved by the City. The Commission may limit the length of such temporary dead-end streets in accordance with §4.04.09 Dead End Streets, 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.

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 PRICEVILLE" to inform existing and prospective property owners.

§4.04.04 Subdivisions and Arterial Street and Highways. 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.

1. A marginal access street must be provided parallel to the highway or arterial for access to abutting property
2. Lots abutting the highway or arterial street must have reverse-frontage and screen planting must be provided in a non-access reservation along the property lines abutting the highway or arterial street
3. 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.

§4.04.05 Half Streets

1. New half-streets or half-alleys are prohibited.
2. 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.
3. The pavement width for any such half street must be increased by the Subdivider, as required for rights-of-way in (2) 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 capital improvement program. 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. 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 minor 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.

§4.04.06 Plat Straddling Municipal Boundaries. Whenever access to the subdivision is required across land within another municipality, 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 municipal boundary lines.

§4.04.07 Private Streets. Private streets, when proposed, must conform to all applicable requirements for public streets in these Regulations.

§4.04.08 Private Reserve Strips. Private reserve strips controlling access to streets are prohibited.

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§4.04.09 Dead End Streets, Cul-De-Sacs. 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.

1. Vehicular turnarounds are required as follows:
   a. New dead-end streets of 150 feet or less in length do not require a vehicular turnaround.
   b. 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 Subdivision Official for dead end streets with low traffic volumes.
   c. Dead-end streets, regardless of whether a turnaround is provided, shall not exceed 600 ft in length.
   d. Cul-de-sacs must terminate with a radius of not less than 50 ft measured to face of curb or center of valley curb. 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 a 20 ft wide driving surface at the front of the cul-de-sac and a 25 ft wide driving surface at the back, or as otherwise approved by the Subdivision Official and Fire Marshal.
2. 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 abutting land.
3. 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 §4.04.03 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.

§4.04.10 Frontage on Improved Streets. Subdivisions must have frontage on and access from an existing street or highway, including a street shown on a plat approved by the Commission and recorded with the County Probate Judge. Such street or highway must be suitably improved as required by applicable rules, regulations, specifications, or orders, or be secured by an improvement guarantee required under these regulations, with the width and right-of-way required by these regulations.

§4.05 Street Design Standards

§4.05.01 Proposed streets must be designed in accordance with the standards in Table 4-1, all applicable City Specifications and, at a minimum, to the typical sections for the applicable street type provided in the appendix.

§4.05.02 Traffic calming. Streets should be planned and designed to encourage safe driving behavior, particularly with regard to managing driving speed on collector and minor streets. The following design measures contribute to traffic calming and should be incorporated into the planning and design of streets, as appropriate to context:

1. Horizontal curves
2. Short block lengths
3. Medians
4. Narrow travelway widths (including the width and number of lanes)
5. Vertical curb and gutter
6. On-street parking
7. Smaller curb radii at intersections
8. Sidewalks, shared use paths and marked crosswalks
9. Street trees, street lights and other vertical elements located near, but outside of, the travelway
10. Narrow building setbacks

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TABLE 4-1 STREET DESIGN STANDARDS					
	Minimum Right-of-way [1, ~~3~~, 4]	Minimum Pavement Width [1, 2, 3, 4]	~~Allowable Lane Width~~	Maximum Vertical Grade	Minimum Horizontal Curve Radius
Arterial Street	120 ft	60 ~~26~~ ft	~~11-12 ft~~	5%	350 ft
Collector Street	100 ft	37 ~~26~~ ft	~~11-12 ft~~	10%	250 ft
Residential Minor Street with Swales	60 ft	24 ft	~~10-11 ft~~	12%	150 ft
Residential Minor Street with curb and gutter	~~50~~ 60 ft	32 ~~24~~ ft	~~10-11 ft~~	12%	100 ft
Non-Residential / Mixed-Use Street	70 ft	38 ft	~~-~~	5%	250 ft [5]
~~Industrial Access Street~~	~~50 ft~~	~~26 ft~~	~~12-14 ft~~	~~5%~~	~~100 ft~~
Marginal Access Street	50 ft	26 ~~24~~ ft	~~10-11 ft~~	12%	100 ft
Alley	20 ft	15 ft	~~n/a~~	15%	50 ft

[1] Minimum right-of-way and pavement widths are based on ~~a two-lane~~ street cross sections found in the Appendix when provided. For streets with more than two lanes and/or medians, minimum right-of-way and pavement widths are determined by adding the ~~allowable~~ width for each additional lane and the width of any required or proposed median. ~~It may also be necessary to~~ The Commission may increase the minimum right-of-way and/or pavement widths if a shared use path is required or proposed along the street, and/or if the Commission determines additional widths are necessary to promote public health, safety, and general welfare.

[2] The Commission may require parallel parking lanes on any street if it determines based on the size and layout of driveways and other on-site parking facilities, that additional parking will be needed to accommodate resident and visitor parking needs. ~~The Commission may require that the on-street parking lane be striped and may require the curb be extended into the parking lane adjacent to intersections, at mid-block or other strategic locations to support traffic calming.~~ Where parallel on-street parking will be included, 8.5 feet must be added for each side where parking is to be provided.

[3] The Commission may require any street to be striped as it determines necessary, and/or may require the pavement width of any street to be narrowed by extending the curb into areas adjacent to intersections, at mid-block, pedestrian crossings, or other strategic locations, as determined by the Commission to support traffic calming, promote public health, safety, and general welfare.

[4] The Commission, at its discretion, may decrease minimum ROW and pavement widths for streets with curb and gutter under the following conditions:

a) Residential: No dwellings use the street for driveway access, and/or when sufficient off-street parking is provided via front setback lengths and/or side or rear parking areas.
b) Non-Residential and Mixed-Use: No uses individually access the street, and/or when no on-street parking is permitted, and/or when sufficient off-street parking is provided.

[5] The Commission may reduce the curve radius for a non-residential / mixed-use street upon a favorable recommendation by the City Engineer.

Note: §2.02.44 ~ Pavement Width. The width of that portion of a street or alley as measured from the inside vertical face of a masonry curb, the center line of a valley gutter, or the edge of the pavement where no curbs or gutters exist.

i. "Back-of curb to back-of-curb" measurement is greater than the minimum pavement width, and is dependent on curb type used.

§4.05.03 Alignment and Visibility

1. Street Grades. 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 4-1 and may not be less than 0.5 percent. Waivers, for minor dead-end streets with low traffic volumes only, may be considered by the Subdivision Official when submitted in writing. Grades approaching intersections may not exceed five percent for a distance of not less than 100 ft from the intersection centerline. Grades of circles may not be more than five percent for the last 100 ft of paving.

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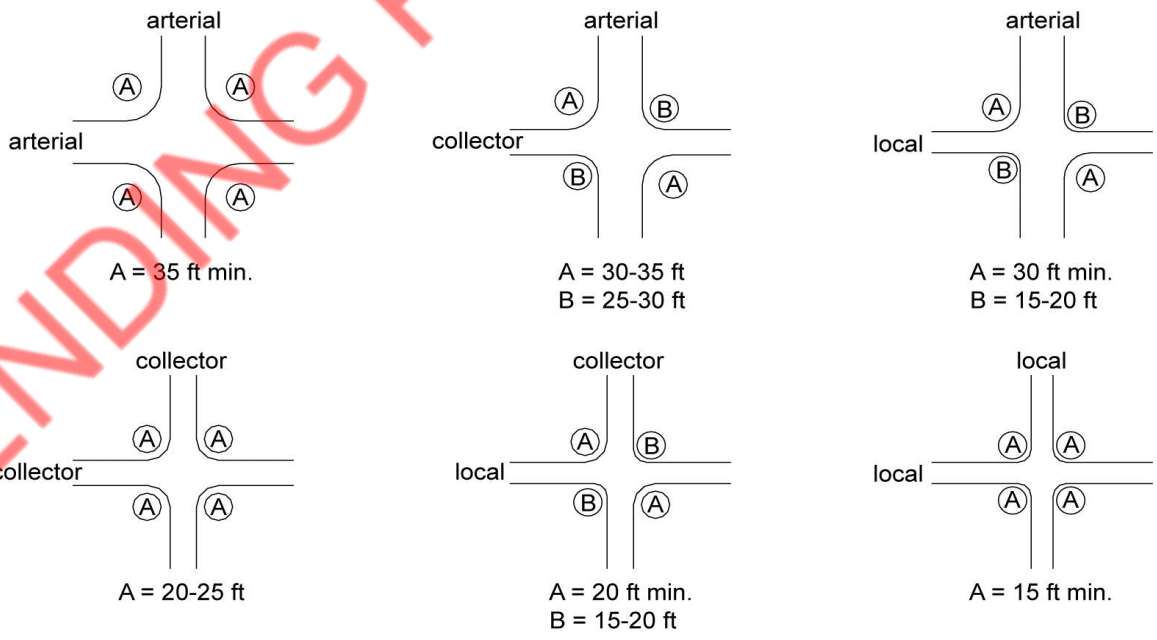
3. Horizontal Curves. Where a centerline deflection angle occurs, a curve must be provided having a centerline radius as provided in Table 4-1. Tangents of at least 100 feet must be provided between reverse curves.
4. Vertical Curves. All changes in street grades must be connected by vertical curves of a minimum length as follows or as specified in AASHTO's "A Policy on Geometric Design of Highways and Streets," latest edition:
   a. On arterial and collector streets, a minimum sight distance of 600 feet must be provided, measured between points three and one-half feet above the street centerline.
   b. On all other streets, a minimum sight distance of 300 feet must be provided, measured between points three and one-half feet above the street centerline.

§4.05.04 Intersections

1. The Subdivision Official may require submission of a grading plan showing existing and proposed contours at one-foot intervals and a detailed design for intersections which are unusual or are located on difficult terrain.
2. Curb radii at intersections must comply with Table 4-2.
3. 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 minor 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. Property line corners at street intersections must be rounded by an arc with a minimum radius of 15 feet. A larger minimum radius may be required at intersections with collector and arterial streets. In nonresidential areas, a chord may be substituted for the arc.

TABLE 4-2 CURB RADIUS

Street from which right turn is taken	Receiving Street (street on to which right turn is taken)		
	Minor	Collector	Arterial
Minor	15 ft min.	15-20 ft	15-20 ft
Collector	20 ft min.	20-25 ft	25-30 ft
Arterial or Highway	30 ft min.	30-35 ft	35 min.



Allowable Curb Radius

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§4.05.05 Curb Type

1. Curb types are required based on the existing and proposed uses to front on the street in accordance with Table 4-3.
2. Where more than one type of use will front on the street, vertical curb and gutter must be used. Curb types must be designed and constructed in accordance with the specifications in the Appendix. Swales, where permitted, must comply with §5.06.05 Swales.
3. Vertical curb and gutter must be provided on any street along which there will be a sidewalk or shared use path. The Commission may waive this requirement when the subdivision is located outside of the city limits.
4. Upon a favorable recommendation from the Subdivision Official, rolled curbs may be substituted for standard vertical curbs.

See also §5.01.03

TABLE 4-3 CURB AND GUTTER REQUIREMENTS	
Very Low Density Residential	swale or valley curb
Low Density Residential	vertical curb and gutter, valley curb
Medium and High Density Residential	vertical curb and gutter
Nonresidential and Mixed-use (excluding industrial)	vertical curb and gutter
Industrial	vertical curb and gutter or valley curb

§4.06 PEDESTRIAN AND BICYCLE FACILITIES

§4.06.01 Pedestrian Facilities. Sidewalks and pedestrian facilities and their widths are required based on street classification and the existing and proposed uses to front on the street in accordance with Table 4-4. Where more than one type of use will front on the street, the higher requirement governs. The Commission may, in accordance with the guidelines in this Section, modify requirements for sidewalks and pedestrian facilities indicated in Table 4-4. Where not required, such facilities may be provided at the option of the Subdivider provided minimum design and construction requirements are satisfied.

1. General Requirements
   a. Whenever land to be subdivided embraces any part of a sidewalk or pedestrian facility designated in the Comprehensive Plan, such facility must be provided as part of the subdivision.
   b. Whenever land to be subdivided embraces an existing public street without sidewalks, such facilities must be provided by the Subdivider along the applicable portion of the existing street as required in this Section and Table 4-4.
   c. Sidewalks, when required or provided, must be at least five feet wide. In subdivision involving nonresidential and mixed-uses (other than industrial), sidewalks must be at least eight feet wide.

TABLE 4-4 SIDEWALK REQUIREMENTS					
	Arterial Street	Collector Street	Minor Street	Cul-de-sac Street	Marginal Access Street
Very Low Density Residential	*	*	*	NR	*
Low Density Residential	one side	one side	one side	*	one side
Medium and Higher density residential	both sides	both sides	both sides	both sides	one side
Nonresidential and Mixed-use (excluding industrial)	both sides	both sides	both sides	both sides	one side
Industrial	*	*	*	NR	*
* The Commission determines whether sidewalks are required using the guidelines in §4.06.01.2 NR Not required.					

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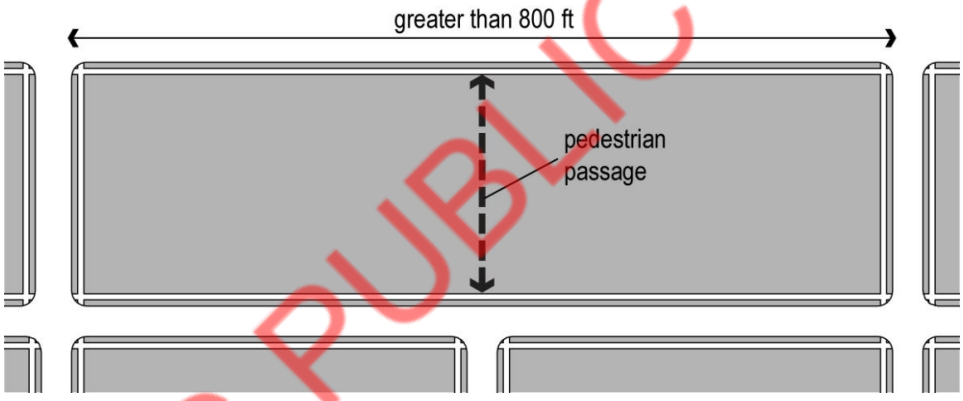
2. Guidelines. In determining any modifications of sidewalk requirements, the Commission uses the following guidelines:
   a. Sidewalks should be provided on at least one side of streets within 1,000 ft of an existing or planned school, library, park, place of assembly or commercial area.
   b. Sidewalks should be provided along streets that presently or in the future will contain uses that are specifically intended to serve children or the aged.
   c. 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.
   d. Sidewalks along and parallel to the street will not be required where the running grade of the sidewalk would exceed five percent. However, where sidewalks would normally be required in accordance with Table 4-4, an off-street pedestrian or shared-use path or other pedestrian accommodation with a running grade no more than five percent must be provided, to the extent practicable, subject to approval of the Commission.
   e. 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.
   f. Pedestrian passages may be required to provide access across the depth of a block that exceeds 800 ft in length. See also §4.06.01.5 Pedestrian Passages.



Pedestrian passage

   g. 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.
3. A planting strip at least five feet 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. Sidewalks must be in accordance with the requirements of the Americans with Disabilities Act (ADA), including provision of pedestrian ramps at street intersections.
5. Pedestrian Passages. Where required, pedestrian passages must be provided as follows:
   a. The easement or right-of-way containing the passage must be at least ten feet wide and the improved walkway must be at least five feet wide in residential areas and six feet wide in nonresidential areas. The design and surface material of the passage must be approved by the Subdivision Official.
   b. If located in a right-of-way, the passage is subject to acceptance by the City.

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c. If located within a private easement, the Subdivider or property owners' association is responsible for maintenance.

§4.06.02 Bicycle Facilities

1. The Subdivider is responsible for installation of any on-street bicycle lane or shared use path designated by the Comprehensive Plan or any other duly adopted County or regional 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.
2. When a bicycle lane is required, additional right-of-way may be required by the Commission upon a recommendation of the Subdivision Official.
3. On-street bicycle lanes, when located on both sides of a street, must be at least five feet 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. Pavement width required in Table 4-1 must be increased to accommodate bicycle lanes, when applicable.

§4.06.03 Shared-use Paths

1. When a shared use path is required, additional right-of-way may be required by the Commission upon a recommendation of the Subdivision Official.
2. Shared use paths are required on one side of Marco Drive, North Bethel Road, South Bethel Road, Upper River Road and Cave Spring Road.
3. Shared use paths must be at least ten feet wide and separated from the travelway by a curb and planting strip at least five feet wide or by a swale.
4. 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 §4.08.02.
5. A shared-use path may be substituted for a required sidewalk in residential subdivisions and in other locations as approved by the Commission.
6. 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.

§4.06.04 Fee-in-lieu for Pedestrian and Bicycle Facilities

1. At its discretion, the Commission may accept a fee-in-lieu for bicycle or pedestrian facilities along an existing street, along which a subdivision fronts only on one side and along which neighboring properties have developed without pedestrian or bicycle facilities.
2. The Commission may also accept a fee-in-lieu for required pedestrian and bicycle improvements on existing or proposed minor streets if it determines that installation of the facilities on adjoining, existing streets—carried out under the direction of the City—would be of greater benefit to the subdivision and surrounding development than the normally required facilities within the subdivision.
3. The fee-in-lieu must be equal to the cost of the bicycle or pedestrian improvements that would otherwise have been required. If a fee-in-lieu is approved by the Commission, all applicable streets within the proposed subdivision must nonetheless be designed and constructed, to the extent practicable, to allow installation of bicycle or pedestrian facilities at a later date.

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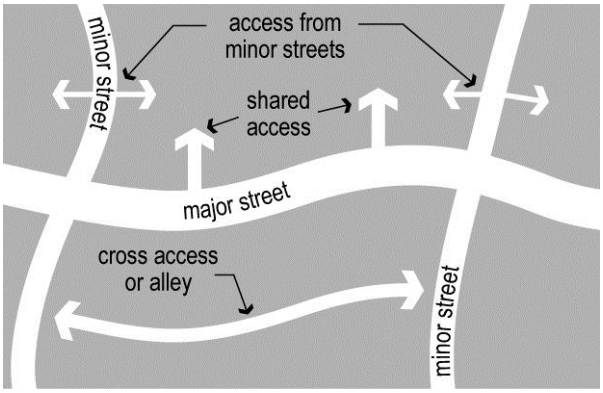
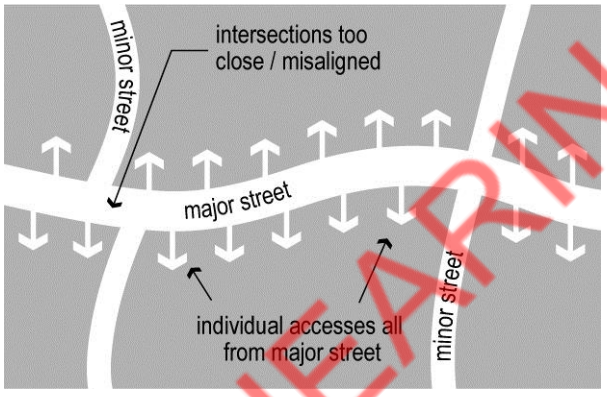
§4.07 ACCESS MANAGEMENT

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.



Encouraged access pattern



Discouraged access pattern

§4.07.01 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.

1. 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 so as to create a "significant increase in trip generation", the existing access(es) must be brought into conformity with these requirements.
2. 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 Subdivision Official, based on commonly accepted and applied traffic engineering principles.

§4.07.02 Guidelines

1. Access to a corner lot should be placed on the street of lesser classification or lower average daily traffic, except as otherwise specified herein.
2. The number and location of access points must be in accordance with Table 4-5.
3. 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. Minimum separation distance may be reduced, provided that, if approved by the Subdivision Official, 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.
5. Access Easements. 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.

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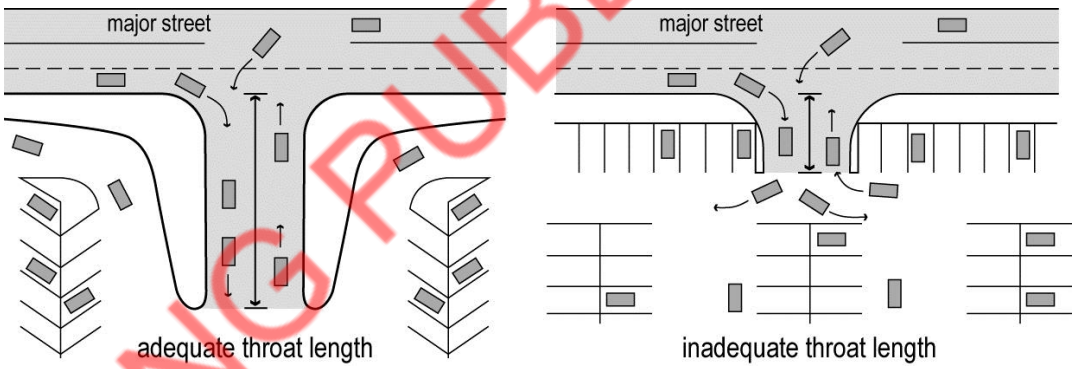
TABLE 4-5 DRIVEWAY SPACING REGULATIONS			
Use and Street Type	Minimum Spacing		Max. number of driveways per frontage length [2]
	from intersection[1]	from other driveways	
All Uses			
Arterial streets and highways	150 ft	100 ft	1 per 150 ft
Single family and duplex dwellings			
Collector Streets	100 ft	25 ft	1 per 100 ft
All other Uses			
Collector Streets	125 ft	75 ft	1 per 125 ft

[1] Where the frontage of an existing corner lot is less than the required distance, a driveway may nonetheless be approved by the Subdivision Official 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.

[2] For interior lots less than 60 ft in width, one driveway may be approved, if in the opinion of the Subdivision Official, 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.

6. 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.



7. Adequate throat length (see illustration above) must be provided to prevent traffic entering a premises from backing up onto the public street. A minimum length may be required by the Subdivision Official when anticipated traffic volumes and commonly accepted and applied traffic engineering principles justify the need for longer throat length.
8. Turn Lanes
   a. 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 Subdivision Official based on commonly accepted and applied traffic engineering principles.
   b. Right and left turn lanes at intersections may be required by the Subdivision Official 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.
9. Two-way Left Turn Lanes, Medians

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a. 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.

b. 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 Subdivision Official.

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

1. Driveways to nonresidential uses may exceed the maximum width, provided that it is determined by the Subdivision Official 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.

2. 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.

TABLE 4-6 DRIVEWAY STANDARDS

Driveway Width		Driveway Radius [2]	
Single-family and duplex dwellings	10-14 ft [1]	Minor Street or Alley [3] Collector Street	5-10 ft 5-15 ft
Multifamily and Nonresidential Uses One-Way Traffic (ingress or egress) Two-Way Traffic (ingress and egress)	 14-18 ft 20-30 ft	 Alley Minor Street Collector Street Arterial	 10-15 ft 10-20 ft 15-25 ft 20-35 ft

[1] Width of driveway may exceed maximum width within the property for parking purposes.

[2] 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.

[3] A driveway flare may be used instead of a curve.

3. 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. Driveways with more than one ingress or egress lane must be marked in accordance with the requirements of the MUTCD, latest revision. Pavement markings and signage must be maintained by the owner in good condition and visible to drivers at all times.

5. Within ten 10 ft of the edge of pavement, driveway grade may not exceed six percent.

§4.08 EASEMENTS

§4.08.01 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—seven-foot 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.

§4.08.02 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 §4.09 Drainage and Inundation and §5.06 Storm Drainage Facilities. Where the rear of lots abuts a stream or other drainageway, the Commission may require an

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easement or right-of-way at least ten feet wide for maintenance access and to allow installation of a shared use path.

§4.08.03 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.

§4.08.04 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.

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

§4.09 Drainage and Inundation

§4.09.01 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.

§4.09.02 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.

§4.09.03 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 Subdivision Official.

§4.09.04 The Subdivider must dedicate, either in fee or by easement, land on both sides of existing watercourses, to a distance determined by the Commission.

§4.09.05 Drainage Easements

1. Where topography or other conditions make impracticable the inclusion of drainage facilities within street rights-of-way, perpetual unobstructed drainage easements at least 20 feet 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.
2. Drainage easements must be indicated on the final plat.
3. 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. An easement of 15-foot wide, or as otherwise recommended by the City Engineer, must be provided along any blue line streams, as measured from the stream centerline in which no fence or other barrier to access may be installed.

§4.09.06 Areas Subject to Flooding

1. 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 12 inches 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.

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2. 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.
3. 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. 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.

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

§4.10 Fire Apparatus Access

Where private drives are necessary to provide fire apparatus access in accordance with the City 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 Subdivision Official may require asphalt or concrete pavement.

Table 4-7 Fire Apparatus Access Standards

	Minimum unobstructed width	Minimum width of driving surface	Minimum vertical clearance	Maximum grade
Residential	20 ft	14 ft	13.5 ft	10%
Nonresidential	30 ft	20 ft	13.5 ft	10%

§4.11 US Postal Service – Cluster Box Units (CBU's) – Where Required

§4.11.01 Off-street parking areas and/or street parking lanes may be required by the Commission to facilitate safe vehicular and pedestrian traffic flow.

§4.11.02 CBU locations must be located in sufficiently lighted and visible areas. CBU's must be installed in the dedicated non-pavement right-of-way of streets, or in common areas owned and/or maintained by the developer or property owner association. Where practicable, CBU locations should be installed in conjunction with property owner association facilities.

§4.11.03 CBU types and locations must also be approved by the US Postal Service. The City of Priceville is not responsible for any change in US Postal Service CBU policy, or reversal of any US Postal Service CBU approval.

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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 Performance Bond in accordance with Article 6 Performance Bond.

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 Subdivision Official.

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. In areas of subdivision construction, the Subdivider is responsible for providing all necessary traffic controls to assure safety and access on affected streets. The City may require construction to cease and withhold release of pending permits until all such hazards and obstructions are corrected and adequate traffic controls have been provided.

§5.01 STREETS AND ALLEYS

§5.01.01 Procedure

1. Before construction of streets and drainage improvements, the Subdivision Official must be notified no less than 24 hours before any phase of operation begins.
2. The base must be inspected and installed under the direction of the Subdivision Official.
3. No paving may be installed until the base course and type of paving and material are approved by the Subdivision Official.
4. In all cases in which the Subdivision Official 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 months.
5. No special drainage structure having 20 square feet of end area or larger may be covered up without approval of the Subdivision Official.
6. 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:

TABLE 5-1 PAVEMENT STANDARDS

Base	ALDOT 301A	Dense grade base 6” compacted
Binder	ALDOT 424B	275 lbs/SY aggregate or 2.5" Compacted - I" aggregate max
Seal	ALDOT 424A	165lbs/SY aggregate or 1.5" Compacted minimum – 0.75” aggregate max

§5.01.03 Curbs and Gutters. Standard approved type curbs and gutters are required on all residential streets where lot sizes are less than 15,000 square feet in area and 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. See also §4.05.05

§5.01.04 Street markings must be applied after the binder is installed and must comply with the latest edition of the Manual of Uniform Traffic Control Devices (MUTCD) and must consist of reflective beading and thermoplastic application.

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§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.

§5.02 Pedestrian and Bicycle Facilities

§5.02.01 Sidewalks. Sidewalks are to be installed within the dedicated non-pavement right-of-way of streets as required in §4.06 Pedestrian and Bicycle Facilities. Sidewalks must be at least four inches thick. In areas of vehicular or equipment access, additional thickness and/or reinforcement may be required as determined by the subdivision official or the Planning Commission.

§5.02.02 Shared Use Paths. Shared use paths may be asphalt, Portland cement concrete or other ADA-compliant surface approved by the Subdivision Official.

§5.02.03 Sidewalks and Shared Use Paths at property lines and/or terminating points must have cross-walk preparations in place when another existing or planned sidewalk or shared use path is located across the street.

§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.

§5.03.02 Individual disposal must be used in instances where no public sanitary sewerage system is available providing approval is received from the State and the Morgan County Health Departments.

§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.

§5.04 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.

§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 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.

§5.05 Fire Hydrants

§5.05.01 Fire hydrants of a type acceptable to the Fire Department are required for all subdivisions. All proposed buildings must be within 500 feet of the nearest fire hydrant, as measured along the applicable street centerline. When proposed buildings are not within 500 feet of a fire hydrant, installation of a fire hydrant may be required, as determined by the Commission upon a recommendation by the fire authority. Fire hydrants must be located no more than 500 feet apart as measured along the applicable street centerline.

§5.05.02 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.

§5.06 Storm Drainage Facilities

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

§5.06.02 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.

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§5.06.03 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 watershed development permitted by the Zoning Ordinance or as provided for in the Comprehensive Plan. Drainage structures must be designed in accordance with Table 5-2, at a minimum.

TABLE 5-2 DRAINAGE STRUCTURE DESIGN REQUIREMENTS
Refer also to City or County Flood Ordinance, as applicable

Drainage Structure	Maximum Storm Event
Side Drain or Lateral Storm Sewer	10 year, 24 hour
Crossing (Closed) Storm Sewer	25 year, 24 hour
Culvert (Open) Cross Drainage	25 year, 24 hour
Bridge or Bridge Culvert	50 year, 24 hour*
Detention/Retention Ponds	100 year, 24 hour
*FEMA Flood Zone Requirements may require a 100-year design and FEMA coordination.	

§5.06.04 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.

§5.06.05 Swales. Where provided, swales must meet the following design criteria:

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

§5.07 STREET SIGNS

For subdivisions within the City limits, the Subdivider must deposit with the City Clerk at the time of final plat submission a sum, as established by the City Council, for street signage at each intersection within the subdivision. For subdivisions outside the City limits, the Subdivider must deposit with the Morgan County Engineer at the time of preliminary plat submission a sum, as established by said County Engineer, for street signage for each intersection within the subdivision.

§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 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. All telecommunications conduit must be installed with tracer wire. (see Appendix for ‘conduit bundle’ typical)

§5.08.04 All utility facilities existing and proposed throughout the subdivision must be shown on the preliminary plat. Easements centered on rear and/or side lot lines must be provided for utilities.

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§5.09 STREET LIGHTS

Street lights must be installed at all street intersections and other locations as necessary to maintain a maximum spacing of 300 feet, as approved by the Commission to provide for the public's safety and general welfare. 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. The Commission may waive this requirement when the subdivision is outside of the city limits.

§5.10 PERMANENT REFERENCE MARKERS

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, prior to Final Plat Approval, in accordance with the current requirements of the "Standards of Practice for Surveying in the State of Alabama".

§5.11 COMMON OPEN SPACES AND FACILITIES

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 Subdivider or a property owner association, the following apply:

§5.11.01 If not owned and maintained by the Subdivider, 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.

§5.11.02 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.

§5.11.03 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.

§5.12 US POSTAL SERVICE – CLUSTER BOX UNITS (CBU'S) – WHERE REQUIRED

§5.12.01 All US Postal Service approved CBU locations must be shown on the preliminary plat. If the proposed CBU locations are temporary and/or a central development CBU location is planned within a future development phase, the temporary locations must be noted as such on the preliminary plat.

§5.12.02 The developer must coordinate and install CBU's of a type acceptable to the US Postal Service prior to the issuance of any certificates of occupancy. The City of Priceville is not responsible for any change of US Postal Service CBU policy or the reversal of any US Postal Service CBU approval.

§5.12.03 The developer, property owner association, or property owner(s) shall be responsible for the repair and/or maintenance of any CBU.

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ARTICLE 6 BONDING, INSPECTION, ACCEPTANCE

Before the Final Plat is approved, the Subdivider must either construct the subdivision improvements or provide a financial guarantee of performance of the same as provided for in this Article. All public improvements must be dedicated to the City free and clear of all liens and encumbrances.

For subdivisions for which no Subdivision Agreement has been executed and no financial guarantee has been posted, if the improvements are not completed within the period specified by the Commission, the Preliminary Plat will be deemed to have expired.

§6.01 PERFORMANCE BOND

§6.01.01 Following the approval of a Preliminary Plat and prior to recording of the Final Plat, the Subdivider must execute a Subdivision Agreement (see Appendix) and file the agreement with the City Clerk. If subdivision improvements are to be constructed after Final Plat approval, the Subdivider must provide a Performance Bond to insure fulfillment of the agreement. The bond amount must be equal to 150% of the estimated cost of the improvements as approved by the City Engineer.

§6.01.02 Performance Bonds of the Subdivider must be secured I with one of the following guarantees, subject to Commission approval:

1. Deposit of cash, either with the City or in escrow with a bank. In the case of an escrow account, the bank with which the funds are to be deposited, must be specifically approved by the Commission.
2. Letter of Credit. A letter of credit the form of which must be acceptable to the Commission and which must be valid for one month longer than the period allowed for construction of improvements under §6.01.05.

   For use of an escrow account or Letter of Credit, the Subdivider must file with the Commission a written commitment guaranteeing the following:

   a. That the funds of said escrow account will be held in trust until release by the Commission and may not be used or pledged by the Subdivider as security in any other matter during that period; and

   b. That in case of a failure on the part of the Subdivider to complete the improvements, then the bank must immediately make the funds available to the City for use in the completion of the improvements.

§6.01.03 When the Performance Bond exceeds $10,000.00, the following rules apply:

1. The amount of the guarantee will be based upon one of the following:

   a. The sum of the monetary consideration for all signed contracts for improvements into which the Subdivider has entered, provided that contracts for all improvements indicated by the construction plans for said improvements have been executed; or

   b. Where no such contracts have been executed, the sum of the estimates of the costs of all improvements indicated by the construction plans, as estimated by a registered engineer paid by the City on a consulting basis; or

   c. Where some, but not all, such contracts have been executed, by the sum of the monetary consideration for all such contracts plus estimates of the cost of all improvements not yet contracted for, said estimates to comply with (b) above.

2. All costs of developing construction estimates for improvement guarantees must be borne by the Subdivider, who must reimburse the City at its costs for said services. Failure to reimburse the City within 30 days of the Commission meeting at which the Final Plat is approved voids the Final Plat, and the Chairman may not sign the Final Plat.
3. In determining the required amount of a Performance Bond, the value of the improvements calculated pursuant to this Section are reduced by the value of improvements already installed and inspected by the City.
4. All requests by Subdividers to post Performance Bonds must be made in writing at least 30 calendar days prior to the Commission meeting at which the Final Plat relating to said bond will be considered. Performance Bonds must

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be posted and accepted within 30 days after the Commission meeting at which the Final Plat is approved. Failure to meet this deadline automatically voids the Final Plat.

5. In addition to the monetary amounts required in this Section, a Performance Bond must include an administrative expense of ten percent of the value of the improvements to be guaranteed.
6. The Subdivider agrees with the City that the City will hire a professional land developer, State-licensed contractor, or registered engineer to supervise any construction undertaken with proceeds from a Performance Bond. The administrative fee will be used to pay the fee of the individual hired in this capacity.

§6.01.04 Temporary Improvements. The Subdivider must build and pay for all costs of any and all required temporary improvements and must maintain such improvements for a period approved by the Commission. Prior to construction, the Subdivider shall execute a separate Subdivision Agreement and surety for temporary improvements. The agreement and surety must ensure that the temporary facilities will be properly installed, maintained and removed.

§6.01.05 Time Limit for Construction. Prior to the granting of Final Plat approval, the Subdivider, and the Commission must agree upon a deadline for the completion of all required improvements, which must be at least 12 months but not more than 24 months from the date of Final Plat approval. The Commission may extend the deadline for one additional year (up to a total of two years) if the Subdivider presents substantial reason for doing so. In the case of an extension, the Commission may require the Performance Bond be recalculated and reposted.

§6.01.06 Any subdivision of portion thereof, for which a Performance Bond is still in effect, may not be sold to another party until said party posts a new Performance Bond with the City for construction of improvements within the subdivision or portion thereof. If construction is not completed within the period specified by the Commission prior to such sale, the Preliminary Plat is considered expired and must be resubmitted for approval and the Performance bond recalculated and reposted.

§6.02 Inspection, Certification

The Subdivision Official will regularly inspect for defects in the construction of required improvements. The Subdivider must pay the inspection fee, as set by the Council, at the time of Final Plat application. The Commission Chairman may not sign the Final Plat unless inspection fees have been submitted. Inspection fees are due and payable upon demand and no building permits or certificates of occupancy may be issued until all fees are paid. Wherever a Performance Bond has been provided, the Subdivider and the bonding company will be severally and jointly liable for completing the improvements according to specifications and the approved plat.

§6.02.01 The Subdivision Official must approve all engineering and materials change orders to improvements specified in the final plat approved by the Commission. The City will take appropriate action to ensure compliance with approved plans and specifications and the Subdivider will be notified when unauthorized changes to the plans are detected. Non-compliant improvements will not be accepted; and the Commission may not grant post-installation variances for non-compliant improvements. Engineering change orders relating only to sanitary sewer systems, which do not require relocation of easements or rights-of way, must be submitted to the City for approval and do not require Commission action, provided, however, that such change orders must be reported to the Subdivision Official and must be reflected on the As-Built Construction Drawings presented to the City.

§6.02.02 The City will conduct independent inspections of all infrastructure anticipated to be accepted by the City and will notify the Subdivision Official of the status of inspections and acceptability of the work. Failure of the City to approve the work within the required time limits established in this Article will cause the Subdivider and any party guaranteeing acceptable completion of the work to be jointly and severally liable for completing the improvements according to the specifications.

§6.02.03 If the Subdivision Official finds upon inspection that any of the required improvements have not been constructed in accordance with the approved construction plans, the Subdivider is responsible for compliant remedial construction of the improvements.

PENDING PUBLIC HEARING

§6.03 ACCEPTANCE OF IMPROVEMENTS, MAINTENANCE

§6.03.01 Acceptance

Acceptance of formal offers of dedication of streets, public areas, easements and parks are by vote of the City Council. Upon completion of these improvements, the Subdivision Official 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.

§6.03.02 Upon completion of the improvements, the Subdivider must file with the Commission a statement stipulating that:

1. All required improvements are complete;
2. The improvements are in compliance with the minimum standards specified by the City for their construction;
3. The applicant knows of no defects from any cause in those improvements; and
4. The improvements are free and clear of any encumbrances or lien.

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 rights of way and easements within the subdivision, including sanitary sewer infrastructure, are dedicated to the City. The Subdivider must submit a PDF or other electronic version of the subdivision plat as-built as part of the filing.

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 Subdivision Official, then upon receipt of the other statements and agreements detailed above, the Council may accept the dedication of the completed improvements.

§6.03.03 Reduction of Guarantee

A Performance Bond may be reduced upon actual dedication of public improvements and then only to the ratio that the dedicated improvements bear to the total public improvements for the plat. However, the Performance Bond for partially completed improvements may not be reduced below 25% of the principal amount.

§6.03.04 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 incompletion or for reason of substandard construction, then the Commission shall declare whatever security has been pledged as a guarantee to be forfeited. If the 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, or crediting institution, as appropriate.

§6.03.05 Maintenance. The Subdivider must maintain all improvements until acceptance of the required improvements by the City in accordance with the following:

1. 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 for a period of one year from the date of dedication. The amount of the Maintenance Bond must be equal to 15% of the total cost of all public improvements. Failure to post a maintenance bond or security may constitute cause for denial of acceptance by the City or Board, as applicable.
2. 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.
3. The Maintenance Bond must remain in full force for a period of 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.

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4. 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 13 months from the date of acceptance of such improvements.

§6.04 RELEASE OF GUARANTEE

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

PENDING PUBLIC HEARING

PENDING PUBLIC HEARING