

LIMESTONE COUNTY, ALABAMA
SUBDIVISION REGULATIONS

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ARTICLE 1

PURPOSE, POLICY, AND TITLE

SECTION 1-1. PURPOSE

The subdivision regulations set out herein have been adopted pursuant to authority granted by Code of Alabama 1975, '11-24-1(b) to establish procedures and standards for the design and development of proposed subdivisions or additions to existing subdivisions within the subdivision jurisdiction of Limestone County, Alabama, as defined by Section 2-2 of these subdivision regulations. These regulations shall be applicable to the development of any subdivision within the county's subdivision jurisdiction, and shall include, at minimum, the minimum size of lots, the planning and construction of all public streets and roads, drainage structures, and proper placement of public utilities to be located in a subdivision. [Authority: Code of Alabama 1975, '11-24-1(b).] Additionally, unless waived by the Limestone County Commission, these regulations shall also apply to the county's plat approval for developments within the territorial jurisdiction of a municipal planning commission. [Authority: Code of Alabama 1975, ' 11-52-30(b).]

It is not the purpose of these regulations to govern the acceptance of roads or streets for maintenance by the County Commission. Acceptance of roads or streets for maintenance by the Limestone County Commission is outlined in Appendix V.

SECTION 1-2. POLICY

- a. It is hereby declared to be the policy of Limestone County to consider the subdivision of land and the subsequent development of the subdivided land as subject to the control and regulation of the Limestone County Commission pursuant to the authority granted to the County by Code of Alabama 1975, ' 11-24-1 et seq.
- b. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace. Except as exempted by these regulations, no land shall be subdivided until proper provision has been made for drainage, sewage disposal, and streets, and approval has been granted in accordance with the procedures prescribed by Code of Alabama 1975, ' 11-24-1 et seq., and set out in these regulations.
- c. Prior to the actual sale, offering for sale, transfer, or lease of any lots for the purpose of creating, establishing, or modifying a subdivision, any owner or developer of land which lies within the area of the county's subdivision jurisdiction shall submit the Plat (11/99) of the proposed subdivision to the Limestone County Commission for approval in accordance with the procedures prescribed by Code of Alabama 1975, ' 11-24-1 et seq., and as set out in these regulations.

- d. No owner or developer may proceed with construction improvements in a subdivision until the proposed plans and specifications have received Preliminary Plat Approval by the Limestone County Commission.

No owner or developer shall proceed with the actual sale, transfer or lease of lots, within a subdivision until such subdivision Final Plat has been granted approval entered and recorded in the office of the Probate Judge of Limestone County in accordance with the procedures prescribed by Code of Alabama in writing on the Plat and signed by the County Engineer of Limestone County and 1975, ' 11-24-1 et seq., and set out in these regulations.

- f. Any violations of this policy may subject the owner or developer to penalties as set out in Section 2-3 of these regulations and Code of Alabama 1975, ' 11-24-3.

SECTION 1-3. TITLE

The regulations shall hereafter be known, cited and referred to as the Subdivision Regulations of Limestone County, Alabama.

SECTION 1-4. EFFECTIVE DATE

The regulations set out herein shall be in force and applicable to the development of all subdivisions in the subdivision jurisdiction of the Limestone County Commission from and after the date of adoption by resolution. Subdivision regulations previously in place in Limestone County are hereby repealed and rescinded.

Adopted by resolution this the _____ day of _____, 19__.

ARTICLE 2

AUTHORITY, JURISDICTION AND AMENDMENTS

SECTION 2-1. AUTHORITY

By Authority of Resolution of the Limestone County Commission, adopted pursuant to the powers and jurisdiction granted by Code of Alabama 1975, ' 11-24-1 et seq., the Limestone County Commission does hereby exercise the power and authority to review, approve, and disapprove the subdivision of land for all subdivisions within the subdivision jurisdiction of Limestone County, Alabama. The Limestone County Commission further does hereby exercise the authority to inspect any development within its subdivision jurisdiction to ensure that there are no violations of its rules and regulations and to charge fees for said inspection as set out in Article IV, Section 4-4-2 of these regulations and Code of Alabama 1975, ' 11-24-3.

SECTION 2-2. JURISDICTION

From and after the effective date set out in Section 1-4, these regulations shall govern each and every subdivision of land in all unincorporated areas of Limestone County, unless otherwise exempted by these regulations. For subdivisions within the territorial jurisdiction of any existing or future municipal planning commission organized pursuant to the procedures set out in Code of Alabama 1975, ' 11-52-1 et seq., the County's jurisdiction shall be in accordance with and limited to the provisions of Code of Alabama 1975, ' 11-52-30(b) regarding approval of plats.

SECTION 2-3. ENFORCEMENT

It shall be the duty of the County Engineer to enforce the regulations and notify the Limestone County Commission of any violations or lack of compliance with these regulations.

2-3-1. INSPECTION OF PROPOSED SUBDIVISIONS

In its effort to monitor compliance with these regulations, the Limestone County Commission may employ inspectors to ensure that these rules and regulations are not violated and that all plans and specifications of the owner or developer are not in conflict with these rules and regulations. The county may charge inspection fees as provided in Section 4-7 of these regulations and Code of Alabama 1975, ' 11-24-3, to be paid by the developers of the proposed subdivision.

2-3-2. VIOLATIONS/ PENALTIES

Pursuant to Code of Alabama 1975, ' 11-24-3, any owner or developer who violates any provision of Code of Alabama 1975, ' 11-24-1 et seq. or any of the regulations set out herein shall be subject to a fine of not less than two hundred and fifty dollars (\$ 250) but not to exceed one thousand dollars (\$1000) per lot that has been sold, offered for sale, transferred, or leased to the public.

The Limestone County Commission is authorized to bring a civil action in any court of competent jurisdiction to enjoin any action of an owner or developer which is in violation of the provisions of Code of Alabama 1975, ' 11-24-1 et seq., or any of the regulations set out herein. In such action, the County Commission shall be entitled to seek an injunction and may recover penalties as set out in these regulations and Code of Alabama 1975, ' 11-24-3.

SECTION 2-4. AMENDMENTS

The Limestone County Commission may adopt amendments to increase the effectiveness of these regulations or expedite the approval of subdivision plats by majority vote of the County Commission.

SECTION 2-5. BOARD OF DEVELOPERS

As provided in Code of Alabama 1975, ' 11-24-1(c), the Limestone County Commission may establish a board of developers to make suggestions to the Commission regarding the contents of the subdivision regulations, suggest revisions to the subdivision regulations, and assist in resolving disputes between developers and the Commission. If such a board is established, its procedures, policies, and authority shall be added as an amendment to the subdivision regulations of Limestone County.

ARTICLE 3

DEFINITIONS

SECTION 3-1. USAGE

For the purpose of these regulations, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this section. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word herein means "in these regulations"; the word "regulations" means "these regulations".

A "person" includes a corporation, a partnership, and an incorporated association of persons such as a club; "shall" is always mandatory; a "building" includes a "structure" and includes any part thereof; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied".

Any reference to a manual or publication refers to the current or latest edition. References will be encountered mainly in the Design Standard section (Section 5-6).

SECTION 3-2. DEFINITION OF TERMS

- 3-2-1 ACCESS: Deeded portion of property or lot that provides travelway to a public city, county, or state road. All access must have fifty (50) foot minimum width from the city, county, or state road to the building site.
- 3-2-2 ADT (AVERAGE DAILY TRAFFIC): total volume of vehicles during a given time period, in whole days, as measured during a non-holiday weekday.
- 3-2-3 ALLEY: A public right-of-way primarily designed to serve as a secondary access to the side or rear of those properties whose principal frontage is on some other street.
- 3-2-4 APPLICANT: The owner of land proposed to be subdivided or a person designated in writing by the legal owner as his or her representative.

- 3-2-5 **ARTERIAL:** A road or street which connects areas that produce a large amount of trip generation. Arterials have a dual function to move traffic and to provide access to land uses, particularly the high trip-generating commercial activities. Arterials shall be as shown on the most recent Highway Functional Classification Map approved by the Federal Highway Administration and available for viewing at the office of the County Engineer.
- 3-2-6 **BLOCK:** A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad right-of-way, shorelines of waterways or other boundary lines.
- 3-2-7 **BUILDING:** Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind, and includes any structure.
- 3-2-8 **BUILDING SETBACK LINE:** A line parallel to the property line over which no structure may be erected.
- 3-2-9 **COLLECTOR STREET:** A route whose primary function is to collect traffic from an area and move it to the arterial street system while also providing substantial service to abutting land use, and which typically does not have extensive continuity. Collectors shall be as shown on the most recent Highway Functional Classification Map approved by the Federal Highway Administration and available for viewing at the office of the County Engineer.
- 3-2-10 **CONSTRUCTION PLANS:** Plans detailing the design and requirements for the construction of public improvements. These plans shall detail such items as the location of all existing and proposed roads, plan and profiles of all roads, curve data, hydraulic data, etc. (See Section 4-4-4 for complete list of items required.)
- 3-2-11 **CORNER LOT:** A lot which occupies the interior angle at the intersection of street lines.
- 3-2-12 **COUNTY:** The County of Limestone, Alabama.
- 3-2-13 **COUNTY ADMINISTRATOR:** The duly designated Administrator or Clerk of Limestone County, Alabama.
- 3-2-14 **COUNTY COMMISSION:** The County Commission of the County of Limestone Alabama.
- 3-2-15 **COUNTY ENGINEER:** The duly designated Engineer of the County of Limestone Alabama.
- 3-2-16 **COUNTY SPECIFICATIONS:** All construction specifications which have been adopted by the County Commission or as required by the County Engineer and all utility departments.
- 3-2-17 **CUL-DE-SAC:** A minor street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

- 3-2-18 DAY: A calendar day.
- 3-2-19 DEDICATION: The transfer of property from private to public ownership.
- 3-2-20 DEVELOPER: The owner of land proposed to be subdivided or a person designated in writing by the legal owner as his or her representative.
- 3-2-21 DEVELOPMENT: Includes but is not limited to, the design work of lot layout the construction of drainage structures, the construction of buildings or public use areas, the planning and construction of public streets and public roads, and the placement of utilities.
- 3-2-22 DEPTH OF LOT: The mean horizontal distance between the front and rear lot lines.
- 3-2-23 DOUBLE FRONT LOT: A lot having frontage on two (2) non-intersecting streets as distinguished from a corner lot.
- 3-2-24 EASEMENT: A grant by the property owner of use, by the public, a corporation, or person(s) of a strip of land for specified purposes or as created by operation of law.
- 3-2-25 EXPRESSWAY OR FREEWAY: Facilities that accommodate a high volume of traffic through the prohibiting of ingress and egress except at controlled intervals. Freeways involve complete control of access while expressways permit at grade intersections at infrequent intervals. The expressway or freeway has only one function - to carry traffic. Interstate Highways within Limestone County are designated as Freeways for the purposes of these regulations.
- 3-2-26 ENGINEERING PLAN (AS BUILT): A post construction record giving details of construction and locations of improvements as they were built or installed.
- 3-2-27 FINAL PLAT: A plat of a tract of land which meets the requirements of these regulations and is in form for recording in the Office of the Probate Judge of Limestone County, Alabama.
- 3-2-28 FLOODPROOFING: Any combination of structural or nonstructural additions, changes, or adjustments which reduce or eliminate flood damage to real property, or improved real property, water supply and sanitary sewer facilities, electrical systems, and structures and their contents.
- 3-2-29 FLOODWAY: The stream channel and the portion of the adjacent floodplain which must be reserved solely for the passage of flood-waters in order to prevent an increase in upstream flood heights of more than one (1) foot above the predevelopment conditions. For the purpose of these regulations, floodways shall be defined as follows:
1. The floodways as identified in the Flood Insurance Study for Limestone County, Alabama.
 2. Along small streams and Watercourses: All lands lying within twenty-five (25) feet of the top of the bank of the channel (measured horizontally), unless the developer demonstrates to the satisfaction of the County Engineer that a lesser

distance (but not less than fifteen (15) feet) is adequate based on the watershed characteristics and probable storm runoff for the 100-year flood projections for the area.

3-2-30 LAND SUBJECT TO FLOODING: For the purpose of these regulations, land subject to flooding shall be defined as follows:

1. The lands identified as having special flood hazards by the Office of Federal Insurance and Hazard Mitigation. The lands identified as subject to inundation by the 100-year flood projections and all lands lying below the 100-year flood elevations as demonstrated by the maps and charts contained in the Flood Insurance Study for Limestone County, Alabama, as prepared by the Federal Emergency Management Agency (FEMA), Office of Federal Insurance and Hazard Mitigation, and all subsequent revisions thereto, which are made a part of these regulations.
2. Along Small Streams and Watercourses: All lands lying within one hundred (100) feet of the top of the bank of the channel (measured horizontally) unless the developer demonstrates to the satisfaction of the County Engineer that the property in question is free from the danger of inundation by the 100-year flood projections or that adequate remedial measures have been taken to allow the watercourse to safely accommodate the 100-year flood projections.

3-2-31 FLOOD, ONE HUNDRED (100) YEAR: A flood that has, on the average, a one (1) percent chance of being equaled or exceeded in any given year.

3-2-32 FLOOD, TEN (10) YEAR: A flood that has, on average, been equaled or exceeded at a frequency of once every ten (10) years.

3-2-33 FLOOD, TWENTY-FIVE YEAR: A flood that has on average been equaled or exceeded at a frequency of once every twenty-five (25) years.

3-2-34 HARDSHIP: An unusual situation on the part of an individual property owner which will not permit the full utilization of property. A hardship exists only when it is not self-created.

3-2-35 HEALTH DEPARTMENT: Alabama State Department of Public Health or Limestone County Health Department.

3-2-36 IMMEDIATE FAMILY MEMBER: Includes the owner's husband, wife, children, brothers, sisters, parents, stepparents, step children, grandchildren, step grandchildren and grandparents or spouse's brothers, sisters, parents, stepparents, step children, grandchildren, step grandchildren and grandparents.

3-2-37 LICENSED ENGINEER: An engineer properly licensed and registered in the State of Alabama.

- 3-2-38 LICENSED LAND SURVEYOR: A land surveyor properly licensed and registered in the State of Alabama.
- 3-2-39 LOT: A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership, lease or rental, or for building development.
- 3-2-40 MARGINAL ACCESS: A service road or other treatment used to provide adequate protection of properties in cases where an arterial runs through or near a subdivided area.
- 3-2-41 MAJOR SUBDIVISION: See Section 3-2-57(a), Subdivision Categories.
- 3-2-42 MINOR ROAD OR STREET: A route used to connect collector roads in a road system and service only the residents of that road.
- 3-2-43 MINOR SUBDIVISION: See Section 3-2-57(b), Subdivision Categories.
- 3-2-44 MONUMENT: A permanent object serving to indicate a limit or to mark a boundary.
- 3-2-45 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.
- 3-2-46 OWNER'S ENGINEER: The engineer or land surveyor registered and in good standing with the State Board of Registration of Alabama who is the agent in his professional capacity of the owner of land which is proposed to be subdivided or which is in the process of being subdivided.
- 3-2-47 PERMANENT REFERENCE POINTS: As defined by The Minimum Technical Standards for Land Surveying in the State of Alabama.
- 3-2-48 PRELIMINARY PLAT: A tentative plan of the proposed subdivision as submitted to the County Engineer as detailed in Section 1-2(d) and Section 4-4 of these subdivision regulations.
- 3-2-49 PROBATE JUDGE: The Judge of Probate of Limestone County, Alabama.
- 3-2-50 RESUBDIVISION: A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.
- 3-2-51 ROAD OR STREET: A public right-of-way for vehicular traffic that affords the principal means of access to abutting property.
1. CITY ROAD: Public road maintained by the city.

2. COUNTY ROAD: Public road maintained by the county.
 - a. DEEDED: A road deeded to and accepted by the county.
 - b. DEDICATED: A road dedicated by plat to the county for public use.
 - c. PRESCRIPTIVE: An open, defined roadway in continuous use by the public as a highway without let or hindrance for a period of twenty (20) years. This is a factual determination taking into consideration things such as use by the public and as a mail or school bus route, maintenance by the county, length of use, etc. Prescriptive road is a county road even though it has not been constructed or formally accepted by the county.
3. PRIVATE ROAD: Road not owned or maintained by the city, county, or state whether or not it has public access.
4. STATE ROAD: Public road owned or maintained by the state of Alabama.

3-2-52 SETBACKS: A setback is synonymous to "building setback line". See Section 3-2-8.

3-2-53 SINGLE TIER LOT: A lot which backs upon a street, a railroad, a physical barrier, or a residential or non-residential use, and to which access from the rear of the lot is usually prohibited.

3-2-54 SKETCH PLAN: The sketch plan is drawn prior to the preparation of the Preliminary Plans (or Final Plat in cases of minor subdivisions) to enable the applicant to save time and expense in reaching general agreement with the County Engineer as to the form of the plat and the objectives of these regulations.

3-2-55 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, any interest, lot, parcel, site, unit, or plat in a subdivision, or who (3) is employed by or directly or indirectly controlled by, or under direct, or indirect common control with any of the foregoing.

3-2-56 SUBDIVISION: The development and division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites, or otherwise for the purpose of establishing or creating a subdivision through the sale or lease of lots, or building development. Statutory definition found in Code of Alabama 1975, ' 11-24-1(a)(4).

EXCLUSIONS: A subdivision shall not include any of the following:

- a. The construction or development of roads or buildings on private property to be used for agricultural purposes. See, Code of Alabama 1975, ' 11-24-1(a)(4);
- b. Property division during the probate process of family estates;

- c. Property division between immediate family members. See Code of Alabama 1975, ‘ 11-24-2(c);
- d. The public acquisition by purchase, donation, or condemnation of strips of land for the widening or opening of streets by the County Commission or easements for installation of public utilities.

3-2-57 SUBDIVISION CATEGORIES:

- a. SUBDIVISION, MAJOR : All subdivisions not classified as a MINOR SUBDIVISION, or meeting the requirements of OTHER SUBDIVISION.
- b. SUBDIVISION, MINOR: Any subdivision of more than 5 lots with parcels or lots fronting on an existing county road that, in the opinion of the County Engineer, does not require any new street (or road) for adequate access to all lots, does not require the creation of any public improvements other than utility extensions, does not adversely affect the remainder of the parcel or adjoining property, and has existing drainage facilities adequate to serve the development.
- c. SUBDIVISION, OTHER. Any subdivision of no more than 5 lots with parcels or lots fronting on an existing county road that, in the opinion of the county engineer, does not require any new street (or road) for adequate access to all lots, does not require the creation of any public improvements other than utility extensions, does not adversely affect the remainder of the parcel or adjoining property, and has existing drainage facilities adequate to serve the development. If an OWNER/DEVELOPER desires to resubdivide land subdivided under the definition of “OTHER SUBDIVISION” within one year of the original subdivision of land, the new subdivision will be considered a MINOR or MAJOR SUBDIVISION regardless of the number of lots created.

3-2-58 SUBDIVISION JURISDICTION: All areas outside the corporate limits of any municipality in Limestone County.

3-2-59 SURETY: Any bond, certificate of deposit, irrevocable letter of credit, cashier check, or other acceptable guarantee as approved by the County Commission or their authorized agent.

3-2-60 TERRITORIAL JURISDICTION OF MUNICIPAL PLANNING COMMISSION: As defined by Code of Alabama 1975, ‘ 11-54-2 “No planning or zoning regulation of a municipality located wholly or partially within Limestone County shall extend beyond the corporate limits of the municipality.”

3-2-61 VARIANCE: Permission to depart from the literal requirements of these subdivision regulations by virtue of unique hardship due to special circumstances regarding property to be developed. A waiver of the strictest letter of the regulations upon substantial compliance without sacrificing the spirit and purpose of the regulations.

3-2-62 WATERCOURSE: Any depression serving to give direction to a flow of water, having a bed and defined banks. The definition shall also include other generally or specifically designated areas where flooding may occur. The flow of water need not be on a continuous basis, but may be intermittent resulting from the surface runoff of precipitation.

3-2-63 WIDTH OF LOT: The mean horizontal distance between the two side lot lines.

ARTICLE 4

APPROVAL OF SUBDIVISIONS

SECTION 4-1. APPROVAL OF SUBDIVISIONS REQUIRED

From and after October 1, 1999, no subdivision plat of land within the subdivision jurisdiction, as defined in Article 3-2-58 of these regulations, shall be filed or recorded nor shall any lots be sold or leased until the plat has been submitted to and approved by the County Commission pursuant to Code of Alabama 1975, ' 11-24-1 et seq. The Probate Judge, upon receipt of a copy of these regulations, the County Commission's Resolution, and a letter from the County Commission Chairman, shall not thereafter file or record a plat (11/99) of a subdivision of land located within the County's subdivision jurisdiction, as defined herein, without the approval of such plat (11/99) in accordance with these regulations. No street or road shall be accepted and maintained by the County, nor shall any utilities or county services be extended to the subdivision, unless and until the requirements set forth in these regulations have been complied with and the subdivision has been approved by the County Commission.

It is the responsibility of the developer to apply for subdivision approval unless the development meets one of the exclusions to these regulations pursuant to the definition of subdivision set out in Section 3-2-57. The developer shall be responsible for the construction, maintenance, and repair of all such development until and unless the roads are accepted by the county pursuant to the laws of this state.

SECTION 4-2. PRE-APPLICATION REVIEW

Whenever the subdivision of a tract of land is proposed within the jurisdiction of these regulations, the subdivider is urged to consult early and informally with the County Engineer. The subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity, and the proposed layout and development of the subdivision. The purpose of this pre-application review is to afford the subdivider an opportunity to avail himself of the advice and assistance of the County Engineer in order to facilitate the subsequent preparations and approval of plans.

SECTION 4-3. GENERAL REQUIRED PROCEDURES FOR APPROVAL OF MAJOR SUBDIVISIONS

If the plat is for a Major Subdivision as defined in Section 3-2-57(a), the subdivider shall comply with each of the following:

- a. The preliminary and final plat procedures set forth in this Section, and;
- b. The submission of Fees as set forth in Section 4-6;
- c. The design standards set out in Article 5;
- d. The required improvements set out in Article 6.

SECTION 4-3-1. PRELIMINARY PLAT REVIEW & APPROVAL

In accordance with the policy of the County Commission, no lot may be offered for sale and no construction begun, no utilities extended to, or connected with any major subdivision of land, as defined herein, until the Preliminary Plat has been approved by the Limestone County Commission.

4-3-1(A) APPLICATION PROCEDURE

The developer shall submit an application for Preliminary Plat approval to the County Engineer at least twenty-five (25) calendar days prior to a regularly scheduled meeting of the County Commission to allow compliance with Code of Alabama 1975, ' 11-24-2(b); The application shall include each of the following:

- (1) A letter stating that the preliminary plans are being submitted for review;
- (2) Application for Preliminary Plan Review (Appendix II);
- (3) At least two (2) copies of the Preliminary Plat of the proposed subdivision prepared in accordance with the requirements of the subdivision regulations;
- (4) Construction Plans for all required improvements;
- (5) A letter from the County or State Health Department stating that the general lot layout has been reviewed; and
- (6) Any applications for variances.
- (7) Check to cover review and inspection fees as set forth in Section 4-6.

4-3-1(B) PRELIMINARY PLAT REVIEW NOTICE

After the County Engineer or his or her designee has reviewed the Preliminary Plat and Construction Plans, the County Engineer shall certify to the County Commission whether the plat meets the county's regulations. If the County Engineer determines that the plat is deficient in any regard, the County Engineer shall detail the deficiency to the County Commission along with a recommendation that the development be disapproved. Notice of the recommendation of the County Engineer, to approve or disapprove, shall be sent to the owner or developer, adjoining land owners, and any utilities involved, as shown on the submitted plat as required in Section 4-4-3 (1), (6), and (7), by registered or certified mail at least ten (10) days before the recommendation is presented to the County Commission for action. One copy of the proposed Preliminary Plat shall be returned to the applicant with the date of approval, conditional approval, or disapproval and the reasons therefore accompanying the plat. One copy shall be retained for the County Engineer.

4-3-1(C) PRELIMINARY PLAT REQUIREMENTS

The Preliminary Plat shall be prepared by a licensed land surveyor and shall be clearly and legibly drawn at a convenient scale of not less than one (1) inch equals one hundred (100) feet, and the sheets shall be numbered in sequence if more than one (1) sheet is used. The Preliminary Plat shall show the following:

- (1) Name and addresses of owners of record;
- (2) Proposed name of subdivision, date, north point, scale and location;
- (3) Name and seal of licensed land surveyor;
- (4) Vicinity map showing location of the subdivision;
- (5) Exact boundaries of the tract of land being subdivided, shown with bearings and distances;
- (6) Names and addresses of the owners of land immediately adjoining the tract of land being subdivided, as their names appear on the plats in the County Tax Assessor or Revenue Commissioner's office;
- (7) Names and addresses of all utilities that provide service to the proposed subdivision;
- (8) Wooded areas, marshes, and any other conditions affecting the site;
- (9) The location of existing streets, buildings, water courses, railroads, transmission lines, drainage structures, public utilities, jurisdiction lines, and any public utility easements on and adjacent to the tract being subdivided;
- (10) Proposed rights-of-way or easements including locations, widths, purposes, and street names; (Easement widths shall be as defined in Section 5-4 of these regulations)
- (11) Proposed lot lines with bearings and distances and lot and block numbers;

- (12) Proposed minimum building setback lines;
- (13) Proposed parks, school sites, or other public open spaces, if any;
- (14) Site data:
 - a. Acreage in total tract;
 - b. Smallest lot size;
 - c. Total number of lots;
 - d. Linear feet in streets;
- (15) Any area within or adjacent to the proposed subdivision subject to inundation by the 100-year flood projections as defined herein, or subject to periodic inundation by storm drainage overflow or ponding, shall be clearly shown and identified on the plat.
- (16) The following endorsements and certificates shall be placed on the Preliminary Plat (see Appendix I for sample certificates):
 - a. Certificate of Engineering Design by a Licensed Engineer
 - b. Certificate of Description of Land Platted by a Licensed Land Surveyor

4-3-1(D) CONSTRUCTION PLANS:

At the time of submission of the Preliminary Plat, the applicant shall also submit Construction Plans for all required improvements. All plans shall meet the minimum standards of design and general requirements for the construction of public improvements as set forth in these regulations. Construction Plans shall be drawn at a scale of not less than one (1) inch equals fifty (50) feet, and map sheets shall be of the same size as the Preliminary Plat. Construction Plans shall be prepared by a licensed engineer. The following construction plans shall be included:

- (1) Street plan containing the following information:
 - a. Location of all proposed and existing streets or rights-of-way in or adjacent to the subdivision;
 - b. Width of existing and proposed rights-of-way and easements;
 - c. Road names;
 - d. Plan and profile of all proposed streets, showing natural and finished grades drawn to a scale of not less than one (1) inch equals fifty (50) feet horizontal and one (1) inch equals five (5) feet vertical;
 - e. Cross sections of proposed streets at a minimum of 100' stations or as required by the County Engineer;
 - f. Curve data for the centerline of each street: Delta, Tangent, and Radius;
 - g. Location of all required sidewalks and crosswalks;

- (2) Storm Drainage Plan containing the following information:
 - a. Location of proposed drainageways, streams, and ponds in the subdivision;
 - b. Topography at suitable contour intervals, as approved by the County Engineer, to show existing & proposed drainage;
 - c. Location, size, and invert elevations of proposed drainage structures including culverts, bridges, pipes, drop inlets, and top elevations of head walls, etc., showing details on Drainage Plan, including conduit schedule;
 - d. Show construction details of typical manholes, connections, and other drainage structures proposed;
 - e. Area of land contributing run-off to each drainage structure along with run-off calculations and applicable coefficients depending on method used [i.e. Rational method: runoff coefficient (C), rainfall intensity (I), catchment area (A), and the discharge at the structure (Q)]. Show calculated capacity of all drainage structures proposed. All drainage structures shall be designed using a twenty-five year design storm, minimum.
 - f. Location of easements and rights-of-way for drainageways and maintenance access thereof;
 - g. Typical cross-sections of each drainageway;
 - h. Direction of water flow throughout subdivision and compatibility with existing drainage.
 - i. Size of side drains required for each lot.
- (4) Sanitary Sewer Plan, if applicable, containing the location of all existing and proposed sewers, location of sewer laterals, location of each manhole and other sewage system appurtenances including lift stations, oxidation ponds, and treatment plants, and the plan and profile of the sewage system. Construction details of typical manholes, connections, and other proposed sewage structures should also be shown. Names of owners/operators of sewage disposal system should be shown on the Sanitary Sewer Plan.
- (5) Water Distribution Plan containing the location and size of water distribution system including pipes, valves, fittings, hydrants, high-pressure pumping equipment, etc.
- (6) Electric Distribution Plan containing the location of all poles or subsurface facilities as necessary to serve each lot or parcel of land within the subdivision.
- (7) Gas Distribution Plan, if applicable, containing the location of all above ground and subsurface facilities as necessary to serve each lot or parcel of land in the subdivision.

All construction plans shall meet the minimum standards of design and general requirements for the construction of public improvements as set forth in these regulations. These plans shall be drawn at a horizontal scale not less than one (1) inch equals fifty (50) feet. Sheet size shall be 24" x 36" or less. Construction plans shall be prepared and sealed by a Licensed Engineer.

SECTION 4-3-2. FINAL PLAT REVIEW & APPROVAL FOR MAJOR SUBDIVISIONS

In accordance with the policy of the County Commission, no deeds may be transferred within any major subdivision of land, as defined herein until the Final Plat has been approved by the County Commission.

The developer shall submit an application for Final Plat Approval to the county engineer at least fifteen (15) calendar days prior to a regularly scheduled meeting of the County Commission. The application shall include each of the following:

4-3-2(A) APPLICATION PROCEDURE AND REQUIREMENTS:

Following the review of the Preliminary Plans and approval by the County Commission, the applicant, if he wishes to proceed with the subdivision, shall file with the County Commission an application for approval of the Final Plat (Appendix II). The application shall:

- (1) Be accompanied by a letter stating that the final plat is being submitted for approval;
- (2) Be accompanied by the original tracing, and two (2) black or blueline prints of the plat;
- (3) Comply in all respects with the Preliminary Plans, as reviewed, except for minor modifications not altering the design of the subdivision;

- (4) Be accompanied by an appropriate guarantee of completion of improvements in accordance with Article 7, in a form meeting the county's requirements, and in an amount sufficient to guarantee the actual construction and installation of such approved public streets, roads, drainage structures and public utilities. A surety bond will be required in all cases where construction and installation of the required improvements have not been completed.

4-3-2(B) FINAL PLAT APPROVAL

After the County Engineer or his or her designee has reviewed the Final Plat, the County Engineer shall certify to the County Commission whether the plat meets the county's regulations.

4-3-2(C) SIGNING AND RECORDING OF FINAL PLAT

- (1) Signing of Plat

All plats shall be approved by the County Commission prior to recording in the Probate Office. The county engineer shall note and date the approval on the plat and sign said plat in his or her official capacity as required in Code of Alabama 1975, ' 11-52-30(b).

- (2) Recording of Plat

Once a plat has been approved and such approval evidenced by the county engineer's notation on the plat, it shall be recorded by the developer in the Office of Probate after final approval has been given by the County Commission in accordance with the Code of Alabama 1975, ' 11-24-2.

4-3-2(D) FINAL PLAT REQUIREMENTS

The Final Plat shall be prepared by a registered land surveyor and shall be clearly and legibly drawn at a convenient scale of not less than one (1) inch equals one hundred (100) feet. The Final Plat, as submitted for approval, shall be prepared on a suitable permanent mylar reproducible. The sheet size shall be of such size as is acceptable for filing at the Office of the Probate Judge.

The Final Plat shall show the following:

- (1) Name of subdivision, north point, scale, and location;
- (2) The relation of the land so platted to the Government Survey of Limestone County. The "Point of beginning" as referred to in the written description shall be so indicated;

- (3) Sufficient data to determine readily and reproduce on the ground the location, bearing, and length of every street line, lot line, boundary line, and block line, whether straight or curved. This shall include the radius, central angle, point of tangency, tangent distance, and arcs and chords;
- (4) The names and locations of adjoining subdivisions and streets, with reference to recorded plats by record name;
- (5) Streets and alleys, rights-of-way, and street numbers;
- (6) The location of easements, including location, widths, and purposes;
- (7) Lot lines and lot and block numbers;
- (8) Parks, school sites, or other public open spaces, if any;
- (9) Location of any Special Flood Hazard Area boundaries and Flood Elevations noted as Zone A or Zone B according to the Flood Insurance Rate Maps of Limestone County.

The following endorsements, dedications, and certificates shall be placed on the Final Plat (See Appendix I for sample certificates):

- (1) Licensed Land Surveyor's Certificate and Description of Land Platted;
- (2) Dedication by owner;
- (3) A notary's Acknowledgment of the Dedication Certificate referred to in "2";
- (4) A Certificate of Approval by all appropriate utilities;
- (5) A Certificate of Approval by the County Engineer of Limestone County;
- (6) A Certificate of Approval by the Limestone County Health Department (if septic tanks and/or wells are necessary).

The above certificates shall be lettered or typed on the Final Plat in such a manner as to insure that said certificates will be legible on any prints made therefrom.

4-4 GENERAL REQUIRED PROCEDURES FOR APPROVAL OF MINOR SUBDIVISIONS

In accordance with the policy of the County Commission, no land may be offered for sale, sold or deeds transferred within any minor subdivision of land, as defined herein until the Final Plat has been approved by the County Commission.

If the subdivider wishes to offer the land for sale prior to making the final layout or arrangement of lots, he may follow the procedures outlined in Section 4-3 for Major Subdivisions and offer the lots for sale after the Preliminary Plat Approval. However, no deeds may be transferred until the Final Plat has been approved by the County Commission.

If the proposed plat is for a Minor Subdivision as defined in Section 3-2-57(b), the subdivider shall comply with each of the following:

- a. The final plat procedures set forth in Section 4-4-1.
- b. The submission of Fees as set forth in Section 4-6.
- c. The applicable Development Standards concerning easements as set forth in Article 5.
- d. The required utility improvements set forth in Section 6-1-7.

4-4-1 APPLICATION PROCEDURE AND REQUIREMENTS:

The developer shall submit an application for Final Plat Approval to the county engineer at least fifteen (15) calendar days prior to a regularly scheduled meeting of the County Commission. The application shall include each of the following:

The subdivider shall file with the County Commission an application for approval of the Final Plat (Appendix II). The application shall be accompanied by the following:

- (1) A letter stating that the final plat is being submitted for approval;
- (2) An Application for Approval of the Final Plat (Appendix II)
- (3) The original tracing, and two (2) black or blue line prints of the plat;
- (4) The fees provided for in Section 4-6 and Code of Alabama 1975, 11-24-3, payable to Limestone County.

4-4-2 FINAL PLAT REVIEW NOTICE

After the County Engineer or his or her designee has reviewed the Final Plat for the Minor Subdivision, the County Engineer shall certify to the County Commission whether the plat meets the county's regulations. If the County Engineer determines that the plat is deficient in any regard, the County Engineer shall detail the deficiency to the County Commission along with a recommendation that the development be disapproved. Notice of the recommendation of the County Engineer, to approve or disapprove, shall be sent to the owner or developer, and adjoining land owners, as shown on the submitted plat as required in Section 4-4-2(4) & (7), by registered or certified mail at least ten (10) days before the recommendation is presented to the County Commission for action. One copy of the proposed Final Plat shall be returned to the applicant with the date of approval, conditional approval, or disapproval and the reasons therefore accompanying the plat. One copy shall be retained for the County Engineer.

4-4-3 APPROVAL, SIGNING AND RECORDING OF FINAL PLAT

(1) Signing of Plat

All plats shall be approved by the County Commission prior to recording in the Probate Office. The county engineer shall note and date the approval on the plat and sign said plat in his or her official capacity as required in Code of Alabama 1975, ' 11-52-30(b).

(2) Recording of Plat

Once a plat has been approved and such approval evidenced by the county engineer's notation on the plat, it shall be recorded by the developer in the Office of the Probate Judge in accordance with the Code of Alabama 1975, ' 11-24-2.

4-4-4 FINAL PLAT REQUIREMENTS FOR MINOR SUBDIVISIONS

The Final Plat shall be prepared by a registered land surveyor and shall be clearly and legibly drawn at a convenient scale of not less than one (1) inch equals one hundred (100) feet. The Final Plat, as submitted for approval, shall be prepared on a suitable permanent mylar reproducible. The sheet size shall be of such size as is acceptable for filing at the Office of the Probate Judge.

The Final Plat shall show the following:

- (1) Name of subdivision, north point, scale, and location;
- (2) The relation of the land so platted to the Government Survey of Limestone County. The "Point of beginning" as referred to in the written description shall be so indicated;

- (3) Sufficient data to determine readily and reproduce on the ground the location, bearing, and length of every street line, lot line, boundary line, and block line, whether straight or curved. This shall include the radius, central angle, point of tangency, tangent distance, and arcs and chords;
- (4) Name and addresses of owners of record;
- (5) Name and seal of licensed land surveyor;
- (6) Vicinity map showing location of the subdivision;
- (7) Names and addresses of the owners of land immediately adjoining the tract of land being subdivided, as their names appear on the plats in the County Tax Assessor or Revenue Commissioner's office.
- (8) Names and addresses of all utilities that provide service to the proposed subdivision;
- (9) The names and locations of adjoining subdivisions and streets, with reference to recorded plats by record name;
- (10) The location of easements, including widths, and purposes;
- (11) Parks, school sites, or other public open spaces, if any;
- (12) Location of any Special Flood Hazard Area boundaries and Flood Elevations noted as Zone A or Zone B according to the Flood Insurance Rate Maps of Limestone County.

The following endorsements, dedications, and certificates shall be placed on the Final Plat (See Appendix I for sample certificates):

- (1) Licensed Land Surveyor's Certificate and Description of Land Platted;
- (2) Dedication by owner;
- (3) A notary's Acknowledgment of the Dedication Certificate referred to in "2";
- (4) A Certificate of Approval by all appropriate utilities;
- (5) A Certificate of Approval by the County Engineer of Limestone County;
- (6) A Certificate of Approval by the Limestone County Health Department (if septic tanks and/or wells are necessary).

The above certificates shall be lettered or typed on the Final Plat in such a manner as to insure that said certificates will be legible on any prints made therefrom.

4-5 OTHER SUBDIVISIONS

If the subdivision meets the requirements set out in Section 3-2-57(c) no specific approval from the County Commission will be required.

Subdivisions meeting the requirement of this section shall comply with the Right-of-Way width requirements accordance with Section 5-6-1 on the subdivided lots.

4-6 FEES

The developer shall pay to the Limestone County Commission a fee for review of the Subdivision Plats and Inspection of the Required Improvements in the amounts shown below.

Major Subdivision	\$100 + \$10 per lot
Minor Subdivision	\$100

ARTICLE 5

DEVELOPMENT STANDARDS

SECTION 5-1. MINIMUM STANDARDS

In addition to the requirements established herein, the following minimum requirements are established for all subdivisions:

- (1) All applicable statutory provisions;
- (2) The special requirements and rules of the Limestone County Health Department;
- (3) The rules and standards of the Alabama Department of Transportation if the subdivision or any lot contained therein abuts a state highway ;
- (4) The rules and standards of the Alabama Department of Environmental Management (ADEM) and any other appropriate state or federal agencies;
- (5) The standards and regulations adopted by all boards, commissions, agencies, and officials of Limestone County;
- (6) The standards, specifications and rules of appropriate utility companies.

Subdivision approval may be withheld if the subdivision is not in conformity with the above guidelines or the policy and purpose of these regulations as established in Article 1 of these regulations.

SECTION 5-2. GENERAL REQUIREMENTS

5-2-1 CHARACTER OF THE LAND

Land within any floodway as defined in Section 3-2-29 shall not be platted for residential occupancy or building sites, but may be deeded. Land outside the floodway but subject to flood may be platted for residential occupancy provided each lot contains a building site that may reasonably lend itself to construction of a floor level above flood elevation, or for such other uses which will not increase the danger to health, life, and property. Fill may not be used to raise land in the floodway. In other areas subject to flood, fill may be used providing the proposed fill does not restrict the flow of water and unduly increase flood heights.

5-2-2 SUBDIVISION NAME

The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by these regulations. The County Engineer shall have final authority to reject the name of the subdivision. Such rejection shall be made at the Preliminary Plan Review stage.

5-2-3 WATERBODIES AND WATERCOURSES

If a tract being subdivided contains a water body, or portion thereof, lot lines shall be so drawn as to distribute the entire ownership of the water body among adjacent lots. The County Commission may approve an alternative plan provided the ownership of and responsibility for, safe maintenance of the water body is so placed that it will not become a County responsibility. No public roadways will be approved which provide access across dams nor will any part of a lake dam be allowed on the public road right-of-way, unless suitable safety measures are provided.

SECTION 5-3. ROAD OR STREET PLAN

The arrangement, character, extent, location, and grade of all roads shall be laid out according to good land planning principles and shall be integrated with all existing and planned roads. Consideration for the planning of new roads shall include topographical conditions, orientating to vistas, public convenience and safety, and the proposed uses of land to be served by them. All lots must have access as defined in Section 3-2-1 to a city, county, or state road.

5-3-1 CONTINUATION OF ADJOINING ROAD SYSTEM

Proposed new roads shall extend existing roads or their projections at the same or greater width, but in no case less than the minimum required width, unless for reasons of topography or design, the County Commission deems variations necessary.

5-3-2 MARGINAL ACCESS ROADS

Where, in the opinion of the County Commission, development which abuts or has included within the proposed subdivided area any road classified as an Arterial the County Commission may require a marginal access road or other treatment which may be necessary to provide for the adequate protection of properties, and to afford separation of through and local traffic.

5-3-3 ADDITIONAL WIDTH ON EXISTING ROADS:

Subdivisions that adjoin existing streets with inadequate right-of-way shall dedicate additional right-of-way to meet the minimum street width requirements.

- (1) The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
- (2) When the subdivision is located on only one side of an existing street, a minimum of one-half (1/2) of the required right-of-way, measured from the centerline of the existing street, shall be provided.

5-3-4 ROAD NAMES

Proposed roads, which are obviously in alignment with others existing and named, shall bear the assigned name of the existing roads. In no case shall 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. Roadnames should be cleared through the Limestone County E-911.

5-3-5 VACATING A ROAD OR EASEMENT

Vacation of a road or easement shall be in accordance with the procedures set out in Code of Alabama 1975, § 23-4-1 et seq., if by the county, and Code of Alabama 1975, § 23-4-20 et seq., if by abutting land owners.

5-3-6 FRONTAGE ON IMPROVED ROADS

No subdivision shall be approved unless the area to be subdivided shall have frontage on, and access from:

- (1) an existing state, county or city road or
- (2) public road shown upon an approved plat recorded in the Limestone County Probate Judge's office. Such street or highway must be suitably improved as required by the rules, regulations, specifications, or orders, or be secured by an improvement guarantee required under these subdivision regulations, with the width and right-of-way required by these subdivision regulations.

Individual lots shall have a minimum of fifty (50) feet frontage on an existing or public road as defined above.

5-3-7 TOPOGRAPHY AND ARRANGEMENT

- (1) All proposed roads shall be properly integrated with the existing system of roads.

- (2) Minor roads as defined in Section 3-2-42 shall 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 require the minimum number of streets necessary to provide convenient and safe access to property.
- (3) The rigid rectangular gridiron street pattern need not necessarily be adhered to, and the use of curvilinear streets, cul-de-sacs, or U-shaped roads shall be encouraged where such use will result in a more desirable layout.
- (4) Proposed roads shall be extended 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 County Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision or with the existing layout of the most advantageous future development of adjacent tracts.
- (5) In business and industrial developments, the roads and other accessways shall be planned in connection with the grouping of buildings, location of rail and port facilities, and the provision of alleys, truck loading and maneuvering area, and walks and parking areas so as to minimize conflict of movement among the various types of traffic, including pedestrian.

5-3-8 ACCESS TO ADJACENT PROPERTIES

Land abutting a proposed subdivision shall not be left land-locked by such proposed subdivision.

Private reserve strips controlling access to streets shall be prohibited

5-3-9 EXCESS RIGHT-OF-WAY OR EASEMENTS

Right-of-way or easement widths in excess of the standards designated in these regulations shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Such slopes shall not be in excess of three horizontal to one vertical.

5-3-10 RAILROADS, ARTERIALS, AND MAJOR THOROUGHFARES

Railroad rights-of-way, major highways, and expressways where so located as to affect the subdivision of adjoining lands shall be treated as follows:

- (1) In residential districts, a buffer strip at least 10 feet in depth in addition to the normal depth of the lot required in the district shall be provided adjacent to the railroad right-of-way, Arterial, or Interstate Highway. This strip shall be part of the platted lots and shall be designated on the plat with the statement, "This strip is reserved for screening. The placement of structures hereon is prohibited";

- (2) In areas proposed for business, commercial, or industrial uses, the nearest road extending parallel or approximately parallel to the railroad shall, wherever practical, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial sites;
- (3) Roads parallel to the railroad when intersecting a road that crosses the railroad at grade shall, to the extent practical, be at a distance of at least 150 feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

5-3-11 LOTS

Residential lots shall comply with the following requirements:

- (1) The minimum lot size where public water and sewer are not provided shall be as required by the Health Department.
- (2) The subdivision plat shall provide each lot with satisfactory access as defined in Section 5-3-6;
- (3) Where land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future roads and logical further resubdivision;
- (4) Depth and width of properties reserved for commercial and industrial purposes shall be adequate to provide for off-road parking and loading for the use contemplated;
- (5) Double frontage lots shall be avoided, except where essential to provide separation of residential development from traffic arteries, or to overcome specific disadvantages to topography and orientation;
- (6) Each lot in a subdivision shall contain a flood-free building site a minimum of one (1) foot above the floor elevation of the 100-year flood projection as defined in these regulations, and outside the limits of any existing easement or the building setback lines.

5-3-12 BLOCKS

- (1) Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to expressways, arterials, railroads, or waterways where single-tier lots are required to separate residential development from through vehicular traffic or non-residential uses;
- (2) Blocks shall not exceed twelve hundred (1200) feet nor be less than four hundred (400) feet in length except as approved by the County Commission as a variance;

- (3) In long blocks, the County Engineer may require the reservation of an easement through the block to accommodate utilities, drainage facilities, or pedestrian traffic.
- (4) Blocks designed for industrial uses shall be of such length and width as may be determined suitable by the County Engineer for prospective use.

5-3-12 CUL-DE-SACS

Permanent dead-end streets shall not exceed eight hundred (800) feet in length and shall be provided with a turnaround having a roadway diameter of at least sixty (60) feet and a right-of-way diameter of at least one hundred (100) feet.

5-4 EASEMENTS

5-4-1 UTILITY EASEMENTS

Utility Easements centered on all rear and/or side lot lines shall be provided for utilities (private and public), if required by the Utility serving the subdivision. Such easements shall be of the width required by the servicing utility. Proper coordination shall be established between the applicant and the applicable utility companies for the establishment of utility easements.

5-4-2 DRAINAGE EASEMENTS

- (1) Drainage Easements will be required wherever a ditch, swale, pipe or culvert is required by the Storm Drainage Plan to carry storm-water runoff or otherwise where necessary in the opinion of the County Engineer. The width of such drainage easements shall be sufficient to contain the channel and maintenance way for the drainage-way and in no case shall be less than fifteen (15) feet wide.
- (2) Drainage Easements beyond the boundaries of the proposed subdivision may be required if deemed necessary by the County Engineer for proper maintenance of the drainage-way serving the subdivision. Off-site easements will be required wherever improvements must be made beyond the boundaries of the subdivision in order to properly drain the subdivision. The width of such drainage easements shall be sufficient to contain the ultimate channel and maintenance way for the drainage-way and in no case shall be less than fifteen (15) feet wide.

5-5 DRAINAGE AND INUNDATION

- (1) The Storm Drainage Plan shall be completed prior to the development of the other utility plans. Engineering considerations shall give preferential treatment to these gravity flow improvements, as opposed to other utilities and improvements. Off-premises improvements shall be made if required to handle the runoff of the subdivision into a natural stream channel.
- (2) Land within any designated floodway shall not be platted for residential occupancy or building sites. Fill may not be used to raise land within the floodway. Other land subject to flooding may be platted only if filled to such height as will secure a flood-free building site as defined in Section 5-3-11(6)

- (3) Lakes , ponds, and similar areas will not be accepted by the County Commission. The Developer shall make appropriate arrangements for the maintenance of said areas and the ownership of said areas shall be clearly noted on the plat.

SECTION 5-6. DESIGN STANDARDS

Regardless of whether or not the developer intends to seek county acceptance of roads in the subdivision, the following design standards shall be considered minimum requirements for all subdivisions.

5-6-1 RIGHT-OF-WAY WIDTHS

Minimum street right-of-way widths shall not be less than the following:

Collector Streets	80 ft
Minor Streets with curb & gutter	50 ft
Minor Streets with open ditches	60 ft

Where a subdivision borders an existing road with a right-of-way less than that specified in these regulations, the applicant shall be required to dedicate such additional right-of-way areas as are required for widening or realignment of such roads. The applicant shall dedicate existing substandard roads to the full width as required by these subdivision regulations.

5-6-2 PAVEMENT & SHOULDER WIDTHS

Pavement widths shall be as shown on the Typical Section in Appendix VI of these Regulations.

5-6-3 GEOMETRIC DESIGN

(1) TYPICAL SECTIONS

Standard Section (Ditch) - See Appendix VI

Curb Section- See Appendix VI

(2) GRADES

Minimum and Maximum street grades shall be as follows:

Minimum	0.5%
Maximum	8.0%

(3) HORIZONTAL CURVES

Where centerline deflection angles occur, a circular curve shall be introduced, having a radius of not less than 110 ft.

(4) TANGENTS

There shall be a tangent of not less than 100 feet provided between reverse curves on all streets.

(5) VERTICAL CURVES

All changes in grades shall be connected by vertical curves to provide a minimum sight distance of 150 feet measured between a height of eye of 3.75 feet and height of object of 0.5 feet.

(6) The minimum design speed for all roadway elements shall be 25 MPH.

5-6-4 INTERSECTIONS

Road intersections shall be designed as follows:

(1) Adequate sight distance shall be provided at all intersections. Corner sight distance is measured from a point on the minor road 15 ft from the edge of the major road pavement and measured from an eye height of 3.5 ft on the minor road to an object height of 4.25 ft on the major road.

Major Road Speed Limit	Corner Intersection Sight Distance
25 mph	260 ft
35 mph	355 ft
45 mph	460 ft
55 mph	570 ft

(2) Roads shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new roads at an angle of less than seventy-five (75) degrees shall not be acceptable. An oblique road should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet therefrom. Not more than two (2) roads shall intersect at any one point unless specifically approved by the County Engineer;

(3) Proposed new intersections along one side of an existing road shall, wherever practical, coincide with any existing intersections on the opposite side of such street. Road jogs with centerline offsets of less than 125 feet shall not be permitted. Where minor roads intersect collectors or arterials, their alignment shall be continuous. Intersections of arterials shall be at least eight hundred (800) feet apart. Where a road intersects a state highway, the design standards of the Alabama Department of Transportation shall apply;

(4) Minimum curb radius at the intersection of two (2) minor roads shall be at least twenty (20) feet; and minimum curb radius at an intersection involving a collector road shall be at least twenty-five (25) feet;

(5) Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a five percent (5%) grade at a distance of twenty (20) feet, measured from the nearest edge line of pavement of the intersecting road;

(6) The cross-slopes on all roads, including intersections, shall be five percent (5%) or less;

- (7) Property lines at road intersections shall be rounded with a minimum radius of twenty (20) feet.

5-6-5 STORM DRAINAGE

Storm drainage system design shall be based on a minimum twenty-five (25) year design storm for all curbs, pipes, culverts, headwalls, and ditches and any other drainage element. All crossdrains shall have sufficient length for required typical section (pavement & shoulders). Minimum diameter of cross drain pipes shall be fifteen (15) inches. Side-drain (driveway) pipe sizes for each lot shall be determined by the Owner's Engineer and shown on the Storm Drainage Plan. The ditch bottoms shall be protected by grassing, rip-rap, concrete or other means as deemed appropriate by the engineer.

5-6-6 UTILITIES

The applicant is encouraged to place all utilities underground. Utility design shall be as approved by the Utility involved. All utility main lines shall be installed on the backside of the ditches or a minimum of two (2) feet behind the curb.

ARTICLE 6

REQUIRED IMPROVEMENTS

SECTION 6-1. IMPROVEMENTS

Final Plat approval shall be granted only after the installation of the improvements and utilities hereinafter designated and satisfactorily completed in accordance with Limestone County construction specifications and standards or the posting of a surety bond with sufficient surety to secure the County the actual construction and installation of such improvements and utilities.

It is the responsibility of the developer to communicate and schedule with the County Engineer prior to initiating any and all steps of the roadbuilding process. In addition to other penalties prescribed by law and by these regulations, any road construction performed without the knowledge and inspection of the County Engineer will not be considered for acceptance by the county. Refer to Section 6-1-1(1) for notification of work requirements.

6-1-1 ROAD CONSTRUCTION REQUIREMENTS

Construction of all roads shall meet the following minimum requirements and conform to the Alabama Department of Transportation's "Standard Specifications for Highway Construction". Best Management Practices for erosion control shall be used throughout construction and development. The developer shall be responsible for all erosion control in accordance with ADEM regulations and for securing any required permits by ADEM.

(1) Notification of Work: It shall be the duty and responsibility of the developer or contractor to give notice to the County Engineer or his authorized agent, one working day prior to starting any phase of construction. This includes all phases of construction, clearing, grading, drainage, gutters, inlets, base, surfacing and any work that pertains to the street, road or development. **FAILURE TO NOTIFY AS SPECIFIED MAY BE GROUNDS FOR NONACCEPTANCE.**

(2) Testing: The County Engineer shall determine which tests shall be scheduled and performed and shall notify the developer. The County may require the following tests:

Concrete Strength & Serviceability Tests for large cast-in-place structures
Reinforcing Steel strength tests for large cast-in-place concrete structures

All testing shall be charged/billed to the developer and shall be conducted by an independent testing laboratory approved by the County Engineer. Copies of all test reports are to be provided to the County Engineer before additional construction occurs.

(3) Clearing and Grubbing: All roads shall be graded to their full right-of-way width. All areas shall be cleared of all vegetation, trees, stumps, large rocks and other objectionable or unsuitable material prior to grading or filling unless otherwise approved, in writing, by the County Engineer;

(4) Subgrade: The subgrade shall be compacted and properly shaped prior to the placing of base materials. The top six (6) inches of the roadbed shall be modified, with the work being performed similar to Section 230 Roadbed Processing, of the "Alabama Department of Transportation Standard Specifications for Highway Construction". It shall be full width of regular section and extend two (2) feet outside of curb and gutter and/or valley gutter sections. Both sections are twenty-eight (28) feet in width. The embankment or subgrade shall be inspected by proofrolling, under the supervision of the County Engineer or his/her designee, with a fully loaded tandem axle dump truck to check for soft or yielding areas. Any unsuitable materials shall be removed and replaced with a suitable material, compacted, and proof-rolled a second time if required by the County Engineer.

(5) Base: Base course shall meet the requirements for crushed aggregate as set forth in Section 301 of the Alabama Department of Transportation Standard Specifications for Highway Construction. Base course thicknesses and widths shall be as shown on the Typical Section in Appendix VI of these regulations. The base course shall be inspected by proof-rolling in the same manner as the subgrade noted above.

(6) Roadway Pavement: All roads and/or streets shall be paved and comply with the following:

a. The minimum pavement widths shall be as shown on the Typical Section in Appendix VI of these regulations.

- b. Minimum requirements for the bituminous pavement shall be one hundred and fifty pounds per square yard (150 LBS/ SY) of Bituminous Concrete Plant Mix, Wearing Surface either type 416 or 429. The mix shall be approved by the County Engineer and be covered in the latest memorandum recommendation from the office of the ALDOT County Transportation Engineer or as specified by the ALDOT Standard Specifications for Highway Construction, latest edition.
- (7) Storm Drainage: An adequate storm drainage system based on a minimum twenty-five (25) year design storm including curb, pipes, culverts, headwalls, flumes and ditches shall be provided for the drainage of surface water. All crossdrains shall have sufficient length for required typical section and shall be installed according to ALDOT specifications. Minimum diameter of cross drain pipes shall be fifteen (15) inches. All cross drains and other storm drainage pipes on County right-of-way shall be concrete pipe and shall meet or exceed the current ALDOT specifications. Ditches and other structures shall be designed to accommodate the design storm. Ditch bottoms shall be protected by grassing, rip-rap, concrete or other means as deemed appropriate by the Engineer. All pipe ends on existing or proposed right-of-ways to be metered to fit slope and have slope-paved or rip-rap end treatments.
- (8) Installation of Utilities: After grading is completed and approved by the County Engineer and before any roadbed processing of the subgrade is performed all of the underground utilities within the roadway prism shall be installed completely and approved by the County Engineer throughout the length of the street and across the section. Once pavement is placed, it shall not be open cut except with written permission of the County Engineer. Any utility desiring to cross the road shall go over the road or dry bore under the road. All water lines located under pavement shall be encased. Backfill placed in utility trenches shall be crushed stone and shall be compacted as covered in Section 6-1-1 (5) of these regulations. All underground utilities shall be installed prior to proof-rolling the subgrade as described in Section 6-1-1 (4)
- (9) Topsoil and Grassing: When all construction is completed, all slopes and shoulders shall be covered with a sufficient amount of topsoil and shall have a stand of permanent grass to prevent undue erosion, either by sprigging or seeding.

6-1-2 CURBS AND GUTTERS

If a developer desires to install curbs and gutters in lieu of open ditch roadway construction, the roadway cross-section shall be as shown in Appendix VI.

6-1-3 SIDEWALKS

Sidewalks may be included at the discretion of the developer. Sidewalks should be shown on the construction plans and adequate provisions maintained for drainage and utility installation.

6-1-4 WATER SYSTEM

The design and specifications of the water distribution system shall be in accordance with the policies and requirements of the public water utility serving the subdivision. If a well is required for each lot, the location, construction, and use of such a well shall meet Health Department specifications.

6-1-5 DRIVEWAYS

Where open-ditch construction is used, developers or owners will not be able to install side drain pipes in the ditch section except to provide a driveway access to each lot. Driveway side drains shall be a maximum of forty (40) feet long. No more than two (2) drive side drains will be allowed per lot. Where a lot has two (2) drive side drains, they must be separated by at least thirty (30) feet.

6-1-6 SANITARY SEWERS

The applicant shall install sanitary sewer facilities in a manner prescribed by the sewer utility construction standards and specifications. Sanitary sewers shall be provided where a public sanitary sewerage system is reasonably accessible as determined by the County Engineer and the appropriate sewer utility. Individual disposal systems shall be used in instances where no public sanitary sewerage system is available providing approval is received from the State and/or County Health Department.

6-1-7 UTILITIES

Utility construction and installation shall be in accordance with the requirements of the Utility company serving the area. Proper coordination shall be established between the applicant and the applicable utility companies for the establishment of utility easements. All utility facilities existing and proposed throughout the subdivision shall be shown on the Preliminary Plat.

SECTION 6-2. PERMANENT REFERENCE POINTS

Permanent Reference Points shall be installed prior to Final Plat Approval or a surety bond posted with sufficient surety to secure the County the cost of installation of said permanent reference points.

6-2-1 SUBDIVISION CORNER TIE

At least one corner of the subdivision shall be designated by course and distance (tie) from an accepted corner of the Government Survey of Limestone County. The subdivision corner shall be marked with a monument and shall appear on the map with a description of bearings and distances from the Government Survey corner.

6-2-2 MONUMENTS

Concrete monuments four (4) inches in diameter or four (4) inches square and two (2) feet long with a flat top shall be set at all exterior corners of the subdivision. The top of the monument shall have identifying cap of surveyor.

6-2-3 PROPERTY MARKERS

All lot corners not marked with a monument shall be marked with an iron pin not less than one-half (1/2) inch in diameter or in width, and eighteen (18) inches long, and driven so as to be flush with the finished grade. The top of the marker shall have identifying cap of surveyor.

ARTICLE 7

COMPLETION AND ACCEPTANCE OF REQUIRED IMPROVEMENTS

SECTION 7-1. INSTALLATION OF REQUIRED IMPROVEMENTS

The subdivider shall be responsible for the provision of all required improvements to the subdivision. This may be accomplished by either the full installation of all required improvements by the developer at the time the Final Plat is to be submitted to the County Commission, or, if authorized by the County Commission, by the provision of a financial guarantee of performance under conditions set out in these regulations.

7-1-1 SUBDIVISION IMPROVEMENT BOND

The guarantee of performance by the subdivider shall be in the form of an acceptable surety and shall meet the following requirements:

- (a) ACCEPTANCE OF SURETY: The surety must be approved by the County Commission;
- (b) VALUE OF SURETY: The surety shall be of an amount equal to 150% percent of the estimated cost of installing all improvements, including, but not limited to, grading, paving of the streets, and installation of all required utilities and permanent reference points and fees encountered during execution of improvements. Estimated costs shall be provided by the developer's engineer and approved by the County Engineer. Developer should submit a copy of Construction Contract, Contractors estimate of cost or Cost Estimate prepared by his Engineer as documentation for the cost data included in the bond.

7-1-2 FAILURE TO COMPLETE WORK

If within twelve (12) months after filing said surety, the subdivider has not completed all necessary improvements or if, in the opinion of the County Commission, said improvements have not been satisfactorily installed, the County may take such steps as may be necessary to require performance under the bond.

SECTION 7-2. IMPROVEMENTS, INSPECTION AND CERTIFICATION

The County Engineer or his designee shall monitor and periodically inspect for defects in the construction of the required improvements. If the County Engineer finds upon inspection that any of the required improvements have not been constructed in accordance with the County's adopted construction standards and specifications, the applicant shall be responsible for correcting any deficiencies. Wherever the cost of improvements is covered by a surety, the applicant and the Surety Company shall be severally and jointly liable for completing or paying the cost of the improvements according to specifications.

Upon completion of the improvements, the applicant shall file with the County Commission a statement stipulating the following: (Appendix II)

- (1) That all required improvements are complete;
- (2) That these improvements are in compliance with the minimum standards specified by the County Commission and the County Engineer for their construction;
- (3) That the applicant knows of no defects from any cause in those improvements; and
- (4) That these improvements are free and clear of any encumbrances or liens.
- (5) That the developer agrees to correct any defects that appear in the improvements for a period of one year from the date of acceptance by the County.

7-3 ENGINEERING PLAN (AS BUILT)

At the time of Final Plat approval, the applicant shall also submit an engineering plan giving details of construction and locations of the improvements as they were built or installed. The primary purpose of the engineering plan is to provide the County with a record of the location, size, inlet and outlet elevations of all drainage structures. If installation of improvements is completed under a bond, the applicant shall submit the engineering plan to the County upon request of release of the bond.

SECTION 7-4. ACCEPTANCE OF IMPROVEMENTS BY THE COUNTY

Upon satisfactory completion of all improvements, the developer shall petition the County Commission for acceptance of the improvements in the proposed subdivision. The County Commission shall acknowledge acceptance of said improvements by resolution at any scheduled meeting of the Commission.

SECTION 7-5. RELEASE OF GUARANTEES

Upon satisfactory completion of all improvements and acceptance by the County Commission, the Improvement Surety Bond shall be released.

ARTICLE 8

VARIANCES

SECTION 8-1. GENERAL

A variance may be granted in circumstances where the developer demonstrates that extraordinary hardships or practical difficulties, such as commercial development, may result from strict compliance with these regulations. The initial application shall be made to the county engineer as part of the application for preliminary review set out in Section 4-3-1. The county engineer shall review the application and the circumstances, and make a recommendation in writing to the County Commission, with a copy provided to the developer, as to whether or not the variance should be granted. The engineer's report shall set out in detail the basis for the recommendation.

If the county engineer recommends that the variance be granted, he or she may recommend that it be conditioned upon the developer complying with special requirements as set out in the approval. Where the county engineer has recommended to grant the variance, the County Commission shall vote on the request prior to any construction of the development.

If the county engineer recommends that the request for variance be denied, the developer may appeal that recommendation to the County Commission, which shall consider the issue at the next regularly scheduled County Commission meeting following notice of the recommendation. The county engineer or his or her designee shall be present at the County Commission meeting and shall present his or her reasons for recommending that the variance not be granted. The developer shall also be given an opportunity to be heard. A decision to grant the variance shall be made by recorded vote and shall require a majority of the membership of the County Commission.

In determining whether to grant the variance, the county engineer and the County Commission shall make findings based upon the evidence presented to it in each specific case that:

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

- (b) The conditions for which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property;
- (c) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out;
- (d) The variance will not in any manner vary the provisions of other adopted policies and regulations of Limestone County.

SECTION 8-2. CONDITIONS

In approving variances, the County Commission may require such conditions as will, in its judgment, secure substantially the objectives, standards or requirements of these regulations.

The County Commission shall not grant any variance within the floodway unless the developer submits a study prepared by a registered professional engineer certifying that no increase in the 100-year flood level would result from the proposed development.

Within other areas subject to flooding, variances shall only be issued upon a determination by the County Commission that the relief granted is the minimum necessary considering the flood hazard.

ARTICLE 9

CONFLICT WITH PUBLIC AND PRIVATE PROVISIONS

SECTION 9-1. PUBLIC PROVISIONS

These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule, 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, or other provision of law, the provisions of which are more restrictive or impose higher standards shall control.

SECTION 9-2. PRIVATE PROVISIONS

These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction; provided, however, that where the provision of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. To the extent that any easement, covenant, or private agreement is not inconsistent with these regulations or any determinations made by the County Commission in approving a subdivision or in enforcing these regulations, such private provisions shall be operative and supplemental to these regulations and any determinations made thereunder.

ARTICLE 10

LEGAL PROVISIONS

SECTION 10-1. SEVERABILITY

If any part or provision of these regulations is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined to its terms and shall not affect or impair the validity of the remainder of these regulations or their application to other persons or circumstances.

SECTION 10-2. SAVINGS PROVISION

Except as expressly provided in these regulations, these regulations shall have prospective application only and shall not be construed as abating, modifying, or altering any action, including any penalty, pending under any subdivision regulations in existence on the effective date of these regulations. These regulations shall not affect the rights or liability of any person, firm, or corporation, nor operate as a waiver of any right of the County under any section or provision existing at the time of adoption of these regulations. Notwithstanding the foregoing, any application for plat approval made after the County Commission's adoption of these regulations which is pending on the effective date of these regulations shall be reviewed, approved, or disapproved in accordance with these regulations, provided that the owner or developer was given written notice at the time of application that these regulations would be utilized in the approval of the subdivision's design and development.

SECTION 10-3. INCORPORATION BY REFERENCE

Code of Alabama 1975, ' 11-24-1 et seq. and Code of Alabama 1975, ' 11-52-1 et seq. are attached hereto as Appendix IV, and are hereby specifically incorporated by reference and made a part of these regulations.

APPENDIX I
SAMPLE CERTIFICATES AND APPLICATIONS

Example A

(Preliminary Plat)

CERTIFICATE OF ENGINEERING DESIGN BY A PROFESSIONAL ENGINEER

I, _____, a professional engineer licensed in the State of Alabama, License Number _____, do hereby certify that the streets and drainage system for _____ Subdivision have been designed under my supervision.

I further certify that the drainage system has been designed to meet the _____ year storm criteria. This design will ensure that all drainage waters occurring during a storm of less than _____ year storm magnitude will flow within the rights-of-way or drainage easements indicated as such on the official plat for this subdivision.

I further certify that the streets are designed for a design speed of _____ to meet applicable design criteria for safety, geometry, and profile according to the "AASHTO Policy on Geometric Design of Roads and Streets."

NAME _____

P.E.# _____

TITLE _____

FIRM _____

DATE _____

Example B

(Final Plat)

SURVEYOR'S CERTIFICATE AND DESCRIPTION OF LAND PLATTED

STATE OF ALABAMA)
COUNTY OF LIMESTONE)

I, (name of surveyor), a Licensed Professional Land Surveyor in the State of Alabama, for (Survey Company) state that this is a plat of an actual field survey of lots through _____, inclusive of (Name of Subdivision), more particularly described as follows:

DESCRIPTION
(Outboundary Description)

I further state that this survey and plat meets the Minimum Technical Standards as set forth by the Alabama State Board of Licensure for Professional Engineers and Land Surveyors in Rule 330-X-14-.05 (G) on March 31, 1990 (or most current revised rule) to the best of my knowledge, information and belief.

This the _____ day of _____, _____.

(Signature of Surveyor)

(Typed Name of Surveyor)

Alabama License # _____

Note: One of the following notary's acknowledgments must appear for each Surveyor's Certificate (see example D-1 and D-2). Surveyor's name should be used in the Acknowledgement.

Example C

(Final Plat)
DEDICATION

I, _____, the owner(s) of said lands surveyed by _____, do hereby certify that title was and is vested in said owner(s) and join in the foregoing statement made by said _____, and as stated in Code of Alabama 1975, Section 35-2-50 et seq., do hereby certify that it was and is my (our) intention to divide said lands into lots as shown by said plat and do hereby dedicate, grant, and convey for public use the streets, alleys and public grounds as shown on said plat.

Signed and sealed in the presence of:

Property Owner

Note: One of the following notary’s acknowledgments must appear for each Dedication Certificate (see example D-1 and D-2). Owner’s name should be used in Acknowledgement.

In cases where a subdivision is to remain private, the above dedication (Example D) shall state that the “streets, alleys, and public grounds shall remain private grounds as shown on said plat.”

Example of (D-1)

ACKNOWLEDGMENT

STATE OF ALABAMA)
COUNTY OF LIMESTONE)

I, _____, Notary Public in and for said County, in said State, hereby certify that (corporate officer's name), whose name as (title) of the (corporation name), is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the content of the instrument, he/she as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN under my hand and official seal this _____ day of _____, _____.

NOTARY PUBLIC

Example of (D-2)

ACKNOWLEDGMENT

STATE OF ALABAMA)
COUNTY OF LIMESTONE)

I, _____, Notary Public in and for said County, in said State, hereby certify that (owner's or surveyor's name), whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the content of the instrument, executed the same voluntarily.

GIVEN under my hand and official seal this _____ day of _____, _____.

NOTARY PUBLIC

Example E

(Final Plat)

CERTIFICATE OF APPROVAL BY ATHENS UTILITIES

The undersigned, as authorized by Athens Utilities hereby approve the within plat for the recording of same in the Probate Office of _____ County, Alabama, this _____ day of _____, _____.

(Athens Utilities authorized signature)

Example F

(Final Plat)

**CERTIFICATE OF APPROVAL BY THE
(insert name of water and sewer, if available, utility)**

The undersigned, as authorized by the (name of water and sewer utility) hereby approved the within plat for the recording of the same in the Probate Office of _____ County, Alabama, this the _____ day of _____, _____.

(water and sewer utility authorized signature)

Example G

(Final Plat)

CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER

The undersigned, as County Engineer of the County of Limestone County, Alabama, hereby certifies that the Limestone County Commission approved the within plat for the recording of same in the Probate Office of Limestone County, Alabama, this _____ day of _____, _____.

County Engineer
County of Limestone County Alabama

Example H

(Final Plat)

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

The undersigned, as authorized by the Limestone County Health Department, Alabama, hereby certifies this subdivision meets the approval of the Limestone County Health Department subject to certain conditions of approval and/or lot deletions on file with the said health department, which conditions are made a part of this approval as if set out hereon. I hereby approve the within plat for the recording of same in the Probate Office of Limestone County, Alabama, this ____ day of _____, ____.

Health Officer

APPENDIX II

SAMPLE APPLICATIONS

APPLICATION FOR PRELIMINARY REVIEW

DATE: _____

1. Name of Subdivision _____

2. Name of Applicant _____ Phone _____

Address _____

3. Owner of Record _____

Address _____

Engineer _____ Phone _____

Address _____

5. Land Surveyor _____ Phone _____

Address _____

6. Attorney _____ Phone _____

Address _____

7. Subdivision Location: _____

8. Total Acreage _____ Number of Lots _____

9. Has this plan been before the Commission in the past? _____ If yes, have any changes been made since this plans was last before the Commission? _____ If so, describe the changes _____

10. List all adjacent property owner(s) name and addresses.

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

11. Attach two (2) copies of Preliminary Plat and Construction Plans.

APPLICATION FOR FINAL PLAT APPROVAL

DATE: _____

1. Name of Subdivision _____

2. Name of Applicant _____ Phone _____
Address _____

3. Owner of Record _____
Address _____

Engineer _____ Phone _____
Address _____

5. Land Surveyor _____ Phone _____
Address _____

6. Attorney _____ Phone _____
Address _____

7. Subdivision Location: _____

8. Total Acreage _____ Number of Lots _____

9. Has the Commission granted any variance to the subdivision regulations concerning

this property? _____ If so, describe _____

10. Date of preliminary plan review _____

11. Have any changes been made since the preliminary plans have been reviewed? _____

12. Attach the original tracing of the final plat and two (2) black or blueline prints with all required signatures except the signature of the County Engineer.

GUARANTEE AGREEMENT STATEMENT

STATE OF ALABAMA
COUNTY OF LIMESTONE

I/We _____ as Developer, and

_____ as Contractor, of _____
subdivision hereby agree to guaranty the improvements in the subdivision against any
defects in construction for a period of 1 year from the date of acceptance by the
Limestone County Commission.

We hereby agree to correct any defects (such as, but not limited to; base or pavement
failures, ditch erosion, pipe separation or collapse) that arise during this 1 year period
at not cost to the Limestone County Commission.

Agreed this _____ day of _____, _____

Contractor

Property Owner/Developer

Notary Public

Notary Public

APPENDIX III
AMENDMENTS

APPENDIX IV
APPLICABLE STATE LAWS

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S. 248

ACT 97-422 Signed 5/14/97

By: Senator Ghee

Enrolled, An Act,

To amend Sections 11-24-1, 11-24-2, and 11-24-3, Code of Alabama 1975, which relate to the regulation of subdivisions by counties; to require county commissions to approve or disapprove plats for proposed subdivisions; to provide that the county commissions may establish boards of developers; and to provide for civil enforcement of the regulations, including civil penalties for violations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 11-24-1, 11-24-2, and 11-24-3 of the Code of Alabama 1975, are amended to read as follows:

*§11-24-1.

"(a) When used in this act, the following words shall have the following meanings:

"(1) COUNTY. A political subdivision of the state created by statute to aid in the administration of government.

"(2) COUNTY COMMISSION. The chief administrative or legislative body of the county.

"(3) STREETS. Streets, avenues, boulevards, roads, lanes, alleys, viaducts, and other roads.

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"(4) SUBDIVISION. The development and division of a lot, tract, or parcel of land into two or more lots, plats, sites, or otherwise for the purpose of establishing or creating a subdivision through the sale, lease, or building development. Development includes, but is not limited to, the design work of lot layout, the construction of drainage structures, the construction of buildings or public use areas, the planning and construction of public streets and public roads, and the placement of public utilities. A subdivision does not include the construction or development of roads or buildings on private property to be used for agricultural purposes.

"(b) The county commission or like governing body of each county in the state shall be authorized to regulate the minimum size of lots, the planning and construction of all public streets, public roads, and drainage structures and require proper placement of public utilities to be located in proposed subdivisions of land or in proposed additions to subdivisions of land existing at the time of the enactment of this chapter where the subdivisions are situated outside the corporate limits of any municipality in the county. The placement of public utilities shall not be inconsistent with the requirements of the Southern Standard Building Code, state and federal laws, and regulations of state and federal regulatory agencies. If the county commission or like

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14 Code of Alabama 1975, which relate to the regulation of
15 subdivisions by counties; to require county commissions to
16 approve or disapprove plats for proposed subdivisions; to
17 provide that the county commissions may establish boards of
18 developers; and to provide for civil enforcement of the
19 regulations, including civil penalties for violations.

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25 shall have the following meanings:

26 *(1) COUNTY. A political subdivision of the state
27 created by statute to aid in the administration of government.

28 *(2) COUNTY COMMISSION. The chief administrative or
29 legislative body of the county.

30 *(3) STREETS. Streets, avenues, boulevards, roads,
31 lanes, alleys, viaducts, and other roads.

1 *(4) SUBDIVISION. The development and division of a
2 lot, tract, or parcel of land into two or more lots, plats,
3 sites, or otherwise for the purpose of establishing or
4 creating a subdivision through the sale, lease, or building
5 development. Development includes, but is not limited to, the
6 design work of lot layout, the construction of drainage
7 structures, the construction of buildings or public use areas,
8 the planning and construction of public streets and public
9 roads, and the placement of public utilities. A subdivision
10 does not include the construction or development of roads or
11 buildings on private property to be used for agricultural
12 purposes.

13 *(b) The county commission or like governing body of
14 each county in the state shall be authorized to regulate the
15 minimum size of lots, the planning and construction of all
16 public streets, public roads, and drainage structures and
17 require proper placement of public utilities to be located in
18 proposed subdivisions of land or in proposed additions to
19 subdivisions of land existing at the time of the enactment of
20 this chapter where the subdivisions are situated outside the
21 corporate limits of any municipality in the county. The
22 placement of public utilities shall not be inconsistent with
23 the requirements of the Southern Standard Building Code, state
24 and federal laws, and regulations of state and federal
25 regulatory agencies. If the county commission or like

1 appears on the submitted plat by registered or certified mail
2 at least 10 days before the recommendation shall be presented
3 to the county commission for action. A similar notice shall
4 be mailed to the owners of land immediately adjoining the
5 platted land as their names appear upon the plats in the
6 office of the county tax assessor and their addresses appear
7 in the directory of the county or on the tax records of the
8 county and to each utility affected thereby. Each utility
9 notified in writing by the commission shall be given at least
10 10 days to review the proposed plat and submit a written
11 report to the commission as to whether all provisions
12 affecting the service to be provided by the utility are
13 reasonable and adequate. If any utility affected by the plat
14 is not properly notified then the approval or disapproval of
15 the plat by the county commission shall not be valid until the
16 affected utility has been given at least ten days' notice
17 prior to such approval or disapproval as provided by this
18 subsection.

19 (c) Notwithstanding the provisions of subsections
20 (a) and (b), this section shall not apply to the sale, deed,
21 or transfer of land by the owner to an immediate family
22 member.

23 *§11-24-3.

24 * Any owner or developer violating any provision of
25 this chapter or any rule or regulation made pursuant to this

1 chapter shall be fined not less than two hundred fifty dollars
2 (\$250) nor more than one thousand dollars (\$1000) per lot that
3 has been sold, offered for sale, transferred, or leased to the
4 public. The county commission shall have the right to enjoin
5 action of the developer or owner by a civil action for the
6 injunction brought in any court of competent jurisdiction and
7 the county commission may recover the penalty as provided by
8 this section in any court of competent jurisdiction. The
9 county commission may employ inspectors to see that its rules
10 and regulations are not violated and that the plans and
11 specifications for the minimum size of lots, the planning and
12 construction of public streets, public roads, and drainage
13 structures, and the placement of public utilities are not in
14 conflict with the rules and regulations of the county. The
15 county commission may charge inspection fees, not to exceed
16 actual costs, to be paid by the owners of the property
17 inspected.*

18 Section 2. This act shall become effective on the
19 first day of the third month following its passage and
20 approval by the Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives
Page 6

APPENDIX V

ACCEPTANCE OF ROADS AND STREETS FOR COUNTY MAINTENANCE

All streets and roads accepted for maintenance by the County Commission must be accepted by a separate resolution of the County Commission. Acceptance of streets and roads for maintenance by the County Commission will be as follows:

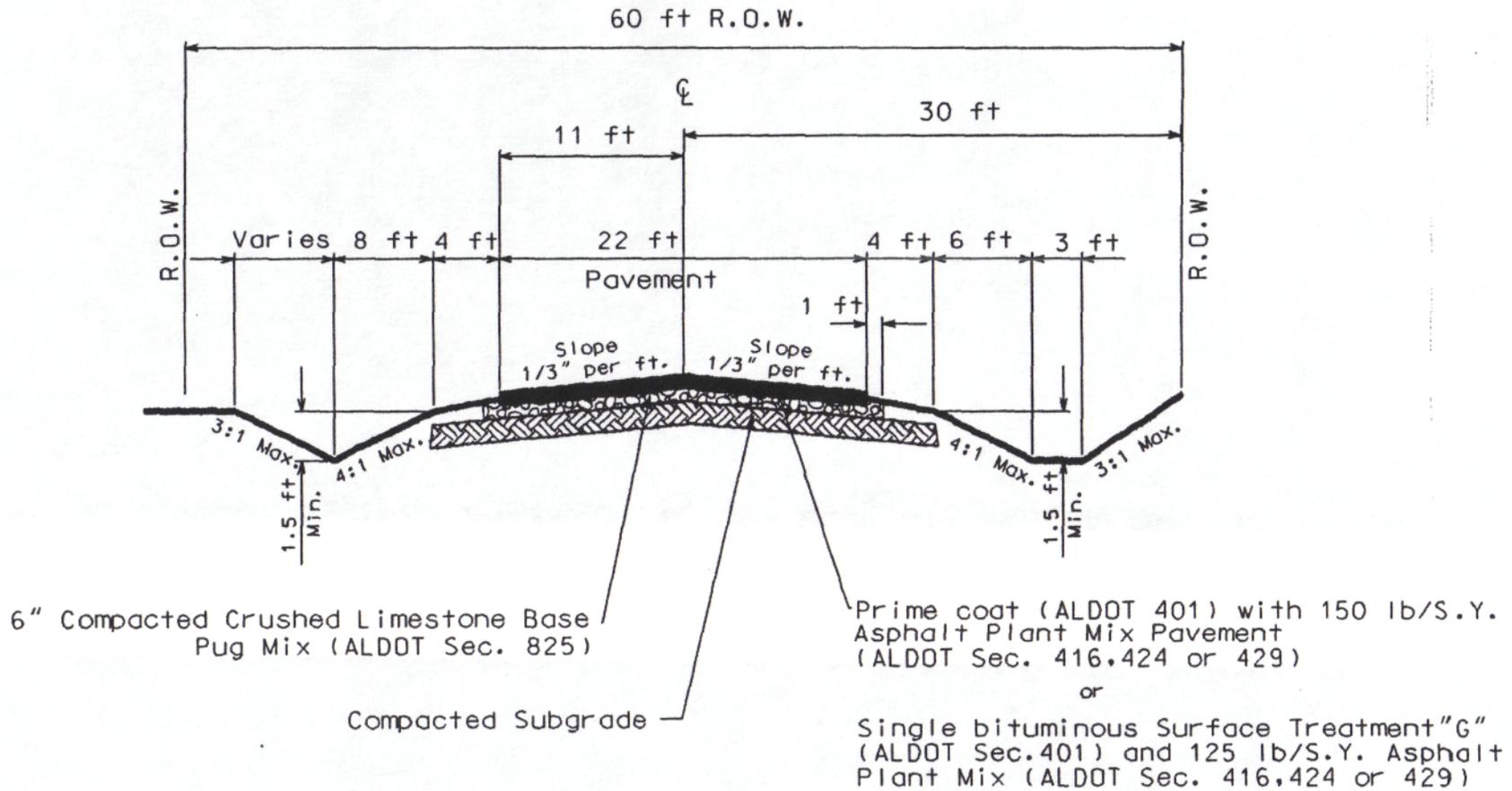
- (A) If all improvements are completed at time of Final Plat Approval, roads and streets will be accepted at the time of Final Plat Approval by the County Commission.
- (B) If improvements are to be completed under Subdivision Improvement Bond as described in Section 7-1-1, roads and streets will be accepted after all improvements are completed and the release of the improvement surety bond is authorized in accordance with Section 7-3

The Owner/Developer and Contractor shall execute an AGREEMENT GUARANTY STATEMENT as shown in Appendix II prior to acceptance of roads and streets in any subdivision.

The County commission may, by majority vote, accept other roads and streets if it is determined to be in the public interest and if they do not circumvent the intent of these regulations. Acceptance of roads and streets other than under these regulations shall be considered on a case by case basis.

APPENDIX VI

TYPICAL SECTIONS

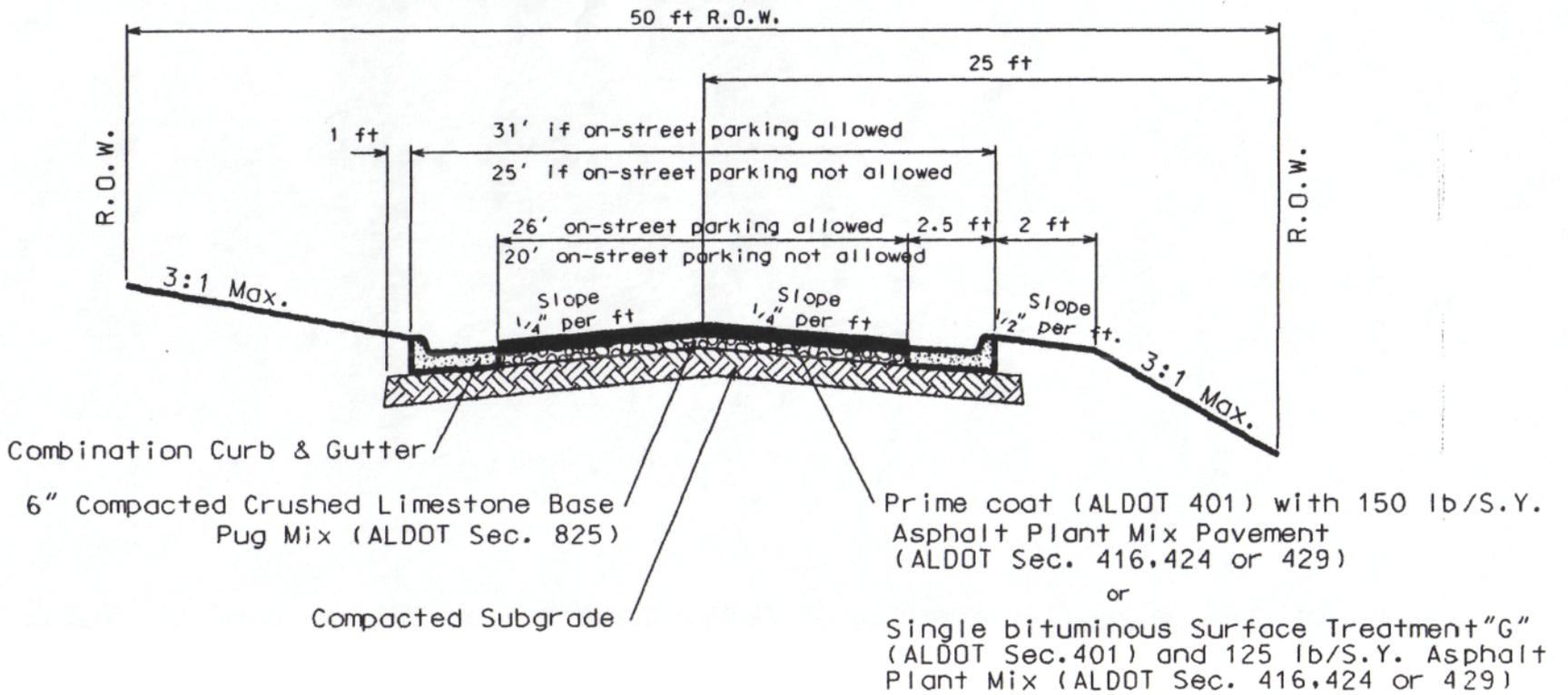


TYPICAL SECTION

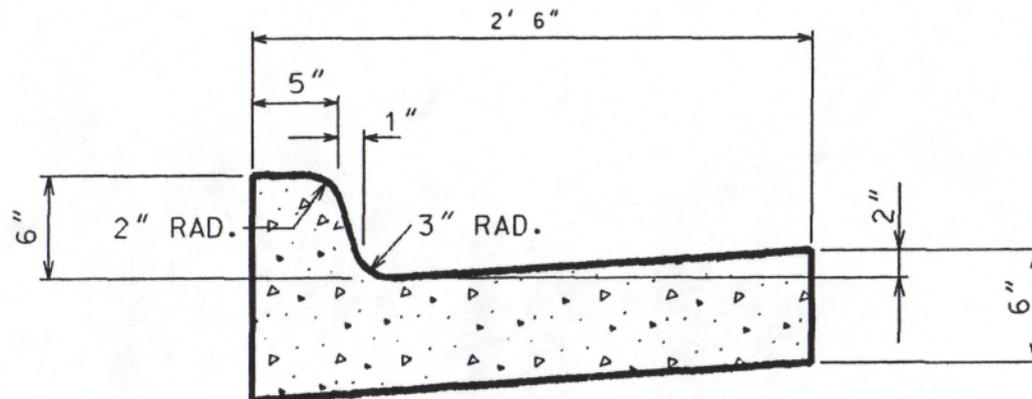
Subdivision Street with Open Ditches

No Scale

Ditch slopes may vary to use the entire right-of-way. V-ditches may generally be used where appropriate. In some cases, flat bottomed ditches may be required to adequately drain the roadway. Depending on the depth of cut or fill, and/or large ditch sections required for drainage, additional right-of-way may be required.



TYPICAL SECTION Subdivision Street with Curbs & Gutters



Combination Curb & Gutter

APPENDIX V

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APPENDIX VI

TYPICAL SECTIONS

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S. 248

ACT 97-422 Signed 5/14/97

By: Senator Ghee

Enrolled. An Act,

To amend Sections 11-24-1, 11-24-2, and 11-24-3, Code of Alabama 1975, which relate to the regulation of subdivisions by counties; to require county commissions to approve or disapprove plats for proposed subdivisions; to provide that the county commissions may establish boards of developers; and to provide for civil enforcement of the regulations, including civil penalties for violations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 11-24-1, 11-24-2, and 11-24-3 of the Code of Alabama 1975, are amended to read as follows:

*§11-24-1.

*(a) When used in this act, the following words shall have the following meanings:

*(1) COUNTY. A political subdivision of the state created by statute to aid in the administration of government.

*(2) COUNTY COMMISSION. The chief administrative or legislative body of the county.

*(3) STREETS. Streets, avenues, boulevards, roads, lanes, alleys, viaducts, and other roads.

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*(4) SUBDIVISION. The development and division of a lot, tract, or parcel of land into two or more lots, plats, sites, or otherwise for the purpose of establishing or creating a subdivision through the sale, lease, or building development. Development includes, but is not limited to, the design work of lot layout, the construction of drainage structures, the construction of buildings or public use areas, the planning and construction of public streets and public roads, and the placement of public utilities. A subdivision does not include the construction or development of roads or buildings on private property to be used for agricultural purposes.

*(b) The county commission or like governing body of each county in the state shall be authorized to regulate the minimum size of lots, the planning and construction of all public streets, public roads, and drainage structures and require proper placement of public utilities to be located in proposed subdivisions of land or in proposed additions to subdivisions of land existing at the time of the enactment of this chapter where the subdivisions are situated outside the corporate limits of any municipality in the county. The placement of public utilities shall not be inconsistent with the requirements of the Southern Standard Building Code, state and federal laws, and regulations of state and federal regulatory agencies. If the county commission or like

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1 appears on the submitted plat by registered or certified mail
2 at least 10 days before the recommendation shall be presented
3 to the county commission for action. A similar notice shall
4 be mailed to the owners of land immediately adjoining the
5 platted land as their names appear upon the plats in the
6 office of the county tax assessor and their addresses appear
7 in the directory of the county or on the tax records of the
8 county and to each utility affected thereby. Each utility
9 notified in writing by the commission shall be given at least
10 10 days to review the proposed plat and submit a written
11 report to the commission as to whether all provisions
12 affecting the service to be provided by the utility are
13 reasonable and adequate. If any utility affected by the plat
14 is not properly notified then the approval or disapproval of
15 the plat by the county commission shall not be valid until the
16 affected utility has been given at least ten days' notice
17 prior to such approval or disapproval as provided by this
18 subsection.

19 * (c) Notwithstanding the provisions of subsections
20 (a) and (b), this section shall not apply to the sale, deed,
21 or transfer of land by the owner to an immediate family
22 member.

23 *§11-24-3.

24 * Any owner or developer violating any provision of
25 this chapter or any rule or regulation made pursuant to this

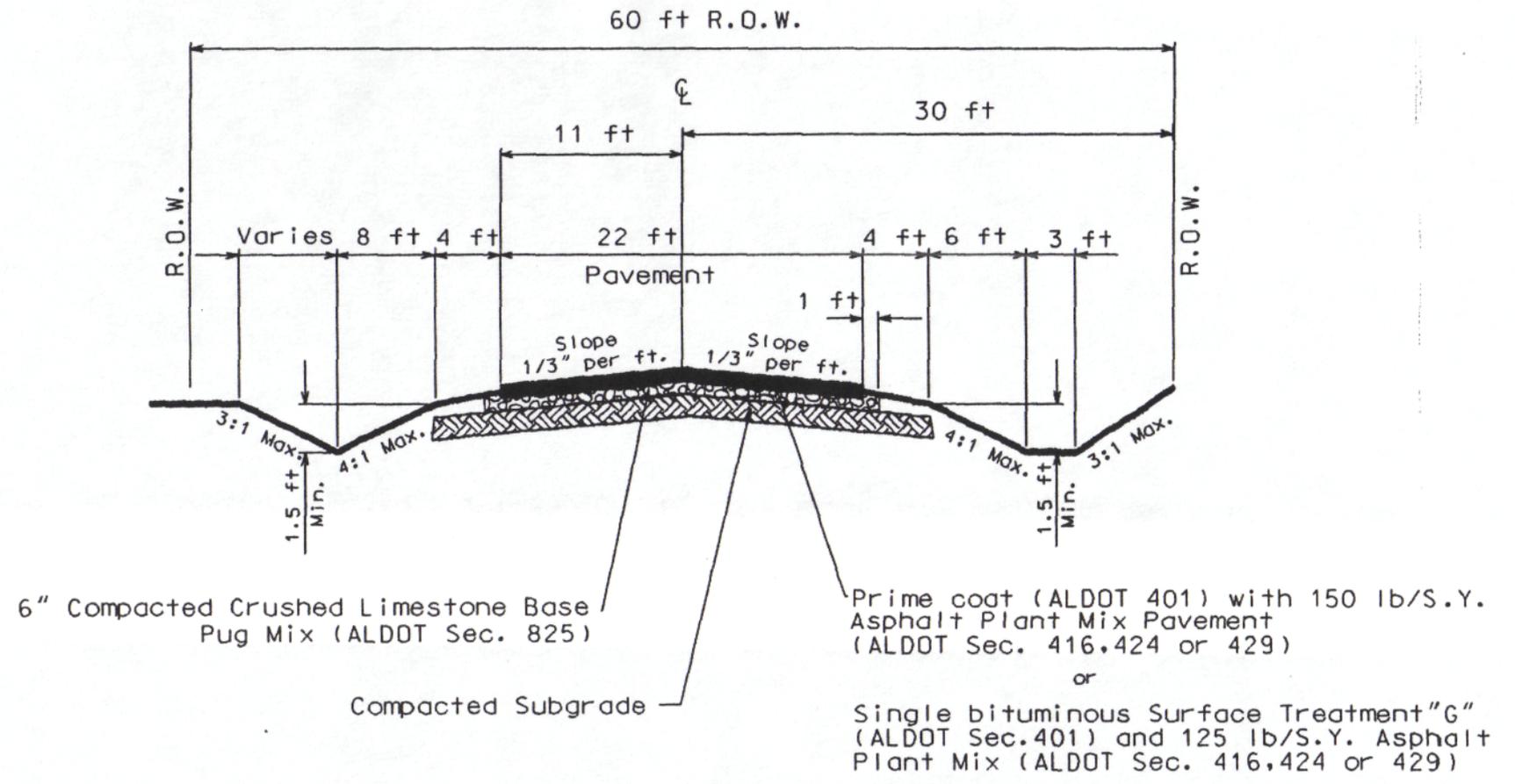
1 chapter shall be fined not less than two hundred fifty dollars
2 (\$250) nor more than one thousand dollars (\$1000) per lot that
3 has been sold, offered for sale, transferred, or leased to the
4 public. The county commission shall have the right to enjoin
5 action of the developer or owner by a civil action for the
6 injunction brought in any court of competent jurisdiction and
7 the county commission may recover the penalty as provided by
8 this section in any court of competent jurisdiction. The
9 county commission may employ inspectors to see that its rules
10 and regulations are not violated and that the plans and
11 specifications for the minimum size of lots, the planning and
12 construction of public streets, public roads, and drainage
13 structures, and the placement of public utilities are not in
14 conflict with the rules and regulations of the county. The
15 county commission may charge inspection fees, not to exceed
16 actual costs, to be paid by the owners of the property
17 inspected."

18 Section 2. This act shall become effective on the
19 first day of the third month following its passage and
20 approval by the Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

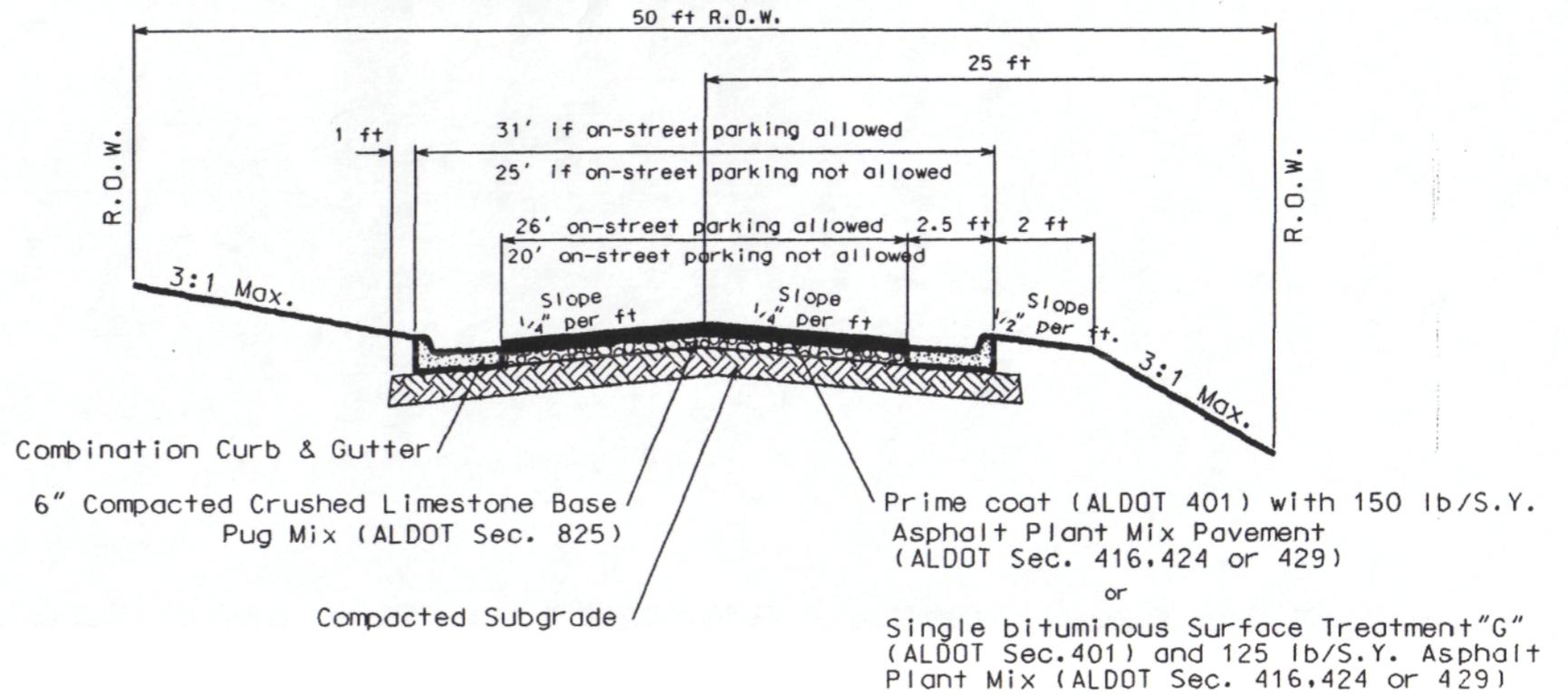
Speaker of the House of Representatives
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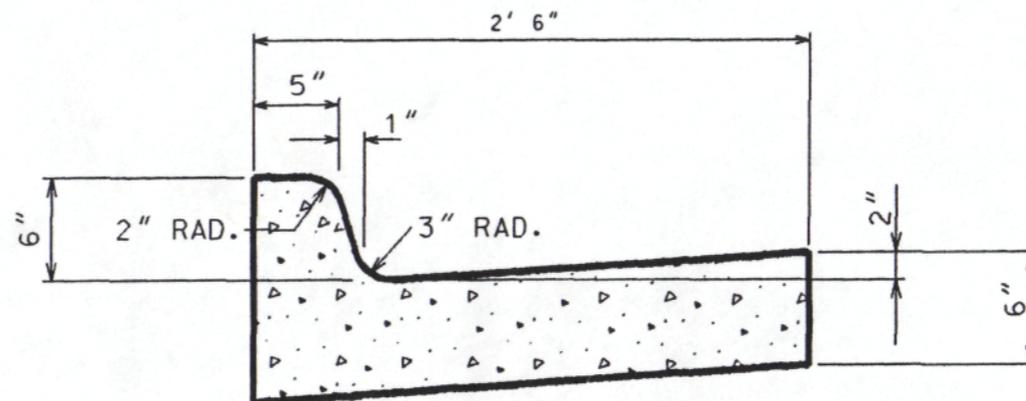
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