

City of Satsuma
Alabama

Subdivision Regulations

Adopted November 20, 2010,
as amended through April 28, 2020



**Satsuma Planning
Commission**

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ARTICLE I

AUTHORITY, PURPOSE, POLICY, TITLE, AND INTERPRETATION

SECTION 1-1. AUTHORITY

The Subdivision Regulations for the City of Satsuma are promulgated under authority of The Code of Alabama, 1975 as set forth in Title 11, Chapter 52.

SECTION 1-2. PURPOSE AND JURISDICTION

The purpose of these regulations is to establish procedures and standards for the development of subdivisions or proposed additions to existing subdivisions within the subdivision jurisdiction of Satsuma, Alabama, in an effort to regulate the minimum size of lots, the planning and construction of all public streets, public roads and drainage structures and to require the proper placement of public utilities.

SECTION 1-3. POLICY

- 1-3-1 It is hereby declared to be the policy of Satsuma to consider the subdivisions of land and the subsequent development of the subdivided land as subject to the control of the Satsuma Planning Commission pursuant to the authority granted to the County by the Code of Alabama.
- 1-3-2 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, and land shall not be subdivided until proper provision has been made for drainage, water, sewerage disposal and streets.
- 1-3-3 Any owner of land, which lies within the area of jurisdiction of the Satsuma Planning Commission, who wishes to subdivide or re-subdivide such land into two (2) or more lots, parcels, plats, or other divisions of land for the purpose, whether immediate or future, of sale or of building development shall submit to the Planning Commission and County Health Department for approval, a plat of the subdivision, which shall conform to the minimum requirements set forth in these regulations.
- 1-3-4 No subdivider shall proceed with any improvements or with the installation of utilities in a subdivision until such subdivision plat shall have been reviewed and granted Preliminary Plat approval by the Planning Commission and County Health Department.
- 1-3-5 No subdivider shall proceed with the sale of lots or the erection of buildings, excluding required public improvements and utility structures, within a subdivision until such subdivision plat shall have been granted Final Plat approval entered in writing on the plat and signed by the Chairman of the Planning Commission and recorded in the Office of the Probate Judge of Mobile County.

SECTION 1-4 TITLE

These regulations shall hereafter be known, cited, and referred to as the Subdivision Regulations of Satsuma, Alabama.

SECTION 1-5. INTERPRETATION

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

ARTICLE II
DEFINITIONS

SECTION 2-1. 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 number; 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".

SECTION 2-2. WORDS AND TERMS DEFINED

A-1 DEVELOPMENT SCHEDULE. Development of a PUD site with zero-lot-line/patio single family detached residential dwellings.

A-2 DEVELOPMENT SCHEDULE. Development of a PUD site with two-family/duplex attached residential dwellings.

A-3 DEVELOPMENT SCHEDULE. Development of a PUD site with multi-family attached residential dwellings.

ACCESSORY BUILDING/STRUCTURE. A detached, subordinate building or structure, located on the same building site with the main structure, the use of which is incidental to that of the main structure.

ALLEY. A public right-of-way primarily designed to serve as a secondary access to the side or rear of properties whose principal frontage is on some other street.

APPLICANT. The owner or his legally designated representative. In the event that the applicant is a legally designated representative, evidence of consent shall be required from the title owner of the land in a form acceptable to the Planning Commission.

ARTERIAL. See Street, Arterial.

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.

BUILDING. Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or moveable property of any kind, and includes any structure.

BUILDING SETBACK LINE. A line generally parallel to and measured from the front property line in front of which no structure may be erected.

BUILDING SITE. The land occupied or to be occupied by a structure and its accessory structures including open spaces, required yards, and parking.

COLLECTOR STREET. See Street, Collector.

CORNER LOT. A lot which occupies the interior angle at the intersection of two (2) street lines. The street line forming the least frontage shall be deemed the front of the lot except where the two (2) street lines are equal, in which case the owner shall be required to specify which is the front.

COUNTY SPECIFICATIONS. All construction specifications which have been adopted by the County Commission or as required by the County Engineer and all utility departments.

CUL-DE-SAC. A minor street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

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

DEPTH OF LOT. The mean horizontal distance between the front and rear lot lines.

DESIGN ENGINEER. A registered professional engineer in the State of Alabama, qualified by education and experience to perform services of design in the area of their expertise. For these regulations, the design engineer is the consultant that is responsible for the design of the development and is retained by and/or is an agent for the owner/developer.

DEVELOPER. The owner, or his legally designated representative, of land proposed to be subdivided. Consent shall be required from the title owner of the land in a form acceptable to the Planning Commission.

DOUBLE FRONTAGE LOT. A lot having a frontage on two (2) non-intersecting streets as distinguished from a corner lot.

DWELLING. Any covered structure intended for the shelter, housing, or enclosure of persons.

EASEMENT. A grant by a property owner of the use of land for a specified purpose or purposes by the general public or a corporation, or person(s); or as created by operation of law.

EXPRESSWAY. See Street, Expressway.

FINAL PLAT. A plat of a tract of land which meets the requirements of these regulations and is in proper form for recording in the Office of the Probate Judge of Mobile County, Alabama.

FLOOD-PROOFING. Any combination of structural or nonstructural additions, changes, or adjustments which reduce or eliminate flood damage to real estate or improved real property, water supply and sanitary sewer facilities, electrical systems, and structures and their contents.

FLOODWAY. The stream channel and the portion of the adjacent flood plain which must be reserved solely for the passage of floodwaters in order to prevent an increase in upstream flood heights of more than one (1) foot above the pre-development conditions.

For the purpose of these regulations, floodways shall be defined as follows:

1. The floodways as identified or delineated in the Flood Insurance Study for Mobile 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 Planning Commission 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.

HARDSHIP. An unusual situation on the part of an individual property owner which will not permit the full utilization of property which is given to others within the county. A hardship exists only when it is not self-created.

HEALTH DEPARTMENT. The Mobile County Health Department.

HUNDRED (100) YEAR FLOOD. A flood which has, on the average, a one (1) percent chance of being equaled or exceeded in any given year.

LAND SUBJECT TO FLOOD. For the purpose of these regulations, land subject to flood 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 and all lands lying below the 100-year flood elevations as demonstrated by the maps and charts contained in the Flood Insurance Study for Mobile County, Alabama, as prepared by the Federal Emergency Management Agency, Offices 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 Planning Commission that the property in question is free from the danger of inundation by the 100-year floor or that adequate remedial measures have been taken to allow the watercourse to safely accommodate the 100-year flood. The developer shall submit such data or studies based on the watershed characteristics, probable runoff, and other topographic and hydraulic data prepared by a registered professional engineer as the Planning

Commission may reasonably require to adequately make its determination of the flood susceptibility of the property.

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 or for building development.

LOT OF RECORD. A lot which is part of a subdivision, the plat of which has been recorded in the Office of the Probate Judge of Mobile County.

MAJOR SUBDIVISION. A subdivision not classified as a minor subdivision, including but not limited to subdivisions of four (4) or more lots, or any size subdivision requiring any new streets or extension of the local governmental facilities, or the creation of any public improvements.

MINOR STREET. See Street, Minor.

MINOR SUBDIVISION. A subdivision containing not more than three (3) lots fronting on an existing street, not involving any new street or road or the extension of public facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel of adjoining property.

MONUMENT. A permanent object serving to indicate a limit or to make a boundary.

NONRESIDENTIAL SUBDIVISION. A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of these regulations.

OPEN SPACE/RECREATION. An area open to the sky which may be on the same lot with the building. The area may include, along with the natural environmental features, swimming pools, tennis courts, or any other recreational facilities. Streets, structures for habitation, and the like shall not be included.

OPEN SPACE IN PLANNED UNIT DEVELOPMENT (PUD). (1) Privately-owned and occupied area of a separate lot, outside of any buildings on the lot; (2) privately-occupied open space assigned to an individual dwelling unit in a project and not occupied by the dwelling; (3) public open space. Any spaces not occupied by buildings or privately-owned lots or privately-occupied space. This public open space may consist of access driveways, off-street parking space, pedestrian walkways, play areas, landscaped areas and any other areas suitable for the common enjoyment of the residents of the project.

OWNER. Every person or legal entity having a title interest in the land sought to be subdivided under these regulations.

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 of the owner of land which is proposed to be subdivided or which is in the process of being subdivided.

PERMITTED STRUCTURE. A structure meeting all the requirements established by the PUD regulations (Article IX of these regulations) for the development in which the structure is located.

PLANNED UNIT DEVELOPMENT (PUD). An area with a specified minimum contiguous acreage to be developed as a single entity according to a plan. (See Article IX.)

PLANNING COMMISSION. The Satsuma Planning Commission.

PRELIMINARY PLAT. A tentative plan of the complete proposed subdivision submitted to the Planning Commission for its consideration.

PROBATE JUDGE. The Judge of Probate of Mobile County, Alabama.

REGISTERED ENGINEER. An engineer properly licensed and registered in the State of Alabama.

REGISTERED LAND SURVEYOR. A land surveyor properly licensed and registered in the State of Alabama.

RE-SUBDIVISION. 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.

SETBACK. The distance between a building and the street line nearest thereto.

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

SKETCH PLAT. A review sketch prior to the preparation of the Preliminary Plat (or Final Plat in the case of a minor subdivision) to enable the applicant to save time and expense in reaching general agreement with the Planning Commission as to the form of the plat and the objectives of these regulations.

STREET. The full right-of-way of a thoroughfare which affords the principal means of access to abutting property.

1. **EXPRESSWAY OR FREEWAY.** A facility which has the main function to accommodate a high volume of traffic for a considerable distance through the prohibiting of ingress and egress except at controlled intervals. A freeway involves complete control of access while an expressway permits access at grade intersections at infrequent intervals.
2. **ARTERIAL.** A street that connects areas which produce large numbers of trip generations. An arterial has a dual function - to move traffic and to provide access to land uses, particularly the high trip-generating commercial activities. The traffic

and access functions of arterials conflict with each other and this is one of the major problems of planning.

3. **COLLECTOR.** A collector street has the primary function of collecting traffic from an area and moving it to the arterial street system while also providing substantial service to abutting land use. Typically, a collector street should not have extensive continuity, or it may be used as an undesirable arterial. The development of a collector street in new growth areas is usually dependent upon the form taken by land subdivision, whether the subdivision is residential in nature, or a planned commercial office, or industrial development.
4. **MINOR STREET.** A minor street is one whose primary function is to service abutting land use. Through traffic should be stringently discouraged on a minor street.

SUBDIVIDER. Any person who: (1) having an interest in land, causes it, directly or indirectly, to be divided into a subdivision; or (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 (3) is directly or indirectly controlled by, or under direct, or indirect, common control with any of the foregoing.

SUBDIVISION. The division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites, or other division of land for the purpose, whether immediate or future, of sale or of building development. It includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory being subdivided. It shall include all divisions of land involving the dedication of a new street or a change in existing streets.

SUBDIVISION JURISDICTION. The territorial jurisdiction of the Satsuma Planning Commission over the subdivision of land.

SURETY. Any surety bond, certificate of deposit, irrevocable letter of credit, cashiers check, or other acceptable surety as approved by the City of Satsuma or their authorized agent.

WATERCOURSE. Any depression serving to give direction to a flow of water, having a bed and well-defined banks and which shall, upon the rule or order of the City of Satsuma 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.

WIDTH LOT. The mean horizontal distance between the two side lot lines.

YARD, FRONT. A yard extending the full width of the building site across its front, with required depth measured at right angles to the front street line of the building site.

YARD, REAR. A yard extending the full width of the building site across its rear, with required depth measured at right angles to the rear line of the building site.

YARD, SIDE. A yard extending from the rear line of the front yard to the front line of the rear yard, with required width measured at right angles to the adjacent side lines of the building site.

ARTICLE III

APPROVAL OF SUBDIVISION PLATS

SECTION 3-1. APPROVAL OF SUBDIVISION PLATS REQUIRED

From and after the date of filing a certified copy of these regulations with the Probate Judge, no subdivision plat of land within the planning jurisdiction, as defined in Article II of these regulations, shall be filed or recorded nor shall any lots be sold until the plat shall have been submitted to and approved by the Planning Commission and recorded by the Probate Judge. The Probate Judge, upon receipt of a copy of these regulations, shall not thereafter file or record a plat of a subdivision of land located within the subdivision jurisdiction, as defined herein, without the approval of such plat in accordance with these regulations.

No services or utilities shall be extended to a subdivision, unless and until the requirements set forth in these regulations have been complied with and the same has been approved by the Planning Commission.

3-1-1 Any and all subdividers of land in Satsuma, be they individuals, firms, trusts, organizations, agencies or other legal entities, must submit a plat of any proposed subdivision of land to the Planning Commission.

Any subdivider who appears to be circumventing the intent and substance of these Regulations may be required to submit a plat for review and approval by the Planning Commission and shall be subject to the penalties under Section 13-3 of these Regulations.

SECTION 3-2. GENERAL PROCEDURE

3-2-1 **CLASSIFICATION OF SUBDIVISION.** Whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof, the subdividing owner or his authorized agent shall apply for and secure approval of such proposed subdivision in accordance with the following procedure:

1. Minor Subdivision
 - a. Sketch Plat Approval
 - b. Final Plat Approval

2. Major Subdivision
 - a. Sketch Plat Approval
 - b. Preliminary Plat Approval
 - c. Final Plat Approval

SECTION 3-3 SUBMISSION OF SKETCH PLAT

The procedure for obtaining Sketch Plat concurrence is as follows:

- 3-3-1 **DISCUSSION OF REQUIREMENTS.** Before preparing the Sketch Plat for a subdivision, the applicant should discuss with the Satsuma Building Official the procedure for approval of a subdivision plat and the requirements as to general layout of streets and for reservations of land, street improvements, drainage, sewerage, water, and similar matters as well as the availability of existing services. The Satsuma Building Official shall also advise the applicant, when appropriate, to discuss the proposed subdivision with those officials who must eventually approve those aspects of the subdivision plat coming within their jurisdiction.
- 3-3-2 **APPLICATION PROCEDURE.** Whenever any subdivision of a tract of land is proposed to be made, the applicant shall submit to the Executive Secretary of the Planning Commission at least ten (10) working days prior to a regularly scheduled meeting, eight (8) copies of a Sketch plat of the proposed subdivision together with a sketch vicinity map and any other data which will convey his intentions as to the proposed layout and type of development. The applicant shall appear at the regularly scheduled meeting of the Planning Commission to discuss the proposed subdivision and become familiar with the application of the regulations affecting the land to be subdivided. This procedure is mandatory, but does not require a formal application or fee.
- 3-3-3 **SKETCH PLAT REQUIREMENTS.** A Sketch Plat shall be drawn at an approximate scale of one inch to 100 feet and shall show the tentative street layout, approximate right-of-way width, lot arrangements, location of the nearest water and sewer lines (if any), water courses, existing structures, total acres, approximate number of lots, adjoining streets, north point, tract boundary, and proposed use of land.
- 3-3-4 **CLASSIFICATION.** Tentative classification of the Sketch Plat shall be made at the time of review at the regularly scheduled meeting of the Planning Commission as to whether the subdivision is a major or minor subdivision as defined in Article II of these regulations. Subsequent to the approval by the Planning Commission, the applicant may proceed directly to the filing of an application for approval of a final subdivision plat, as provided, in these regulations, if classified as a minor subdivision; and if classified as a major subdivision, the applicant must first file an application for approval of a Preliminary Plat, as provided in these regulations before filing for Final Plat approval.
- 3-3-5 **CONCURRENCE OF SKETCH PLAT.** After reviewing and discussing the Sketch Plat, the Planning Commission will advise the applicant of the specific changes or additions to be made in the layout, and the character of improvements and reservations to be required as prerequisite to approval of the subdivision plat, if any. The Planning Commission may require additional changes as a result of further study of the subdivision. Said approval shall constitute authorization to prepare and submit a Preliminary

Plat in the case of a major subdivision or a Final Plat in the case of a minor subdivision.

SECTION 3-4. SUBMISSION OF PRELIMINARY PLAT

The procedure for obtaining Preliminary Plat approval is as follows:

3-4-1 APPLICATION. Based upon the Planning Commission's approval of the Sketch Plat, the owner shall file an application for approval of a Preliminary Plat. The Preliminary Plat application shall:

1. Be made on forms available at the Office of the Building Inspector of the City of Satsuma;
2. Include the names and addresses, as they appear in the Mobile County tax records, of the owner(s) of land adjacent to the tract of land being subdivided;
3. Be submitted to the Building Inspector for the City of Satsuma at least fifteen (15) days prior the meeting of the Planning Commission;
4. Be accompanied by the following:
 - a. Full payment of all application fees required under Satsuma law;
 - b. Eight (8) sets of black or blue line prints of the proposed subdivision, prepared and certified by a professional engineer registered in the State of Alabama;
 - c. A surety bond in a form satisfactory to the City and City Attorney and in an amount equal to one hundred twenty-five percent (125%) of the cost, as estimated by an independent source, of installing all improvements to guarantee the actual proper and complete construction and installation of all streets, roads, drainage structures, public utilities and other improvements;
 - d. A Preliminary Plat that complies with these regulations;
 - e. A Preliminary Plat Checklist filled out and signed by both the owner and Building Inspector and any other plans or documents as required herein;
 - f. Construction Plans that comply with these regulations;
 - g. A proposed storm water maintenance agreement acceptable to the City Engineer and City attorney;

- h. A proposed dedication of the public improvements to be accepted by the City;
- i. A title report from a licensed title agency listing all persons and/or entities with an interest in the property;
- j. Utility approval letters and any additional documents required related to utilities;
- k. A subdivision regulation variance application, if a variance is necessary;
- l. A letter from the zoning board of adjustment evidencing its approval of any necessary zoning variances;
- m. A digital submittal of the Preliminary Plat and Construction Plans upon request of the City Engineer; and
- n. A report from the owner's registered engineer showing any known man-made hazards, evidence of recent or ancient mining or quarry operations (above ground and underground), spoil areas, dump sites, existing fill and excavation, existing drainage retention or detention areas, wells, storage tanks (above ground and underground), and any historical and archeological features.

All of these components listed above shall be part of the application package submitted by the owner to the Planning Commission for review.

3-4-2 PUBLIC HEARING. Within a reasonable time from receipt of payment of required fees and a complete application package requesting Preliminary Plat approval, the City Clerk shall schedule a public hearing to be held by the Planning Commission for discussion and consideration of the complete application package. At least five (5) days prior to the date of the public hearing, notice of such public hearing shall be sent by registered or certified mail to the owner and all adjoining landowners as their names and addresses appear in the Mobile County tax records and as provided in the subdivision application.

3-4-3 SUBMISSION REQUIREMENTS AND REVIEW PROCESS. After the Planning Commission reviews the application package, the owner shall be advised of any required changes and/or additions. One (1) copy of the proposed Preliminary Plat shall be returned to the owner with the date of approval, conditions of approval or disapproval, including the reasons therefore, and one (1) copy shall be retained by the Planning Commission. The approval of the Preliminary Plat shall not be deemed final acceptance of the plat or any of the improvements, but rather an expression of approval of the layout as submitted on the Preliminary Plat. Any subsequent change

or modification to a Preliminary Plat or other components of the application shall be resubmitted to the Planning Commission for approval or denial.

3-4-4 **EFFECTIVE PERIOD OF PRELIMINARY APPROVAL.** The approval of a Preliminary Plat shall be effective for a period of one (1) year. The surety bond guaranteeing completion of improvements must be in place for that entire period. The Planning Commission may extend the effective period of the approval up to twenty-four (24) months after (i) the City has consented to an extension on the bond guaranteeing completion and (ii) the Planning Commission has received a written request from the owner at least sixty (60) days prior to the lapse of the preliminary approval, stating the reasons for an extension. Preliminary Plat approval is revocable. Any plat not receiving final plat approval within the one (1) year or any applicable extension period granted in accordance with the requirements herein shall be null and void, and the owner shall be required to resubmit a new plat (and other application materials) for preliminary approval subject to all then current zoning and subdivision regulations and filing fees.

3-4-5 **RESUBMISSION OF PRELIMINARY PLAT.** After Planning Commission disapproval, the Planning Commission shall not consider any resubmission of the same Preliminary Plat from the owner, for a period of six (6) months, unless all deficiencies have been corrected and the plat satisfies the subdivision regulations and any conditions required by the Planning Commission. Any resubmission shall be subject to (i) a public hearing set by the City Clerk, (ii) then current zoning and subdivision regulations and (iii) full payment of all required fees.

3-4-6 **PRELIMINARY PLAT REQUIREMENTS.** The Preliminary Plat shall be prepared by a registered engineer or land surveyor and demonstrate conformity to these regulations and any other applicable requirements. The Preliminary Plat shall be clearly and legibly drawn at a convenient scale of not less than one (1) inch equals one hundred (100) feet, and the sheets shall be numbered in sequence if more than one (1) sheet is used. The sheet shall be of such size as is acceptable for filing in the Office of the Probate Judge, but shall not exceed twenty-four by thirty-six (24 x 36) inches. The Preliminary Plat shall show the following:

1. Names and addresses of all owner(s) of the land to be subdivided, the applicant (if different from the owner), the registered engineer and land surveyor;
2. Proposed name of subdivision indicating the phase number if applicable, date, north arrow, scale, and location;
3. Vicinity map showing location of the subdivision within the surrounding area;
4. A current boundary/topographic survey of the property containing a complete legal description of the property, topographical contours at

one (1) foot vertical intervals, and exact boundaries of the tract of land being subdivided, with bearings shown to the nearest second of an arc and distances to the nearest hundredth of a foot;

5. Wooded areas, marshes, and any other conditions affecting the site;
6. The location and dimensions of proposed and existing streets, buildings, water courses, jurisdictional wetlands, railroads, transmission lines, drainage structures, public utilities, jurisdiction lines, and any public utility easements on the tract being subdivided and on any adjacent land within one hundred (100) feet of the tract being subdivided;
7. If roads are private, a provision stating that the City of Satsuma shall not be responsible for maintaining private roads;
8. A provision that the City of Satsuma shall not be responsible for maintaining storm water management facilities including retention and detention ponds, ditches, drains, and other approved types of storm water management infrastructure;
9. Proposed and existing street names and proof of E-911 approval;
10. Proposed and existing rights-of-way or easements including location, widths, purposes, and the dimension from centerline of all existing rights-of-way to the subdivision boundary;
11. Proposed lot lines and blocks with bearings to the nearest second of an arc and distances to the nearest hundredth of a foot as well as lot and block numbers;
12. A lot data box as shown below:

BLOCK DATA	LOT NUMBER	AREA IN SQUARE FEET

13. Minimum building setback lines;
14. Accurate outlines and descriptions of any areas to be dedicated or reserved for public use with the purpose indicated thereon, any areas to be reserved for common use of all property owners, along with a brief description of its intended purpose, and any proposed open spaces;

15. All proposed utility providers;
16. Site data:
 - a. Total acreage of property to be subdivided;
 - b. Minimum lot size;
 - c. Total number of lots;
 - d. Linear feet in streets;
 - e. Zoning of the property and the adjacent property;
 - f. Area of common space and park space;
17. Any area in or within one hundred (100) feet of the proposed subdivision subject to inundation by the 100-year flood as defined herein, or subject to periodic inundation by storm drainage overflow or ponding; and
18. If all or any part of the proposed subdivision lies within an existing flood hazard zone as indicated on the latest Flood Insurance Rate Map (FIRM) for the area, a statement to that effect should be written on the Preliminary Plat and on the Final Plat.

3-4-7

CONSTRUCTION PLANS: REQUIREMENTS. At the time of submission of the Preliminary Plat, the owner shall also submit Construction Plans for all improvements. To receive preliminary plat approval, all Construction Plans shall meet the minimum development standards and general requirements for the construction of improvements as set forth in these regulations and approved by the City Engineer. Construction Plans shall be drawn at a scale of not less than one (1) inch equals fifty (50) feet and map sheets shall be of the same size as the Preliminary Plat. Construction Plans shall be prepared by a Registered Engineer. The following construction plans shall be included:

1. Street Plan containing the following information:
 - a. Locations of all proposed and existing streets or rights-of-way in or adjacent to the subdivisions;
 - b. Width of existing and proposed rights-of-way and easements;
 - c. Proposed public street or private right-of-way access for each lot;
 - d. Plan and Profile of all streets, showing natural and finished grades drawn to scale of not less than one (1) inch equals one hundred (100) feet horizontal and one (1) inch equals ten (10) feet vertical;
 - e. Cross sections of proposed streets at a minimum of 100 foot stations;

- f. Curve data for the centerline of each street: Delta, Tangent, and Radius;
 - g. All curb radii for street intersections;
 - h. Traffic signals and stopping site distance;
 - i. Location of all required and proposed sidewalks, off-street pedestrian walkways, and crosswalks;
 - j. Street lighting plan; and
 - k. Location of all wetlands.
2. Storm water drainage plan containing the following information:
- a. Location of proposed drainageways, streams, ponds and any other storm water management facilities in the subdivision;
 - b. Hydrologic-Hydraulic Study including elevations of pre and post differential runoff, evaluations of required retention/detention ponds, inlets and gutters, culvert pipes; and open channel drainage systems;
 - c. Topography at one (1)-foot contour intervals; on more severe terrain, greater intervals may be accepted;
 - d. Location, size, and invert elevations of existing and proposed drainage structures including culverts, bridges, pipes, drop inlets, and top elevations of head walls, etc., showing details on Drainage plan, including conduit schedule;
 - e. Construction details of typical manholes, connections, and other drainage structures proposed;
 - f. Area of land contributing run-off to each drainage structure along with run-off calculations of each area and drainage calculations for each drainage structure and drainage ditch;
 - g. Location of easements and rights-of-way for drainageways and maintenance access thereof;
 - h. Typical cross sections of each drainageway; and
 - i. Direction of waterflow throughout subdivision and compatibility with existing drainage.
3. Sanitary Sewer Plan, if applicable, containing the following information:

- a. Location and size of all existing and proposed sewers in the subdivision and tie-points of the subdivision. Location of sewer laterals;
 - b. Direction of flow of each sewer line;
 - c. Location of each manhole and other sewage system appurtenances including lift stations, oxidation ponds, and treatment plants, if any;
 - d. Construction details of typical manholes, connections, and other sewage structures proposed; and
 - e. Plan and profile of sewage system.
4. Water Distribution Plan containing the following information:
- a. Location and size of water distribution system including pipes, valves, fittings, hydrants, high pressure pumping equipment, etc.
5. Electric Distribution Plan containing the following information:
- a. Location of all poles or subsurface facilities as necessary to serve each lot or parcel of land within the subdivision.
6. If wetlands are identified on site by National Wetland Inventory, Mobile County or Satsuma geographic information systems, the owner shall submit Jurisdictional Determination acquired through an environmental scientist, a letter of “No Impact”, or other permits/documents issued by the Corp of Engineers, ADEM or other applicable government agencies.

3-4-8 MAINTENANCE AGREEMENT REQUIREMENT. Along with the other required components of the application package for Preliminary Plat approval, the owner must submit a proposed maintenance agreement that outlines a storm water management plan for all storm water detention facilities within the subdivision to be carried out by the owner and is made in compliance with the requirements provided herein. In order to receive Final Plat approval, this maintenance agreement must be in its final form and executed by the City of Satsuma and the owner (or property owners association in instances where the detention facility is to be shared by multiple lots within the subdivision).

3-4-9 UTILITY COMPANY APPROVAL LETTER. No Preliminary Plat shall be approved by the Planning Commission until each utility affected has submitted a letter to the Planning Commission as to whether the service to be provided by such utility is reasonable and adequate and that the utility has no objection.

SECTION 3-5. SUBMISSION OF FINAL PLAT

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

3-5-1 APPLICATION. Following the approval of the Sketch Plat in the case of a minor subdivision or of the Preliminary Plat in the case of a major subdivision, the owner, if he wishes to proceed with the subdivision, shall file with the Planning Commission an application for approval of the Final Plat. The Final Plat application shall:

1. Be made on forms available at the Office of the City of Satsuma Building Official;
2. Comply in all respects with the Preliminary Plat requirements, as approved, except for minor modifications not altering the design of the subdivision; contour lines may be excluded at the discretion of the Planning Commission in which case elevations shall be noted on the plat;
3. Be submitted to the City of Satsuma Building Official's Office at least fifteen (15) calendar days prior to a regularly scheduled meeting of the Planning Commission;
4. Be submitted within one (1) year of the date of Preliminary Plat approval or within the extension period granted by the Planning Commission, if any;
5. Be accompanied by the following:
 - a. Full payment of all application fees required under Satsuma law;
 - b. Eight (8) black or blue line prints of the Final Plat;
 - c. A surety bond, in a form satisfactory to the City and the City Attorney and in an amount equal to one hundred twenty-five percent (125%) of the actual construction costs of all the improvements for the purpose of correcting any construction, defects and/or failures in the performance of the improvements, including, but not limited to, all storm water management facilities and any required off-site improvements;.
 - d. A copy of the Preliminary Plat signed and approved by the Planning Commission;
 - e. A Final Plat that complies with these regulations;

- f. A Final Plat Checklist filled out and signed by both the owner and the building inspector;
- g. A copy of the Construction Plans approved by the Planning Commission with the Preliminary Plat with any subsequent amendments;
- h. Fully executed storm water maintenance agreement acceptable to the City Engineer and City attorney;
- i. A copy of the resolution approved by the City Council and the City accepting the dedication of any public improvements;
- j. Engineering Plans that comply with these regulations;
- k. An updated title report from a licensed title agency listing all persons and/or entities with a title interest in the property;
- l. Letters certifying approval from utilities as required herein;
- m. The certificates of completion from the owner and the City Engineer as required herein;
- n. A copy of the Planning Commission's approval of any subdivision regulation variances, if any were required;
- o. A letter from the zoning board of adjustment evidencing its approval of any necessary zoning variances;
- p. A digital submittal of the plats and Construction Plans upon request of the City Engineer;
- q. All documents and other assurances, including a declaration of covenants, deed restrictions, certificates of formation and bylaws for an owners' association, prepared in accordance with the laws of the State and satisfactory to the City and the City Attorney, to establish a means of common ownership and management of all common areas, facilities and improvements intended for use by some or all of the occupants of the subdivision, but not proposed to be provided, owned, operated or maintained by the City; and
- r. All Federal and State permits required for construction of the development shown on the plat.

3-5-2

SUBMISSION REQUIREMENTS AND REVIEW PROCESS. All of the required components listed above shall be part of the application package submitted by the owner to the Planning Commission for Final Plat approval.

After the Planning Commission reviews the application package and any additional documents required herein, the owner shall be advised of any conditions of approval. Any subsequent change or modification to the Final Plat or other components of the application package shall be resubmitted to the Planning Commission.

3-5-3

SIGNING AND RECORDING OF FINAL PLAT

1. Signing of Plat. After the Final Plat is found to be in conformity with these regulations and has been approved by the Planning Commission, the owner shall produce an original full size rendering of the Final Plat, containing all original certifications, signatures and professional stamps as required. The owner shall secure all other signatures and certifications prior to providing it to the City for signature. The Chairman of the Planning Commission shall endorse approval on the Final Plat after all improvements have been satisfactorily completed and approved by the City Engineer, the bond guaranteeing performance has been approved by the City and all the conditions pertaining to the plat have been satisfied.
2. Recording of Plat. After the storm water maintenance agreement, declaration of covenants, rights of any persons and/or entities, and other documents have been recorded as required herein, the original, full size rendering of the Final Plat that is signed by the Chairman of the Planning Commission shall be recorded in the Office of the Judge of Probate of Mobile County, at the owner's expense. Approval of the Final Plat by the Planning Commission shall be null and void if the plat is not recorded in the Office of the Judge of Probate of Mobile County within 12 months after the date of Final Plat approval unless application for an extension of time is made in writing and granted by the Planning Commission during such twelve (12) month period. Property within a subdivision may only be transferred once the plat has been approved and recorded in the Office of the Judge of Probate of Mobile County. A copy of the recorded Storm Water Maintenance Agreement, Final Plat, and any restrictive covenants, if applicable, shall be provided to the City.

3-5-4

FINAL PLAT REQUIREMENTS. The Final Plat shall be prepared by a registered engineer or land surveyor and shall be clearly and legibly drawn at a convenient scale of not less than one (1) inch equals one hundred (100) feet. The Final Plat, as submitted for approval, shall be prepared in ink on linen or a suitable permanent mylar reproducible. The sheet shall be of such size as is acceptable for filing in the Office of the Probate Judge, but shall not exceed twenty-four by thirty-six (24 x 36) inches. 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 Satsuma. 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 (including the radius, central angle, point of tangency, tangent distance, and arc and chords);
4. The names and locations of adjoining subdivisions and streets, with reference to recorded plats by record name;
5. The exact position of the permanent monuments shall be indicated on the plat by a small circle "o";
6. Streets and alleys, rights-of-way, street names and proof of E-911 approval;
7. All easements, including locations, widths, and purposes;
8. Lot lines and lot and block numbers;
9. If roads are private, a provision stating that the City of Satsuma shall not be responsible for maintaining private roads;
10. A provision that the City of Satsuma shall not be responsible for maintaining storm water management facilities including retention and detention ponds, ditches, drains, and other approved types of storm water management infrastructure;
11. Proposed and existing street names and proof of E-911 approval;
12. Accurate outlines and descriptions of any areas to be dedicated or reserved for public use with the purpose indicated thereon, any areas to be reserved for common use of all property owners, and any proposed open spaces, if any;
13. All dimensions should be to the nearest one-hundredth (1/100) of a foot and angles within plus or minus five (5) seconds;
14. The following endorsements, dedications, and certificates lettered or typed on the Final Plat in such a manner as to ensure that said certificates will be legible on any prints made therefrom:
 - a. Registered Engineer's or Land Surveyor's Certificate and Description of Land Platted;
 - b. Dedication;

- c. Notary's Acknowledgment of the Dedication Certificate referred to in "b";
- d. A Certificate of Approval by the City Engineer of Satsuma;
- e. A Certificate of Approval by the Satsuma Planning Commission; and
- f. A Certificate of Approval by the County Engineer.

15. All other lot and site data as required.

3-5-5 ENGINEERING PLANS. At the time of Final Plat approval, the owner shall also submit "as built" plans, that comply with the requirements contained herein and provide details of construction and locations of the improvements which have been installed. The primary purpose of the engineering plans is to provide the City with a record of the location, size, and design of underground utilities for the City's use in the course of maintaining such improvements. The engineering plans shall be submitted to the City for the City Engineer's approval once construction of all improvements is complete and before the owner submits the application for Final Plat approval to the Planning Commission.

3-5-6 MAINTENANCE AGREEMENT EXECUTED AND RECORDED. To receive Final Plat approval, the Storm Water Maintenance Agreement must be in its final form, executed by the City of Satsuma and the owner (or property owners' association in instances where the detention facility is to be shared by multiple lots within the subdivision), recorded in the Office of the Judge of Probate of Mobile County, and a copy of the recorded agreement shall be included in the owner's application for final plat approval.

ARTICLE IV

DEVELOPMENT STANDARDS

SECTION 4-1. MINIMUM STANDARDS

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

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

SECTION 4-2. GENERAL REQUIREMENTS

- 4-2-1 **PLATS STRADDLING JURISDICTIONAL BOUNDARIES.** Whenever access to a subdivision is required across land in another local government planning jurisdiction, the Planning Commission may request assurance from the City Engineer, Attorney, or other appropriate official, that the access road is adequately improved, or that surety has been duly executed and is sufficient in amount to assure the construction of the access road.
- 4-2-2 **TREES AND NATURAL FEATURES.** Reasonable requirements for the preservation of outstanding natural features may be specified by the Planning Commission. These include large trees or groves, water courses, historical sites, exceptional views, and similar irreplaceable assets.
- 4-2-3 **CHARACTER OF THE LAND.** Land which the Planning Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse soil formations or topography, utility easements, or other features which will reasonably be harmful to the safety, health, and general welfare of the present or future

inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the applicant and approved by the Planning Commission, upon recommendation of the City Engineer, to solve the problems created by the unsuitable land conditions; otherwise such land shall be set aside for uses as shall not involve such a danger.

Land within any Floodway District shall not be platted for residential occupancy or building sites. 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 minimum floor level of one (1) foot 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.

4-2-4 **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 Planning Commission shall have final authority to designate the name of the subdivision which shall be determined at Preliminary Plat approval.

4-2-5 **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 the fees of adjacent lots or owners association responsible for the ownership of and responsibility for safe maintenance of the water body. Where a watercourse separates the buildable area of a lot from the street to which it has access, provisions shall be made for installation of a culvert or other structure of design approved by the City Engineer. No public roadways will be approved which provide access across dams.

4-2-6 **IMPROVEMENTS.** All plans for improvements shall be subject to approval by the City Engineer.

4-2-7 **STREETS AND BIKEWAYS.** On all streets and alleys within the jurisdiction of these regulations, an approved hard surfaced permanent type of pavement shall be constructed in accordance with these regulations and Satsuma street construction specifications. All streets shall be graded. Finished grade, cross-section, and profile shall be approved by the City Engineer. All water, sewer, or other underground utilities shall be installed before the applicant shall construct curbs and gutters, where applicable, and shall base and surface, or cause to be based and surfaced, all pertinent streets to the width prescribed in these regulations. The Planning Commission may, at its discretion, require the installation of bikeways. Curb cuts and ramps shall be installed on streets where bikeways are required by these regulations. Bikeways shall be a minimum of four (4) feet in width and

placed within the right-of-way on one side of the street. Construction shall be approved by the City Engineer.

- 4-2-8 CURBS AND GUTTERS. Curbs and gutters/valley gutters may be required, at the option of the Planning Commission, on both sides of new streets within the area of jurisdiction of these regulations in accordance with City specifications. As an alternative for curb and gutter, the Planning Commission may allow drainage ditches to be constructed in accordance with these regulations and specifications approved by the City Engineer.
- 4-2-10 SIDEWALKS. Sidewalks shall be included at the discretion of the Planning Commission. Construction of sidewalks shall be in accordance with these regulations and specifications approved by the City Engineer, and shall include ramps for use by the handicapped.
- 4-2-11 STREET SIGNS. The City Engineer shall determine the number of signs and method and cost of sign installation for each required street sign within the subdivision.
- 4-2-12 FIRE HYDRANTS. Fire hydrants shall be installed along each street every six hundred (600) feet, or at the ends and center of each block. The water supply and pressure shall be sufficient to adequately serve the potential needs of the intended land use.
- 4-2-13 WATER SYSTEM. Necessary action shall be taken by the owner to extend the public/private water supply system capable of providing domestic water use and fire protection. The design and specifications of the water distribution systems shall meet the appropriate public water system requirements and approved by the City Engineer. Water mains shall be a minimum of six (6) inches in diameter and shall be extended the full length or width of the pavement. If a well is required for each lot, the location, construction, and use of such a well shall meet Health Department specifications. All new or replacement water supply systems together with attendant facilities, proposed to be located within an area subject to flood shall be designed and constructed to minimize or eliminate flood damage.
- 4-2-14 SANITARY SEWERS. The owner shall install sanitary sewer facilities in a manner prescribed by Satsuma construction standards and specifications and approved by the City Engineer and the Satsuma Water and Sewer Board. Sanitary sewers shall be provided where a public sanitary sewage system is reasonably accessible as determined by the City Engineer and the appropriate sewer utility. Individual disposal systems shall be used in instances where no public sanitary sewerage system is available and shall be approved by the State and County Health Department. All new or replacement sanitary sewer systems together with attendant facilities proposed to be located within an area subject to flood shall be designed and constructed to minimize or eliminate flood damage.

- 4-2-15 UTILITIES. The Planning Commission may require utilities to be located underground. All utility facilities and easements existing and proposed throughout the subdivision shall be shown on the Preliminary Plat. Easements centered on rear and/or side lot lines shall be provided for utilities (private and public) as applicable; such easements shall be at least fifteen (15) feet wide. Proper coordination shall be established between the owner and the applicable utility companies for the establishment of utility easements. All new or replacement gas distribution systems and electrical distribution systems, together with attendant facilities, proposed to be located within an area subject to flood, shall be designed and constructed to minimize or eliminate flood damage and approved by the City Engineer.
- 4-2-16 BRIDGES. Bridges of primary benefit to the owner, as determined by the City Engineer, shall (as with all other improvements) be constructed at the full expense of the owner.
- 4-2-17 WIDENING AND REALIGNMENT OF EXISTING ROADS. Where a subdivision borders an existing road with a right-of-way less than that specified in the regulations, the owner shall be required to dedicate such additional areas for widening or realignment of such roads. Existing substandard roads shall be dedicated by the owner to the full width as required by the subdivision regulations.

SECTION 4-3. STREET PLAN

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

- 4-3-1 CONTINUATION OF ADJOINING STREET SYSTEM. Proposed new streets shall extend existing streets or their projections at the same or greater width, but in no case less than the minimum required width, unless variations are deemed necessary by the Planning Commission for reason of topography or design.
- 4-3-2 ACCESS TO ADJACENT PROPERTIES. Where, in the opinion of the Planning Commission, it is desirable to provide for street access to an adjoining property, streets shall be extended by dedication to the boundary of such property at a minimum of one (1) per quarter mile.
- 4-3-3 MARGINAL ACCESS STREETS. Where development which abuts or has included within the proposed subdivided area any arterial, the Planning Commission may require a marginal access street or other treatment which may be necessary to provide for the adequate protection of properties, and to afford separation of through and local traffic.

4-3-4 PRIVATE STREETS. There shall be no private streets platted within a subdivision where abutting properties will be sold, whether immediately or in the future, to the public; however, in certain instances, private streets may be approved by the Planning Commission provided they are constructed according to the laws of the City of Satsuma. In the event that the Planning Commission does approve a private street, the developer shall install a sign on the roadway stating that the arterial is a private street and is not maintained by the City, and the same shall be reflected on the preliminary and final plat.

4-3-5 PRIVATE RESERVE STRIPS. Private reserve strips controlling access to streets shall be prohibited.

4-3-6 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.

4-3-7 STREET NAMES. Proposed streets, which are obviously in alignment with others existing and named, shall bear the assigned name of the existing streets. In no case shall the names of proposed streets duplicate or be phonetically similar to existing street names, irrespective of the use of the suffix, street, avenue, boulevard, drive, place, court, etc. Naming shall be consistent with the directional line of the street as follows:

- Through streets lying east and west avenues
- Through streets lying north and south streets
- Through streets lying other than what can be termed north and south or east and westroads
- Cul-de-sacs lanes
- Rambling streets.....drives

Street names are subject to the approval of the Planning Commission.

4-3-8 NEW HALF-STREETS AND NEW HALF-ALLEYS. No new half-streets or half-alleys shall be platted.

4-3-9 VACATING A STREET OR EASEMENT. No street or easement may be vacated unless a petition complying with state law is submitted through the Planning Commission to the City of Satsuma. The Planning Commission shall review such petition and make recommendations to the City of Satsuma, which decision, following a public hearing set by the City Clerk, shall be final.

4-3-10 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 or County highway; or

2. A street upon a plat approved by the Planning Commission and recorded in the Mobile County Probate Judge's Office. Such street or highway must be suitably improved as required by rules, regulations, specifications, or orders, or be secured by an improvement guarantee required under these subdivision regulations, with the width and right-of-way required by these subdivision regulations.

4-3-11

TOPOGRAPHY AND ARRANGEMENT

1. Roads shall be related appropriately to the topography. Minor streets shall be curved wherever possible to avoid conformity of lot appearance. All streets shall be arranged so as to obtain as many as possible of the building sites at, or above, the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided. Specific standards are contained in the Design Standards (Section 4-4) of these regulations.
2. All proposed streets shall be properly integrated with the existing system of streets.
3. All arterials shall be properly related to specific traffic generators such as industries, business districts, schools, churches, and shopping centers; to population densities; and to the pattern of existing and proposed land uses.
4. Minor streets 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.
5. The rigid rectangular gridiron street pattern need not necessarily be adhered to, and the use of curvilinear streets, cul-de-sacs, or U-shaped streets will be accepted where such use will result in a more desirable layout.
6. Proposed streets 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 Planning 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.
7. In business and industrial developments, the streets and other accessways shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of alleys, truck loading and maneuvering areas, and walks and parking areas so as

to minimize conflict of movement among the various types of traffic, including pedestrian.

4-3-12 ACCESS TO ARTERIALS. Where a subdivision borders on or contains an existing or proposed arterial, the Planning Commission may require that access to such arterial be limited by one of the following means:

1. The subdivision of lots so as to back onto the arterial and front onto a parallel minor street; no access shall be provided from the arterial, and screening shall be provided in a strip of land along the rear property line of such lots;
2. A series of cul-de-sacs, U-shaped streets, or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the arterial; or
3. A marginal access or service road (separated from the arterial by a planting or grass strip and having access thereto at suitable points).

4-3-13 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 two to one (2:1).

4-3-14 RAILROADS, ARTERIALS, AND MAJOR THOROUGHFARES. Railroad rights-of-way, arterials, 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 twenty-five (25) 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 expressway. This strip shall be part of the platted lots and shall be designated on the plat: "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 street 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; and
3. Streets parallel to the railroad when intersecting a street which crosses the railroad at grade shall, to the extent practical, be at a distance of at least one hundred and fifty (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 or appropriate approach gradients.

4-3-15 CUL-DE-SACS. Permanent dead-end streets shall not exceed six hundred (600) feet in length, and shall be provided with a turnaround having a roadway diameter of at least eighty (80) feet and a right-of-way diameter of at least one hundred (100) feet.

4-3-16 INTERSECTIONS. Street intersections shall be laid out as follows:

1. Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new streets at an angle of less than seventy-five (75) degrees shall not be acceptable. An oblique street should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet therefrom. Not more than two (2) streets shall intersect at any one point unless specifically approved by the Planning Commission.
2. Proposed new intersections along one side of an existing street shall, wherever practical, coincide with any existing intersections on the opposite side of such street. Street jogs with centerline offsets of less than 125 feet shall not be permitted, except where the intersected street has separated dual drives without median breaks at either intersection. Where minor streets intersect collectors or arterials, their alignment shall be continuous. Intersections of arterials shall be at least eight hundred (800) feet apart. Where a street intersects a state highway, the design standards of the State Highway Department shall apply.
3. Minimum curb radius at the intersection of two (2) minor streets shall be at least twenty (20) feet; and minimum curb radius at an intersection involving a collector street shall be at least twenty-five (25) feet.

4. Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having a grade not greater than five percent (5%) at a distance of fifty (50) feet, measured from the nearest right-of-way line of the intersecting street.
5. Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the applicant shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to provide an adequate sight distance.
6. The cross-slopes on all streets, including intersections, shall be five percent (5%) or less;
7. Property lines at street intersections shall be rounded with a minimum radius of twenty (20) feet with easement for site clearance of no less than thirty (30) feet.

4-3-17 PERIMETER STREETS. Street systems in new subdivisions shall be laid out so as to eliminate or avoid new perimeter half-streets. Where an existing half-street is adjacent to a new subdivision, the other half of the street shall be improved and dedicated by the applicant. The Planning Commission may authorize a new perimeter street where the applicant improves and dedicates the entire required street right-of-way width within his own subdivision boundaries.

4-3-18 STREET ELEVATIONS. The Planning Commission may require, where necessary, profiles and elevations of streets for areas subject to flood. No street shall be approved for construction within an area subject to flood that is proposed to be constructed more than two (2) feet below the elevation of the 100-year flood, as defined in these regulations. Fill may be used for streets. Drainage openings shall be so designed as not to restrict the flow of flood waters or increase upstream flood heights.

SECTION 4-4. DESIGN STANDARDS

The following design standards shall be considered minimum requirements and shall specifically apply to residential subdivisions. The requirements for non-residential subdivisions (See Section 8-4) shall be such as the Planning Commission deems appropriate for the type of development and use contemplated but in no event shall they be less than the requirements for residential subdivisions.

4-4-1 RIGHT-OF-WAY WIDTHS. Minimum street right-of-way widths shall not be less than the following:

Expressway	200 feet
Arterial	100 feet
Collector.....	80 feet
Minor Street	60 feet
Alley.....	20 feet
Marginal Access.....	40 feet

4-4-2 PAVEMENT WIDTHS. Pavement width shall not be less than the following with drainage to prevent surface water from crossing roadways:

Expressway	varies; 12' per lane, 8'-10' shoulders; median 18'-36'
Arterial	varies; 12' per lane, 8'-10' shoulders; median 12'-24'
Collector	44' (2'-12' traffic lanes; 2'-10' parking lanes)
Minor Street	36' where parking is permitted, 24' without parking
Alley	12' (if pavement is required)
Marginal Access	24'

4-4-3 STREET GRADES. Street grades shall not exceed the following unless otherwise approved by the County Engineer and the Planning Commission:

Expressway	6%
Arterial	8%
Collector	12%
Minor Street.....	15%
Marginal Access.....	8%

4-4-4 HORIZONTAL CURVES. Where a centerline deflection angle occurs, a circular curve shall be introduced having a centerline radius of not less than the following:

Expressway	N/A
Arterial	N/A
Collector.....	300 feet
Minor Street.....	100 feet

4-4-5 TANGENTS. Tangents of less than one hundred (100) feet provided between reverse curves shall be approved by the County Engineer on all streets.

4-4-6 VERTICAL CURVES. All changes in street grades shall be connected by vertical curves of a minimum length equivalent to the following:

1. On roads with a right-of-way greater than eighty (80) feet in width, minimum sight distance shall be six hundred (600) feet, measured between points three and one-half (3.5) feet above the centerline of the road; and

2. On roads with a right-of way less than eighty (80) feet in width, minimum sight distance shall be four hundred (400) feet measured between points three and one-half (3.5) feet above the centerline of the road.

4-4-7 CENTERLINE OFFSETS. The minimum distance between centerline offsets at street jogs shall be one hundred and twenty-five (125) feet.

SECTION 4-5 BLOCKS

4-5-1 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 vehicular through traffic or non-residential uses;

4-5-2 Blocks shall not exceed fifteen hundred (1500) feet nor be less than five hundred (500) feet in length;

4-5-3 In long blocks, the Planning Commission may require the reservation of an easement through the block to accommodate utilities, drainage facilities, or pedestrian traffic.

4-5-4 Pedestrianways or crosswalks not less than ten (10) feet wide may be required by the Planning Commission through the center of blocks more than eight hundred (800) feet long where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities. Blocks designed for industrial uses shall be of such length and width as may be determined suitable by the Planning Commission for prospective use.

SECTION 4-6 LOTS

Residential lots shall comply with the following requirements:

4-6-1 The size, shape and orientation of lots shall be such as the Planning Commission deems appropriate for the types of development and use contemplated.

4-6-2 Minimum lot size shall be as follows except in cases where additional lot area may be required by the County Health Department:

1. Where public water and sewer is not provided, said lot shall be a minimum of twenty thousand (20,000) square feet in area.

2. Where public water only is provided, said lot shall be a minimum of fifteen thousand (15,000) square feet in area.
 3. Where public water and sewer is provided, said lot shall be a minimum of fifteen thousand (15,000) square feet in area and not less than one hundred (100) feet wide at the building setback line. In all cases the primary structure shall not cover more than thirty percent (30%) of the total lot unless special design methods are approved. Special exceptions could be made on minimum lot size.
- 4-6-3 The subdivision plat shall provide each lot with satisfactory access to an existing street or to a subdivision street, taken to be a minor street, that will be deeded to public use at the time of Final Plat approval.
- 4-6-4 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 streets and logical further re-subdivision.
- 4-6-5 Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for off-street parking and loading for the use contemplated.
- 4-6-6 Double frontage lots shall be avoided, except where essential to provide separation of residential development from traffic arterials or to overcome specific disadvantages of topography or orientation.
- 4-6-7 Side lot lines should be at right angles to streets, except on curves where they shall be radial.
- 4-6-8 Excessive depth in relations to width shall be avoided. A proportion of three (3) to one (1) will normally be considered maximum.
- 4-6-9 Minimal lot size should be usable land.
- 4-6-10 In residential areas the minimum setback from property lines shall be: thirty-five (35) feet from the front lot line; ten (10) feet from the side lot line; thirty (30) feet from the rear lot line; and thirty-five (35) feet from the side lot line which abuts a street.

SECTION 4-7 DRAINAGE

4-7-1 GENERAL POLICY

The main objective of drainage design shall be the safety of the traveling public with the protection of County and private property consistent with good engineering practice.

DRAINAGE AND STORM SEWERS

GENERAL REQUIREMENTS. The responsible Design Engineer shall not recommend for approval any plat of a subdivision which does not appear to make adequate provision for storm or flood water runoff channels or basins. The storm water drainage system shall be separate and independent of any sanitary sewer system. A copy of basic design computations shall be submitted along with plans. Inlets shall be provided so that surface water is not carried across any intersection, nor for a distance of more than 600 feet in the gutter unless approved by the Design Engineer. When calculations indicate that curb capacities are exceeded at a point, catch basins shall be used to intercept flow at that point. (For further information, refer to City Ordinance 509.)

LOCATION. The applicant may be required by the responsible Design Engineer to carry away by pipe or open ditch any spring or surface water that may exist either previously to, or as a result of, the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width, and shall be constructed in accordance with the Alabama Highway Departments Standard and Specifications.

ACCESSIBILITY TO PUBLIC STORM SEWERS. Where a public storm sewer is accessible, the applicant may be required to install storm sewer facilities, or, if no outlets are within a reasonable distance, adequate provision shall be made for the disposal of storm waters, subject to the specifications of the Design Engineer. Inspection of facilities shall be conducted by the Design Engineer.

If a connection to a public storm sewer will be provided eventually, as determined by the Design Engineer, the developer shall make arrangements for future storm water disposal by a storm sewer system at the time the plat receives final approval. Provision for such connection shall be incorporated by inclusion in the performance surety required for Final Plat approval.

ACCOMMODATION OF UPSTREAM DRAINAGE AREAS. A culvert or other drainage facility shall, in each case, be large enough to accommodate potential developed property runoff from its entire upstream drainage area, whether inside or outside the subdivision. The Design Engineer will review the necessary size of the facility, based on the provisions of the construction standards and specifications.

EFFECT ON DOWNSTREAM DRAINAGE AREAS. The Design Engineer shall also review the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision. These drainage studies, together with such other studies as shall be appropriate, shall serve as a guide to needed improvements. Where it is anticipated that

the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the Design Engineer may withhold approval of the subdivision until provision has been made for the improvement of said potential condition in such sum as the Design Engineer shall determine. No subdivision shall be approved unless adequate drainage will be provided to the natural drainage watercourse or an existing facility.

4-7-3 DEDICATION OF DRAINAGE EASEMENTS.

GENERAL REQUIREMENTS. Where a subdivision or development of land is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such water course, and of such width and construction or both as will be adequate for the purpose. For the smaller streams, the plat shall also provide for channel improvement to enable them to carry all reasonable floods within banks. The floor elevations of houses or buildings shall be high enough to be above regulatory flood. The floodway easement shall be wide enough to provide for future enlargement of the stream channel as adjacent areas become more highly developed and runoff rates are increased.

DRAINAGE EASEMENTS. Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual unobstructed easements at least twenty (20) feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on the record plat. Drainage easements shall be carried from the road to the natural watercourse or to other drainage facilities.

The applicant may be required to dedicate, either in fee or by drainage or conservation easement, land on both sides of existing watercourses to a distance that is adequate to discharge flood waters without cumulatively increasing the water surface elevation more than one foot.

Low-lying lands along watercourses subject to flooding or overflowing during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways, except where improvements are warranted as may be deemed necessary by the Design Engineer.

4-7-4 DRAINAGE. GENERAL PROVISIONS

All subdivisions, commercial and industrial developments shall be provided with adequate storm drainage facilities. Any areas subject to periodic flooding caused by poor drainage facilities will not be accepted by the

Design Engineer unless the developer or subdivider makes necessary provisions to eliminate such flooding.

A complete drainage plan and contour map showing the pipe sizes, their locations and the areas to be drained, shall be submitted along with the profile grades and typical roadway section for approval.

All existing drainage structures shall be shown on the preliminary plat, contour map, and construction plans.

All off project drainage, draining onto the subdivision, shall be shown on contour maps and/or construction plans showing the areas in acres that the subdivision will have to accommodate.

On any single drainage structure requiring twenty (20) square feet or more of end area, a special design drawing will be required for approval. All roadway cross drain pipes shall be reinforced concrete and have a minimum size of eighteen (18) inches. Only pipe that meets specifications equaling Alabama State Highway Department Specifications or Satsuma Standards will be acceptable.

No oil drums or unacceptable pipe shall be used.

Where the subdivider has open ditches, a maximum of three (3) to one (1) front slopes and flat bottom ditch is required; the width of the ditch shall be determined by the required flows and the existing conditions and be approved by the Design Engineer. V-bottom ditches or other special designs will be permitted in special cases.

These provisions apply to all developers or subdividers.

4-7-5

ENGINEERING PLANS. The developer or contractor shall submit detailed drainage plans and drainage calculations to the County for review and approval for all developments affecting County rights-of-way. Said plans shall be prepared by a Professional Engineer registered in the State of Alabama and shall contain the following information:

- a. Topography map of proposed developed areas;
- b. Existing and proposed contours at sufficient intervals, usually two (2) feet if not over five percent (5%);
- c. Existing drainage system;
- d. Proposed drainage system, including on-site and off-site drainage areas;

- e. Structure location, type and size, and slope, cfs, Inlet El., Outlet El., Velocity, Headwater El., Tailwater El;
- f. Discharge quantities, pre and post runoff cfs;
- g. Other pertinent information necessary for review of the drainage plans as may be required by the Design Engineer; and
- h. Erosion and sediment control plan.

4-7-6

CULVERTS

Culverts under arterial roadways shall normally accommodate a minimum of twenty-five (25) year frequency design storm. Conditions may dictate that one hundred (100) year design storms must be accommodated.

Culverts under all other roadways shall normally accommodate a minimum of a twenty-five (25) year storm.

Design storm criteria will be used by the Design Engineer based on the site specific conditions that warrant life and property protection.

Culvert Specifications:

1. All types of culverts within the rights-of-way of public roads must be approved by the Design Engineer and shall conform to Alabama Department of Transportation Standards.
2. Culverts shall be placed in excavated trenches to the line and grade shown on the plans. The maximum width of the excavated trenches shall not exceed the outside diameter of the pipe by more than one and a half (1.5) feet on either side of the pipe.
3. Material used for backfilling culvert trenches shall consist of small diameter uniform material and shall be free of large rock or other unsuitable material. The backfill material shall be placed in uniform eight (8) inch lifts and mechanically compacted to ninety-five percent (95%) of relative density. The backfill shall be placed uniformly on each side of the pipe and all pipe shall be laid in accordance with County Standards.

A minimum of twelve (12) inches cover shall be placed over each culvert pipe forty-eight (48) inches or less in diameter and twenty-four (24) inches or more of cover shall be placed on all larger diameter pipes.

When a battery of pipes is used, a clear spacing of one half (1/2) the pipe diameter shall be provided between adjacent pipes.

The maximum cover allowed, pipe class, and strength requirements shall be in accordance with the manufacturer's recommendation.

The velocity of the flow in culverts shall be calculated using ranges from the latest edition of the Alabama Highway Department Hydraulics Manual.

The minimum size reinforced concrete culvert permitted is eighteen (18) inches in diameter under public roadways or streets.

4-7-7 BRIDGES

Bridges shall accommodate a minimum of a fifty (50) year frequency design storm. Conditions may dictate that of a one hundred (100) year frequency design storm.

4-7-8 OPEN CHANNELS AND DITCHES

Open channels and ditches shall be designed so as not to create a traffic hazard or create hazardous erosion.

The minimum flow line slope for paved ditches shall be three tenths of a percent (0.3%) and shall be a maximum of one percent (1%) for unpaved ditches.

The recommended maximum flow velocities shall be in accordance with the ranges recommended in the latest edition of the Alabama Highway Department Hydraulics Manual.

Cleanout accesses shall be provided at least every three hundred (300) feet for continuous pipes of twenty four (24) inches in diameter or less and at least every four hundred (400) feet for larger continuous pipes if required. Clean out accesses are also required at each angle point and at each change in grade.

4-7-9 STORM RUNOFF ESTIMATES

Basic design data and calculations shall be prepared, sealed, and submitted by a registered professional engineer in the State of Alabama for the developer, contractor, or owner.

The method of determining storm runoff shall be based on acceptable engineering practice and/or these standards.

For small basins, up to two hundred (200) acres, the Rational Method (Q=cia) may be used.

- Q = estimated peak discharge in cubic feet per second.
- c = runoff coefficient (to be taken from the table below).
- i = rainfall intensity in inches per hour for a design storm derived from the time of concentration runoff
- a = area in acres

Flat or Rolling Terrain	RECOMMENDED "c" VALUES
Farmland	0.20 to 0.40
Barren	0.40 to 0.60
Irrigated	0.60 to 0.70
Streets and Parking Lots	
Unpaved	0.60 to 0.80
Paved	0.95 to 1.00
Improvements	
Buildings	0.95 to 1.00
Lawns	0.10 to 0.40

4-7-10

SPECIAL CONSTRUCTION

CONCRETE BOX CULVERTS. Concrete box culverts used as culverts shall be designed and constructed according to the latest edition of the Standards and Specifications for Road and Bridge Construction, Alabama State Division of Highways.

HEADWALLS AND RIPRAP. Culvert headwalls shall be required on pipe culverts and shall be reinforced concrete.

Special types of headwalls may be required by the County when deemed necessary for erosion control.

Riprap may be required at the upstream and downstream ends of culverts and shall be placed at these locations based on the velocities at these locations.

SECTION 4-8. EROSION AND SEDIMENTATION

4-8-1 The following provisions impose requirements for planning and implementation of effective sedimentation controls for subdivision development sites on persons engaged in land disturbing activities.

CONSTRUCTION REQUIREMENTS. An erosion and sedimentation control plan in compliance with the Alabama Handbook for Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Area shall be required in all areas of Satsuma corporate limits and planning jurisdiction. The approval of such plan shall be required and approved by the City prior to commencement of any land disturbing activity, including tree and root removal.

PROTECTION OF PROPERTY. Persons engaged in land-disturbing activities shall take all reasonable measures to protect all public and private property, including roadways, from damage by such activities.

MORE RESTRICTIVE RULES SHALL APPLY. Whenever there is a conflict between Federal, State, or Local Laws, Ordinances, Rules and Regulations, Orders, and Decrees the more restrictive provision shall apply.

4-8-2 **BASIC CONTROL OBJECTIVES**

The following paragraphs provide the “Basic Control Objectives” which should be considered in developing and implementing an erosion and sedimentation control plan.

IDENTIFY CRITICAL AREAS. On-site areas which are subject to severe erosion, and off-site areas which are especially vulnerable to damage from erosion and/or sedimentation, are to be identified and receive special attention.

LIMIT EXPOSED AREAS. All land-disturbing activities should be planned and conducted to minimize the size of the area to be exposed at any one time.

LIMIT TIME OF EXPOSURE. All land-disturbing activities should be planned and conducted to limit exposure to the shortest feasible time.

CONTROL SURFACE WATER. Surface water runoff originating upgrade of exposed areas should be controlled to reduce erosion and sediment loss during the period of exposure.

CONTROL SEDIMENTATION. All land-disturbing activities should be planned and conducted so as to minimize off-site sedimentation damage.

MANAGE STORM WATER RUNOFF. When the increase in the peak rates and velocity of storm water runoff resulting from a land-disturbing activity is sufficient to cause damaging accelerated erosion of the receiving ditch or channel stream, plans should include measures to control both the velocity and rate of release so as to minimize accelerated erosion and increased sedimentation of the ditch or stream channel.

MANDATORY STANDARDS. No land-disturbing activity subject to these provisions and requirements shall be undertaken except in accordance with the following mandatory requirements:

1. No land-disturbing activity shall be permitted in proximity to a lake, natural watercourse, or adjacent property where applicable unless a buffer zone is provided along the boundary of sufficient width to confine visible siltation and/or prevent erosion, and provided that the land-disturbing activity is not in connection with the construction of facilities to be located on, over, or under a lake, natural watercourse, or adjacent property.
2. The angle for graded slopes and fills shall be no greater than the angle which can be retained by vegetative cover or other adequate erosion control devices or structures. In any event, slopes left exposed will, within 30 working days of completion of final grading, be planted or otherwise provided with ground cover, devices, or structures sufficient to restrain erosion.
3. Whenever land-disturbing activity is undertaken on a tract comprising more than one acre, if more than one contiguous acre is uncovered, a ground cover sufficient to restrain erosion must be planted or otherwise provided within thirty (30) working days on that portion of the tract upon which further active construction is not being undertaken, provided that this activity shall not apply to cleared land forming the basin of a reservoir later to be inundated.

DESIGN AND PERFORMANCE STANDARDS. Erosion and sedimentation control measures, structures, and devices shall be so planned, designed, and constructed as to provide control from the calculated peak rates of runoff from a ten (10) year storm event. Runoff rates may be calculated using the procedures in the USDA, Soil Conservation Service's "National Engineering Field Manual for Conservation Practices", or other acceptable calculation procedures. Runoff computations shall be based on rainfall data published by the National Weather Service for the area.

PERMANENT DOWNSTREAM PROTECTION OF STREAM BANKS AND CHANNELS. If required by the Building Inspector or City Engineer,

the owner must provide permanent protection of on-site or adjacent stream banks and channels from the erosive effects of increased velocity and volume of storm water runoff resulting from certain land-disturbing activities.

BORROW AND WASTE AREAS. When the person conducting the land-disturbing activity is also the person conducting the borrow or waste disposal activity, areas from which borrow is obtained shall be considered a part of the land-disturbing activity where the borrow material is being used or from which the waste material originated. When the person conducting the land-disturbing activity is not the person obtaining the borrow and/or disposing of the waste, these areas shall be considered a separate land-disturbing activity.

ACCESS AND HAUL ROADS. Temporary access and haul roads, other than public roads, constructed or used in connection with land-disturbing activity shall be considered a part of such activity.

OPERATIONS IN LAKES OR NATURAL WATERCOURSES. Land-disturbing activity in connection with construction, in, on, over, or under a lake or natural water course shall be planned and conducted in such a manner as to minimize the extent and duration of disturbance of the stream channel. The relocation of a stream, where relocation is an essential part of the proposed activity, shall be planned and executed so as to minimize changes in the stream flow characteristics, except when justification for significant alteration to flow characteristic is provided.

RESPONSIBILITY FOR MAINTENANCE. The owner and person engaged in or conducting the land-disturbing activity shall be responsible for maintaining all temporary and permanent erosion and sedimentation measures and facilities during the development of a site. The responsibility for maintaining all permanent erosion and sedimentation control measures and facilities after site development is completed shall lie with the owner, until such time adequate vegetative cover and site stabilization is achieved. Maintenance of these facilities lies with the owner until assumed by other parties.

STANDARDS FOR EROSION AND SEDIMENT CONTROL PRACTICES. Persons engaged in planning, designing, installing, and maintaining erosion and sedimentation control measures may use generally accepted references on the subject following standard engineering and/or agricultural practices. All plans will be subject to review by the Building Inspector and City Engineer.

ADDITIONAL MEASURES. Whenever the Building Inspector or City Engineer determines that significant erosion or sedimentation is occurring

as a result of a land-disturbing activity, despite application and maintenance of protective practices, the person conducting the land-disturbing activity or the person responsible for maintenance will be required to take additional protective action.

4-8-3 **PLAN REQUIREMENT**

Whenever the area to be disturbed comprises more than one acre, a copy of the plan shall be filed with the City a minimum of thirty (30) days prior to beginning any land-disturbing activity. A copy of the plans shall also be on file at the job site. If the Building Inspector or City Engineer, either upon review of such plan or on inspection of the job site, that a significant risk of off-site sedimentation or erosion exists, it will require a revised plan to be prepared. Pending the preparation of the revised plan, the work shall be either suspended or continued under conditions outlined by the City.

Erosion and sediment control plans shall contain architectural and engineering drawings, maps, assumptions, calculations, and narrative statements as needed to describe adequately the proposed development of the site and the measures planned to meet the Basic Control Objectives. Plan content may vary to meet the needs of specific site conditions.

SECTION 4-9. STORM WATER DETENTION

4-9-1 **GENERAL**

Developments which produce an increase in the amount of storm water runoff may be required to construct storm water detention facilities. Storm water detention facilities include retention and detention ponds, ditches, drains, and other approved types of storm water management infrastructure. When such detention facilities are required, the owner shall submit detailed engineering plans to the City that include historical runoff, developed runoff, storm water detention facility details, method of discharge, and other information as required for review. These detailed engineering plans must be submitted for preliminary plat approval.

If required by the Building Inspector or City Engineer, a combination of storage and controlled release of storm water runoff shall be provided for the following: highway construction; commercial, industrial, educational, and institutional developments of one acre or more; for multifamily residential developments of five acres or more; and for single-family developments of ten acres or more. Post development release rates shall not exceed pre-development rates. Provisions shall be made to address one hundred (100) year storm events to ensure that detention facilities perform

properly and survive such events. Detention facilities shall not be accepted for maintenance by the City of Satsuma.

Detention storage and controlled release for sedimentation and erosion control may not be required in those instances where the owner can demonstrate that the storm water release will not cause an increase in accelerated erosion or sedimentation of the receiving ditch, stream channel, or other drainage facility, taking into consideration any anticipated development of the watershed in question.

The maintenance agreement between the owner (or property owners association if the detention facility is to be shared by multiple lots within the subdivision) and the City shall assign maintenance responsibility for the detention facility after the development is completed to the owner or property owners association.

A storm water detention facility which services a single lot shall be privately owned, operated and maintained by the owner. Detention facilities shared by multiple lots shall be owned, operated and maintained by a property owners association. Under either circumstance, detention facilities shall not be accepted for maintenance by the City of Satsuma.

4-9-2

MINIMUM REQUIREMENTS FOR STORM WATER DETENTION AND DESIGN CRITERIA

Among the consequences of growth and development, two are of great relevance to storm water management. Increased runoff created by the change of the nature and properties of the surface of the ground and velocity of discharge of this increased runoff.

The natural condition of the land before development is in relative balance with the natural capacity of the receiving streams. The undeveloped conditions provide greater permeability and longer time of concentration. By modification of the surface from the irregular, pervious, and with vegetation, the areas are changed to more impervious, more effectively drained and in most cases denuded of vegetation. It is the intent of this section to alert developers and owners to possible harmful effects from any land development project on properties downstream and provide a guideline for evaluation and control of the elements related to storm water which affect the welfare and safety of Satsuma citizens.

In order to provide some control of these possible harmful elements of development and to reduce economic losses due to erosion and flooding, the criteria of differential runoff and storm water detention are hereby established. Post-development release rates shall NOT exceed pre-development rates. When feasible, the differential runoff should be less.

The terms of these design criteria shall become effective for all projects under direct jurisdiction of the City.

JURISDICTION. All projects which fall under the inspection, permitting, or plan review jurisdiction of the City, on items related to storm water management and site development within the incorporated areas of Satsuma.

LIABILITY. The design criteria establish minimum elements of design which must be implemented with good engineering and good workmanship. Use of the information contained herein for placement of any structure or use of land, shall not constitute a representation, guarantee, or warranty of any kind by Satsuma, its offices or employees, of the practicability, adequacy or safety and shall not create liability upon or cause action against any such public body, office, or employee for any damage that may result pursuant thereto.

ENGINEER'S SEAL. All plans and specifications submitted for review and/or approval shall be prepared by, or under the direct supervision of a registered professional engineer, licensed in the State of Alabama, and shall meet the minimum standards and requirements of the City, and other applicable authorities. Each of the plan, profile, and special drawing sheets for a project shall bear a legible stamp of the Professional Engineer in charge. If the name or license number is not clear, the signature and number shall be added. It is imperative that the professional design engineer be qualified in the area of drainage per the State of Alabama registration laws.

PRE-DESIGN CONFERENCE. The owner and the consulting engineer are encouraged to contact the City for a pre-design conference at the conceptual stage of the project. Such conference would be mutually beneficial to outline the complexity and scope of design, applicability of criteria and elimination of possible items of conflict during the review process.

Subsequent conferences, during the preparation of plans may be arranged by the consulting engineer or the owner to obtain preliminary, informal decisions on items in need of clarification.

LETTER OF TRANSMITTAL. In order to facilitate review of plans, all projects shall be submitted with a letter of transmittal which shall include the name of the project, name and address of the owner or developer, name, address and telephone number of the engineer, and clarification as to the purpose of submittal.

Documents left in the office without a letter of transmittal will be returned to the owner or engineer (if proper identification can be made).

DIFFERENTIAL RUNOFF. The difference in rate and volume of storm water runoff from a parcel or project in its undeveloped natural condition, and its developed condition is known as the Differential Runoff.

DEVELOPMENTS AFFECTED. Detention requirements are directly related to permitted land use of Satsuma where it exists. The permitted densities and minimum lot areas are important factors in the anticipated runoff. Projects of small acreage may be required to provide detention if conditions in the receiving system are inadequate, or harmful effects can be anticipated if detention is not implemented.

PHASING AND PLATTING. The effective acreage for a project is not limited to a fractional part of the total concept, rather if a project is developed in phases of small plats, the total acreage of the conceptual project will be considered.

METHOD OF EVALUATION. Differential runoff evaluation consists of determination of rates of runoff before and after development, determination of required volume of detention and verification of adequacy of discharge and control structures. Design should be based on a minimum of a twenty-five (25) year storm, or a twenty-four (24) hour event.

METHOD OF DETENTION. The following conditions and limitations should be observed in selection and use of method of detention.

GENERAL LOCATION. Detention facilities shall be located within the parcel limits of the property under consideration.

No detention will be permitted within public road rights-of-way. Location of detention facilities immediately upstream or downstream of the property will be considered by special request if proper documentation is submitted with reference to practicality, feasibility, proof of ownership and right-of-use and maintenance of the area proposed. Detention facilities shall not be accepted for maintenance by the City of Satsuma.

COMMON AREA. Storm water detention facilities to be shared by multiple lots within a subdivision shall be located in a common area reflected on a subdivision plat, and shall be owned by a property owners association which shall be responsible for the repair and maintenance thereof. A declaration of covenants shall be recorded which require each lot in the subdivision to contribute pro rata to the property owners association to fund current and future repair and maintenance obligations. A maintenance agreement between the owner and the City of Satsuma shall outline a storm water management plan for all storm water infrastructure to be carried out by the property owners association and the enforcement rights of the

City of Satsuma against the property owners association and each lot located within the subdivision.

PERMANENT LAKES/PONDS. Permanent lakes with fluctuating volume controls may be used as detention areas provided that the limits of maximum ponding elevations are no closer than thirty (30) feet horizontally from any building and less than two (2) feet below the lowest sill elevation of any building. An aerator shall be installed and maintained.

Maximum side slopes for the fluctuating area of permanent lakes shall be one (1) foot vertical to three (3) feet horizontal (3:1) unless proper provisions are included for safety, stability and ease of maintenance.

Maximum fluctuation from permanent pool elevation to maximum ponding elevation shall be three (3) feet, with a greater depth subject to approval.

Special consideration is suggested to safety and accessibility for small children in design of permanent lakes in residential areas. Fencing may be required.

Viability of the permanent impoundment shall be considered. An acceptable guideline is to make the area of the permanent pool no greater than one-tenth (.1) the size of the tributary drainage area. It is suggested that the minimum depth of twenty-five percent (25%) of the permanent pool area be no greater than six (6) feet. Allowances for silting under denuded soil conditions (during construction) for a period no less than one (1) year is also recommended.

The entire fluctuating area of the permanent reservoir shall be seeded, fertilized and mulched, sodded or paved prior to release of surety if required by the City. Any area susceptible to or designed as overflow by higher design intensity rainfall, as indicated previously, shall be sodded or paved.

PARKING LOTS. Detention is permitted in parking lots to maximum depth of eight (8) inches. In no case should the maximum limits of ponding be designed closer than ten (10) feet from a building unless water proofing of the building pedestrian accessibility is properly documented.

The minimum freeboard from the maximum ponding elevation to the lowest sill elevation shall be one (1) foot.

OTHER METHODS. Other methods of detention such as seepage pits, french drains, etc. are discouraged. If other methods are proposed, proper

documentation of soils data, percolation, geological features, etc. will be needed for review and consideration.

VERIFICATION OF ADEQUACY. Analysis of all elements of design is always performed by the registered professional engineer. The following outline is provided to ascertain that certain critical elements of design are in workable compliance with the aims of design:

- a. volume of retention for the total project
- b. tributary (Q) peak runoff to basin
- c. balanced maximum outflow rate from the low-flow structure
- d. ratios of inflow to outflow
- e. sizing of the overflow facilities
- f. stability of dikes
- g. safety features
- h. maintenance features

For projects up to two hundred (200) acres, routing calculations shall be submitted in legible tabulated form. Proof of adequacy of volume of retention and sizing computations for low-flow structures shall also be submitted. Features of stability and safety may also need to be documented if the scope of the project requires special attention in this area of design.

Projects over two hundred (200) acres in area shall provide documented verification of adequacy according to scope and complexity of design.

CONTROL STRUCTURES. Detention facilities shall be provided with obvious and effective control structures. Plan view and sections of the structure with adequate detail shall be included in plans.

Sizing the low-flow pipe shall be by inlet control or hydraulic gradient requirements.

Low-flow pipes shall not be smaller than eight (8) inches in diameter to minimize maintenance and operating problems, except in parking lot and roof retention where minimum size of opening shall be designed specifically for each condition.

The overflow opening or spillway shall be designed to accept the total peak runoff of the improved tributary area.

Proper engineering judgment shall be exercised in analysis of secondary routing of discharge of greater intensity than the basic design storm in order to avoid economic losses or damage downstream. Review with twenty-five (25) and fifty (50) year frequency or greater is recommended.

DISCHARGE SYSTEMS. Sizing of the system below the control structure shall be for the total improved peak runoff tributary to the structure with no allowance for detention.

When existing downstream pipe sizing, outside the owners' control jurisdiction, is inadequate, an evaluation for undersizing of pipes may be undertaken by the City upon receipt of written request from the engineer specifying the run or runs desired to be undersized.

Requests for undersizing shall be accompanied by plans and profiles of the entire undersized system downstream if less than five hundred (500) feet in length or a minimum of five hundred (500) feet.

When hydraulic gradients of the proposed undersize system affect the performance or capacity of structures maintained by the City, no undersizing will be allowed.

4-9-3 **EASEMENTS.** Sufficient easements shall be provided in plans for detention facilities. A minimum fifteen (15) foot wide drainage easement shall be provided within the reservoir area connecting the tributary pipes and the discharge system along the best possible routing of a piping system for possible future elimination of detention.

4-9-4 **MAINTENANCE.** In the event a storm water detention facility is shared by multiple lots, the owner must record a perpetual covenant requiring each lot owner in the subdivision to contribute pro rata to the property owners association to fund the repair and maintenance obligations for the shared detention facility. For a storm water detention facility that services a single lot, the maintenance obligations must also be outlined in a perpetual covenant recorded by owner. These covenants shall run with the land and shall also be referenced on the final plat. The owner thereof shall grant to the City a perpetual, non-exclusive easement which allows for public inspection and emergency repair, in accordance with the terms of the maintenance agreement.

MAINTENANCE AGREEMENT REQUIRED. In order to receive both preliminary plat approval and final plat approval, a proposed maintenance agreement between the owner (or property owners association in instances where the detention facility is to be shared by multiple lots within the subdivision) and the City of Satsuma must be submitted to the City Engineer and City Attorney for review and approval. The maintenance agreement shall outline a storm water management plan for all storm water detention facilities to be carried out by the owner (or property owners association) and the enforcement rights of the City of Satsuma against the owner (or property owners association) and each lot located within the subdivision. The agreement shall also provide access to the drainage facilities by virtue

of a perpetual, non-exclusive easement in favor of the City at reasonable times for regular inspection by the City.

All storm water management measures relying on designated vegetated areas or special site features shall be owned and maintained as defined in the storm water management plan.

No maintenance surety shall be released until proof of the formation of a property owners association is complete, and the formation documents of the property owners association are recorded. Arrangements for this maintenance responsibility include the following:

- a. Use of property owners' association(s), when detention facility is shared by multiple lots;
- b. A statement that properties, which will be served by the facility, are granted rights to construct, use, reconstruct, repair, maintain and access the facility;
- c. Routine and Non-routine maintenance: Description, expected schedule, and cost of maintenance activities that are routine and non-routine (expensive but infrequent, such as pond dredging or major repairs to storm water structures), and non-routine maintenance shall be performed on an as-needed basis based on information gathered during regular inspections;
- d. A statement that each lot served by the facility is responsible for repairs and maintenance of the facility and any unpaid ad valorem taxes, public assessments for improvements and unsafe building and public nuisance abatement liens charged against the facility, including all interest charges together with attorney fees, cost and expenses of collection. Membership into the association shall be mandatory for each lot served by the facility and any successor in title, and the association shall have the power to levy assessments for these obligations, with all unpaid assessments levied by the association becoming a lien on the individual lot failing to make payment;
- e. A statement that no amendments to the agreement will become effective unless approved by the municipality;
- f. The maintenance agreement shall provide that preventative maintenance inspections of storm water management facilities may be made by the City. Without limiting the generality of the foregoing, the City's and/or its Engineer's inspection schedule may include an inspection during the first year of operation and once

every year thereafter, and after major storm events (i.e., 25-year floods or greater);

- g. The maintenance agreement shall provide that if, after an inspection, the condition of a facility presents an immediate danger to the public health, safety or general welfare because of unsafe conditions or improperly maintenance, the City shall have the right, but not the duty, to take such action as may be necessary to protect the public and make the facility safe. Any cost incurred by the Municipality shall be paid by the owner;
- h. The maintenance agreement shall be recorded by the owner in the Probate Court prior to final plat recording, and the Final Plat shall reference the recorded location of the agreement; and
- i. The maintenance agreement shall provide that the City and/or its Engineer shall notify the owner(s) of the facility of any violation, deficiency or failure to comply with this Ordinance. The agreement shall also provide that upon a failure to correct violations requiring maintenance work, within ten (10) days after notice thereof, the City Engineer may provide for all necessary work to place the facility in proper working condition. The owner(s) of the facility shall be assessed the costs of the work performed by the City Engineer, and there shall be a lien on all property of the owner which property utilizes or will utilize such facility in achieving discharge control, which lien, when filed in the Probate Court, shall have the same status and priority as liens for ad valorem taxes. Should such a lien be filed, portions of the affected property may be released by the City following the payments by the owner of such owner's pro-rata share of the lien amount based upon the acreage to be released with such release amount to be determined by the City Engineer, in his reasonable discretion.

SECTION 4-10 OPEN SPACE AND RECREATION REQUIREMENTS

4-10-1 GENERAL

Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds, parks for local or neighborhood use and other public service areas. In all subdivisions, due regard shall be shown for all natural features such as large trees, water courses, historical spots, and similar community assets which, if preserved, will add attractiveness and value to the property.

4-10-2 MINIMUM REQUIREMENTS FOR OPEN SPACE AND RECREATION

In subdivisions of eighty (80) or more acres in size, the subdivider shall provide suitable recreation or open space land of at least three percent (3%) of the total area of land to be subdivided. In the event the subdivision is to be developed in sections, each appropriate agreement shall be made with the Planning Commission to assure the dedication of the required land.

4-10-3

RESERVATION OF PUBLIC SITES

When features of public sites are recommended as essential by the local governing body or Planning Commission, such sites shall be reserved in written agreement by the subdivider for acquisition by the proper public body by purchase or other means for a period of one (1) year from the date of the recording of the subdivision after which if the acquisition has not been accomplished, the reservation shall become null and void.

ARTICLE V

INSTALLATION OF PERMANENT REFERENCE POINTS

SECTION 5-1. PERMANENT REFERENCE POINTS

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

- 5-1-1 **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 Satsuma. The subdivision corner shall be marked with a monument and shall appear on the map with a description of bearings and distance from the Government Survey corner, to an accuracy of 1:5,000.

- 5-1-2 **MONUMENTS.** Concrete monuments four (4) inches in diameter or four (4) inches square and three (3) feet long with a flat top shall be set at all exterior corners of the subdivision. The top of the monument shall have an indented mark to identify properly the location, and shall be set flush with the finished grade. Elevation from mean sea level datum shall be established on a permanent bench mark at the corner of the subdivision and at a distance no greater than two thousand (2000) feet on perimeter.

- 5-1-3 **PROPERTY MARKERS.** All lot corners not marked with a monument shall be marked with an iron pipe or iron pin not less than one-half (1/2) inch in diameter or in width, and twenty-four (24) inches long, and driven so as to be flush with the finished grade.

SECTION 5-2. ACCURACY

Land surveys shall be at an accuracy of at least 1:5,000.

ARTICLE VI
REQUIRED IMPROVEMENTS
(OMITTED)

ARTICLE VII

GUARANTEES FOR COMPLETION AND PERFORMANCE OF IMPROVEMENTS AND THE CITY'S ACCEPTANCE OF IMPROVEMENTS

SECTION 7-1. INSTALLATION OF ALL IMPROVEMENTS

The owner shall be responsible for complete installation of all required improvements by the developer at the time the Final Plat is to be submitted to the Planning Commission, posting a bond acceptable to the City guaranteeing performance of all improvements approved with the Preliminary Plat, and obtaining the City's acceptance of improvements being dedicated to the public.

7-1-1 **SUBDIVISION BOND GUARANTEEING COMPLETION.** In order to receive Preliminary Plat approval, the owner shall post bond, approved by the City and the City Attorney, guaranteeing the actual proper and complete construction and installation of all streets, roads, drainage structures, public utilities and other improvements. This bond shall be of an amount equal to one hundred twenty-five (125) percent of the cost as estimated by an independent source of installing all improvements, including grading, paving of the streets, and installation of all required utilities, and fees encountered during execution of improvements. This bond shall be in place for one (1) year from the date of Preliminary Plat approval.

7-1-2 **FAILURE TO COMPLETE WORK.** If the owner fails to complete the work within one (1) year of the Preliminary Plat approval, the owner may request that an extension be granted. This must be done in writing sixty (60) days prior to the expiration date. Before granting an extension, the City may require that the amount of the bond amount be increased to reflect the current value of the required improvements. The bond's validation period must also be extended for the requested extension time frame. To receive Final Plat approval, construction for all improvements must be complete and be deemed by the City to have been satisfactorily installed within one (1) year of Preliminary Plat approval or within the properly granted extension period. If owner fails to do so, a recommendation shall be prepared and submitted to the City recommending what steps should be taken to require completion under the surety.

7-1-3 **RELEASE OF COMPLETION BOND UPON INSPECTION AND CERTIFICATION OF IMPROVEMENTS.** The City Engineer may regularly supervise inspection for defects in the construction of the improvements and if any of the required improvements have not been constructed in accordance with the City's adopted construction standards and specifications, the owner shall be responsible for completing the improvements. Wherever the cost of improvements is covered by a surety, the owner and the surety company shall be severally and jointly liable for completing the improvements according to specifications.

Upon completion of the improvements, the owner shall submit to the City statements, from both the owner and the City Engineer, certifying the following:

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

A copy of these certifications shall also be submitted to the Planning Commission with the owner's application for Final Plat approval. If the improvements have not been completed in the specified manner, the City Engineer must provide a list of the defects in the improvements to be corrected by the owner in compliance with the terms provided by the City and/or the Planning Commission.

Upon inspection by the City Engineer and receipt of the above certificates of completion from the owner and the City Engineer, the City shall authorize the release of the bond guaranteeing completion.

7-1-4

ACCEPTANCE BY THE CITY. The City may, at its discretion and by a resolution accept the dedication of any portion of the required improvements, provided that all statements and agreements specified above have been received for that portion of the improvements. A copy of the proposed improvements to be accepted by the City by resolution must be submitted for Preliminary Plat approval, and the resolution signed by the City accepting the public improvements must be submitted to the Planning Commission for Final Plat approval. To obtain the City's acceptance of improvements before Final Plat approval, the owner shall submit the certificates of completion required for the completion bond to be released and post a new bond guaranteeing the performance of all improvements.

SECTION 7-2

GUARANTEE FOR MAINTENANCE OF IMPROVEMENTS

7-2-1

SUBDIVISION BOND GUARANTEEING PERFORMANCE OF ALL IMPROVEMENTS. For the City to accept any improvements and to obtain Final Plat approval, the owner shall first post a bond guaranteeing payment for work necessary to correct any construction defects and/or

failures in the performance of the improvements (including, but not limited to, all storm water management facilities and any required off-site improvements) during the twelve (12) month period following Final Plat approval.

7-2-2

NO LIABILITY. By approving any plans or specs, the Planning Commission and the City make no representations or warranties that the plans, design, construction methods, and/or completed improvements comply with laws or other applicable standards and/or will perform for Owner's intended purpose.

ARTICLE VIII

VARIANCES

SECTION 8-1. GENERAL

Where the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations. Any application for a variance shall first be submitted to the City Engineer for recommendation to the Planning Commission. An application for a variance shall be submitted in writing by the applicant at the time when the Preliminary Plat is filed for the consideration of the Planning Commission. The application shall state fully the grounds for the variance and all of the facts relied upon by the applicant. The variance, if approved by the Planning Commission shall become part of the official record of the Planning Commission and shall be noted on the Final Plat. The Planning Commission shall not approve a variance unless it shall make findings based upon the evidence presented to it in each specific case that:

- 8-1-1 The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;
- 8-1-2 The condition upon 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;
- 8-1-3 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;
- 8-1-4 (DELETED)
- 8-1-5 The variance will not in any manner vary the provisions of other adopted policies and regulations of Satsuma.

SECTION 8-2. CONDITIONS

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

The Planning Commission shall not grant any variance within the Floodway District 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 Planning Commission that the relief granted is the minimum necessary considering the flood hazard.

SECTION 8-3. EXPERIMENTAL SUBDIVISIONS

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

- 8-3-1 The use of unusual materials in constructing required improvements;
- 8-3-2 A new or untried design concept in the Satsuma area which appears promising.

Special attention may be given to experimental subdivisions which are related to low-cost housing design or energy conservation. The Planning Commission shall require the applicant to provide a written proposal stating the nature of the experiment and cost-benefit study following the implementation of same.

- 8-3-3 **CONDITIONS.** In granting variances, modifications, and approval for experimental subdivisions, the Planning Commission may require such conditions as will, in its judgement, secure substantially the objectives of the standards or requirements so varied, modified, or approved. These may include, without being limited to: personal, surety, performance, or maintenance bonds, affidavits, covenants, or other legal instruments.

SECTION 8-4. SPECIAL REQUIREMENTS FOR NONRESIDENTIAL SUBDIVISIONS

- 8-4-1 **GENERAL PROCEDURAL REQUIREMENTS.** It is recognized that the applicant, in creating nonresidential subdivisions, faces unique problems of lot design not normally encountered in residential subdivisions. For this reason, the initial emphasis of the Planning Commission shall be upon street layout and block arrangement. Generally, the procedural requirements shall be for the applicant to follow the regular procedure outlined in Article IV and to show the entire tract to be subdivided with necessary improvements and as many parcels as he cares to show, but must include at least two parcels. Then, from time to time, as prospective buyers express interest in lots sized to their required specifications, and following informal discussions with the Planning Commission if the applicant so

requests, the applicant shall submit directly at a regular meeting of the Planning Commission an amendment to the preliminary plat for approval. Regular procedural requirements of the Planning Commission following receipt of a Final Plat shall then apply.

8-4-2

OTHER SPECIAL REQUIREMENTS. In addition to the principles and standards in these regulations which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Planning Commission that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed.

1. Proposed nonresidential street layout, blocks, and parcels shall be suitable in area and dimensions to the types of development anticipated.
2. Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas, nor connected to streets intended for predominantly residential traffic, but shall be connected insofar as is possible to expressways, arterials, or collector streets in such a way that the number of intersections with such expressways, arterials, or collectors shall be minimized.
3. Street rights-of-way and pavement shall be adequate and in accordance with Section 4-4 to accommodate the type and volume of traffic anticipated to be generated thereon.
4. The applicant shall ensure that the nonresidential subdivision as a whole may be self-sufficient with regard to providing necessary off-street parking. The applicant may make parking self-sufficiency a requirement of individual lots.
5. With respect to physical improvements, special requirements may be imposed by the Planning Commission with the advice of the City Engineer within the nonresidential subdivision.
6. Every effort shall be made to protect adjacent residential areas from potential nuisances from nonresidential subdivisions, including the provision of extra depth in parcels backing up on existing or potential residential developments and provision for a permanently landscaped buffer strip when necessary.

ARTICLE IX

PLANNED UNIT DEVELOPMENTS

SECTION 9-1. PURPOSE

For the purpose of these regulations regarding the establishment of planned unit developments (PUDs), owners, planners, and developers shall adhere to Article V of the Zoning Ordinance for the City of Satsuma. Article V contains the general requirements, development regulations, uses permitted, other and special requirements, fixed dwelling and mobile home development requirements, and the necessary administrative procedures that must be followed for the establishment of a PUD. Attention shall also be given to Article VI, Special Provisions, which contains such provisions as off-street parking, landscaping, environmental standards, etc.

ARTICLE X

CONFLICT WITH PUBLIC AND PRIVATE PROVISIONS

SECTION 10-1. PUBLIC PROVISIONS

These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provision is more restrictive or imposes higher standards shall control.

SECTION 10-2. PRIVATE PROVISIONS

These regulations are not intended to abrogate any easement, covenant, or any other private agreement or restriction, provided that where the provisions 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. Where the provisions of the easement, covenant, or private agreement or restriction impose duties and obligations more restrictive, or higher standards than the requirements of these regulations, or the determinations of the Planning Commission in approving a subdivision or in enforcing these regulations, and such private provisions are not inconsistent with these regulations or determinations thereunder, then such private provisions shall be operative and supplemental to these regulations and determinations made thereunder.

ARTICLE XI

LEGAL PROVISIONS

SECTION 11-1. SEVERABILITY

If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The City of Satsuma hereby declares that it would have enacted the remainder of these regulations even without any such part, provision, or application.

SECTION 11-2. SAVING PROVISION

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or cooperation, or as waiving any right of the City under any section or provision existing at the time of the adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the City except as shall be expressly provided in these regulations.

ARTICLE XII

AMENDING REGULATIONS

SECTION 12-1. AMENDMENT PROCEDURE

For the purpose of providing for the public health, safety and general welfare, the Planning Commission may from time to time amend the provisions imposed by these regulations. Any article, section, subsection, or provision of these Subdivision Regulations proposed for amendment shall be subject to a public hearing. Said public hearing shall be set by the City Clerk and advertised a minimum of fifteen (15) days prior to the date of the hearing. Notice of the public hearing shall be published in a newspaper of general circulation published in the City or posted in four (4) public places, one of which shall be City Hall, and shall contain the time, place and description of the proposed amendment. Following its adoption, the amendment shall be published as provided by law for the publication of ordinances. A copy of the amendment shall be certified by the City of Satsuma to the Probate Judge of Mobile County.

ARTICLE XIII

ADMINISTRATION AND ENFORCEMENT

SECTION 13-1. GENERAL

Regulation of the subdivision of land and the attachment of reasonable conditions to the development of land is an exercise of valid police power. The developer has the duty of compliance with reasonable conditions laid down by the Planning Commission for design, dedication, and improvement of the land so as to conform to the physical and economic development of the incorporated areas of the City and promote and protect the safety and general welfare of citizens and future property owners.

SECTION 13-2. ADMINISTRATION

The City Building Official is appointed by the City of Satsuma and acts as their authorized agent in the interpretation and enforcement of the plans, specifications and requirements of these regulations. The City Building Official shall determine the amount, quality, and acceptability of the work as specified in these regulations.

SECTION 13-3. ENFORCEMENT

13-3-1 **GENERAL.** It shall be the duty of the City Building Official to enforce these regulations and to bring to the attention of the Satsuma Attorney any violations or lack of compliance with these regulations.

13-3-2 **VIOLATIONS and PENALTIES.** No owner, or agent of the owner, of any parcel of land that lies, either in part or whole, within the planning jurisdictions of the City of Satsuma may transfer or sell or agree to sell or negotiate to sell any part of this land by reference to or exhibition of or by other use of a plat of a subdivision, before such plat has been approved by the Planning Commission and recorded in the Mobile County Probate Office. Any such action by the owner, or agent of the owner, shall after thirty (30) days written notice constitute a violation of these regulations and result in an assessment to the owner a fine not to exceed five hundred dollars (\$500.00) for each lot or parcel so transferred or sold or agreed or negotiated to be sold; furthermore, each such violation shall constitute a separate offense for each day past thirty (30) days after the date that the owner, or agent of the owner, was officially notified by the City of Satsuma of noncompliance with these regulations until such noncompliance has been rectified to the satisfaction of the Planning Commission. Notice to said owner or agent of the owner shall be deemed sufficient if hand-delivered or mailed by certified or registered mail as evidenced by return receipt to the address listed for the owner in the Probate or Tax Revenue Office of Mobile County, Alabama. In the alternative, the municipal corporation may enjoin such transfer or sale or agreement by civil action by injunction brought in any court of competent jurisdiction and may recover the penalty fees by the

same action. The description of such a lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from any penalties or remedies herein prescribed.

ARTICLE XIV

EFFECTIVE DATE

SECTION 14-1. ADOPTION BY THE SATSUMA PLANNING COMMISSION

Following a properly noticed public hearing on the matter, these Subdivision Regulations were revised, approved, and adopted by unanimous motion and resolution in the affirmative by a unanimous approval by a majority of the Satsuma Planning Commission. They shall take effect five upon certificate to the Probate Court Judge, and (5) days following posting.

Appendix II

SCHEDULE OF ZONING AND SUBDIVISION FEES

A. Sketch Plan Review: No Fee

. Residential Subdivision and PUD:

Preliminary Plat Application Fee: \$350.00 + \$15.00 per lot or unit + \$6.00 per adjacent property owner

Final Plat Application Fee: \$250.00 + \$15.00 per lot or unit

A. Minor Residential Subdivision:

Combined Preliminary/Final Plat Application Fee : \$250.00 + \$6.00 per adjacent property owner

B. Nonresidential Subdivision:

Preliminary Plat Application Fee: \$350.00 + \$15.00 per lot + \$6.00 per adjacent property owner

Final Plat Application Fee: \$250.00 + \$15.00 per lot

C. Site Plan Application Fee: \$250.00 for the first acre + \$100 for each additional acre

D. Special Exception Application Fee: \$150.00

E. Variance Application Fee: \$150.00

F. Zoning Amendment Application Fee: \$750.00

G. Sign Permit Fees:

0 to 40 square feet	\$50.00
41 to 80 square feet	\$150.00
81 to 120 square feet	\$200.00
120 square feet or greater	\$250.00

H. Annual Pawnshop Permit Fee: \$2,000.00

I. Annual Check-Cashing Center Permit Fee: \$2,000.00

*Full payment of fees is required for each application (and resubmission)