City of Lineville



Subdivision Regulations

May 2017

Prepared by

The East Alabama Regional Planning
and Development Commission

CITY OF LINEVILLE
SUBDIVISION REGULATIONS

This document was prepared under the direction of the

LINEVILLE CITY PLANNING COMMISSION

by the

EAST ALABAMA REGIONAL PLANNING AND DEVELOPMENT COMMISSION

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Abstract:

The intent of these subdivision regulations is to promote and sustain proper development of communities therein protecting the health, safety, and general welfare of the people of the City of Lineville, Alabama.

ACKNOWLEDGEMENTS

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ARTICLE I
PREAMBLE

SECTION 1 - TITLE

These regulations shall be known as the "Official Subdivision Regulations of the City of Lineville, Alabama." They also may be referenced as the "Lineville Subdivision Regulations."

SECTION 2 - AUTHORITY

The Lineville Subdivision Regulations were prepared and adopted by the Lineville Planning Commission pursuant to the authority granted under Title 11, Chapter 52, Article 2, Sections 30 through 36 inclusive, of the Code of Alabama (1975), as amended. A copy of these regulations shall be certified to the Probate Judge of Clay County, Alabama.

SECTION 3 - PURPOSE AND INTENT

3.1 The Lineville Subdivision Regulations have been prepared and adopted for the purpose of promoting the health, safety, and the general welfare of the people of the City of Lineville, Alabama. More specifically, the purpose and intent of these regulations are to advance and promote the following goals and objectives:

A. To advance the general purposes of subdivision regulations outlined in Title 11, Chapter 52, Section 31 of the Code of Alabama, 1975, as amended, which include:

1. To provide for the proper arrangement of streets in relation to other existing or planned streets and to the Comprehensive Plan.

2. To provide for adequate and convenient open spaces for traffic, utilities, access of fire-fighting apparatus, recreation, light and air, and to avoid population congestion.

3. To govern the extent to which streets and other ways shall be graded and improved as a condition precedent to plat approval.

4. To govern the extent to which water, sewer, and other utility mains, piping, or other facilities shall be installed as a condition precedent to plat approval.

5. To authorize the City of Lineville to accept performance bonds to ensure that required subdivision improvements or utilities are installed and constructed according to the City's specifications and requirements.

B. To create a climate conducive to the orderly and progressive growth of the City of Lineville, Alabama.

C. To balance public and private interests in the development of land in a manner that promotes mutual understanding and respect, and with prompt and just consideration given to the various interests involved in land investment, ownership, and development.

D. To promote reasonable protection of property values and land investment.

E. To promote a safe and healthy environment for the citizens of Lineville.

F. To promote coordinated development and expansion of municipal infrastructure consistent with the Comprehensive Plan and to minimize the potential impacts of scattered and premature development on the City's capacity to provide adequate public facilities.

G. To encourage quality development within the immediate vicinity of the City that is compatible and consistent with development located within the City limits.

3.2 These regulations are designed, intended, and should be administered in a manner to:

A. Advance and implement the goals and objectives of the Comprehensive Plan.

B. Promote neighborhood conservation by preventing the development of slums and blight.

C. Encourage the harmonious development and revitalization of neighborhoods.

D. Ensure that the cost of improvements which primarily benefit the tract of land being developed are borne by the owners or developers of the tract, and that the cost of improvements which primarily benefit the whole community are borne by the whole community.

E Encourage the best possible design for each tract of land being subdivided.

F. Establish adequate and accurate records of all land subdivision.

G. Promote a reasonable balance between the land development and investment interests of the Subdivider, neighboring property owners, and the public at large.

SECTION 4 - JURISDICTION AND SCOPE OF REGULATIONS

4.1 *Jurisdiction of subdivision regulations.* These regulations shall govern the subdivision of all land located within the City of Lineville, Alabama. The territorial jurisdiction of any

municipal planning commission shall include all land located in the municipality and all land lying within five (5) miles of the municipality corporate limits. In the case of the planning commission jurisdiction extending within 5 miles of another municipality planning commission jurisdiction, the jurisdiction of each municipal planning commission shall terminate at a boundary line equidistant from the respective corporate limits of such municipalities.

4.2 *Subdivision approval required before filing of plat.* Any owner of land within the limits of said subdivision jurisdiction who desires to subdivide land shall submit to the Planning Commission a plat of the proposed subdivision, which shall conform to the minimum requirements set forth in these regulations. No plat of a subdivision lying within such territory or part thereof shall be filed or recorded in the Office of the Probate Judge, and no Subdivider may proceed with the sale or transfer of lots in a subdivision, until a Final Plat has been approved by the Planning Commission and such approval has been entered in writing on the plat by the Secretary of the Planning Commission and said plat is filed of record in the Office of Probate Judge of Clay County.

4.3 *Compliance with Lineville Zoning Ordinance.* All proposed subdivisions also shall comply with all applicable requirements of the Lineville Zoning Ordinance within which the proposed subdivision will be located. If a proposed subdivision does not lie within the City limits of Lineville, the Planning Commission may require provisions for minimum lot size and width as may be required by the Clay County Health Department for proper sanitary on-site sewage treatment.

4.4 *Compliance with County subdivision regulations.* All subdivisions shall also comply with the applicable requirements of any County subdivision regulations that have been duly adopted by Clay County, as administered by the City Engineer. However, the requirement for subdivision approval by the City Engineer shall in no way diminish, waive, or otherwise lessen the requirements of the Lineville Subdivision Regulations. Where the requirements of any such duly adopted County subdivision regulations conflict with the requirements of the Lineville Subdivision Regulations, the more strict requirements, whether of the City or the County shall govern.

ARTICLE II
DEFINITIONS

SECTION 1 - GENERAL INTERPRETIVE GUIDELINES

1.1 Except as otherwise provided herein, all words shall have the customary dictionary meaning. The present tense includes the future tense. The singular number includes the plural, and the plural includes the singular. Words of the masculine gender include the feminine, and words of the feminine gender include the masculine. The word "person" includes a firm, corporation, association, organization, trust, or partnership. The word "lot" includes "plot" or "parcel". The word "building" includes "structure." The word "lot" includes the words "plot" or "parcel." The word "shall" is mandatory. The word "may" is permissive. The word "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."

1.2 Where any word specifically defined in the Lineville Zoning Ordinance is used within these regulations, but is not specifically defined herein, then the specific definition contained in the Lineville Zoning Ordinance shall apply. If a word used and defined in the Lineville Zoning Ordinance bears a different or conflicting definition within these Subdivision Regulations, then the word shall be used and interpreted within each code in accordance with the specific definition contained therein.

1.3 Any words specifically defined in a subsequent section or article of these Regulations shall carry that meaning within the context of the specific section or article within which it is defined.

1.4 Any lingering confusion or questions regarding the definition of a term used in these regulations shall be decided by the Planning Commission.

SECTION 2 - SPECIFIC DEFINITIONS

When used in these regulations, the following words and phrases shall have the meaning given in this section:

2.1 ***ALLEY*** shall mean a minor public way having a narrow right-of-way and affording a secondary means of access to service abutting properties.

2.2 ***APPLICANT*** shall mean the owner of land proposed to be subdivided or his/her representative. Any applicant who is not the legal owner of a property shall possess written authorization to act in that capacity signed by all persons holding title to the property.

2.3 ***BLOCK*** shall be a tract or parcel of land entirely surrounded by public highways or streets, other than alleys.

2.4 ***BOND*** shall mean a security for the construction of specific public improvements in an amount and form satisfactory to the City of Lineville. A bond may include a cash deposit, surety bond, collateral, property, or instrument of irrevocable credit as may be required by the City of Lineville Planning Commission in accordance with these regulations.

2.5 ***BUILDING*** shall be any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals, or chattels.

2.6 ***BUILDING SETBACK LINE*** shall mean a line parallel to the property line in front of which no structure may be erected.

2.7 ***CERTIFICATE OF OCCUPANCY*** The instrument issued by the Building Inspection Department of the City of Lineville, Alabama, after inspection has shown that conformity to codes and ordinances has been met. This certificate authorizes occupancy of the building.

2.8 ***CITY*** shall mean the City of Lineville, Alabama.

2.9 ***CITY CLERK*** shall mean the duly designated Clerk of the City of Lineville, Alabama.

2.10 ***CITY COUNCIL*** shall mean the Governing Body of the City of Lineville, Alabama.

2.11 ***CITY ENGINEER*** shall mean the duly designated Engineer of the City of Lineville, Alabama or consultant engineer, whichever applies.

2.12 ***CITY SPECIFICATIONS*** shall mean all construction specifications which have been adopted by the City Council or as required by the City Planning Commission and all utility departments.

2.13 ***COMPREHENSIVE PLAN*** shall mean any part or element of the Comprehensive Plan of the City of Lineville or its environs. This may include, but is not limited to: Community Facilities, Sketch Thoroughfare Plan, Land Development Plan, Capital Improvements Plan, Zoning Ordinance, Subdivision Regulations, etc.

2.14 ***CORNER LOT*** shall be a lot abutting upon two (2) or more streets at their intersection, as distinguished from a double frontage lot.

2.15 ***DEVELOPER*** (See definition for Subdivider).

2.16 ***DOUBLE FRONT LOT*** shall be a lot having frontage on two (2) non-intersecting streets, as distinguished from a corner lot.

2.17 ***EASEMENT*** shall mean a grant of rights by a property owner for use of a strip of land for specified purposes.

2.18 ***ESCROW*** shall mean a cash deposit to the City of Lineville in lieu of an amount required and still in force on a performance or maintenance bond. Such a cash payment shall be deposited by the City Clerk in a separate earmarked account.

2.19 ***FINAL PLAT*** shall mean 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 Clay County, Alabama.

2.20 ***FRONTAGE*** shall mean that portion of a property line which is coterminous with a street or other public right-of-way line.

2.21 ***GROUP DEVELOPMENT*** shall mean a development comprising two or more structures, built on a single lot, tract, or parcel of land, and designed for occupancy by separate families, firms, or other enterprises.

2.22 ***GOVERNING BODY*** shall mean the Mayor and the City Council of the City of Lineville, Alabama.

2.23 ***HALF-STREET*** shall mean a street which does not meet the minimum right-of-way widths set forth in these regulations.

2.24 ***HARDSHIP*** shall be an unusual condition or defect in an individual property, which prohibits the property owner(s) from enjoying the same property rights and privileges which are granted to others similarly zoned. A hardship exists only when it is not self-created, or when it is not merely economic in nature.

2.25 ***HEALTH DEPARTMENT*** shall mean the Clay County Health Department and/or the State of Alabama Health Department, as may be applicable to the specific context of the term.

2.26 ***LOT*** shall mean a parcel or division of land intended for transfer of ownership or for building development.

2.27 ***MASTER PLAN*** Any legally adopted portion or element of the Master Plan of the City of Lineville, Alabama or its environs. This may include, but is not limited to the following: Zoning Ordinance, Subdivision Regulations, Community Facilities Plan, Major Street Plan, Master Drainage Plan, Open Space Areas, Land Use Plan, Capital Improvements Plan and addenda over overlays thereto.

2.28 ***MONUMENT*** shall mean any permanent object specifically authorized by these regulations to indicate a limit or to mark a boundary.

2.29 ***OPEN SPACE*** shall be any land either publicly or privately owned in either single or common ownership, which is designed and designated to remain permanently undeveloped and used for recreation, conservation, or preservation.

2.30 ***OWNER'S ENGINEER*** shall mean the engineer or land surveyor registered and in good standing with the State Board of Registration of Alabama, who is the agent in his professional capacity of the owner of land which is proposed to be subdivided or which is in the process of being subdivided.

2.31 ***PLANNING COMMISSION*** shall mean the Planning Commission of the City of Lineville, Alabama.

2.32 ***PRELIMINARY PLAT*** shall mean a tentative plan or proposed subdivision submitted to the Lineville Planning Commission for its consideration and approval. Approval of a preliminary plat by the Lineville Planning Commission shall not imply or constitute approval of a final plat.

2.33 ***PROBATE JUDGE*** shall mean the Judge of Probate of Clay County Alabama.

2.34 ***RESUBDIVISION*** shall mean a change in a map of an approved or recorded subdivision plat, if such change affects any street layout on such plat or area reserved thereon for public use, or any lot line. Such terms shall also include any changes that would affect any plat legally recorded prior to the adoption of these or any subsequently adopted subdivision regulations, unless otherwise exempted under the definition of a subdivision.

2.35 ***RIGHT-OF-WAY*** Area dedicated to the public for travel, drainage, utilities purposes, etc. measured from the property line to property line.

2.36 ***SIDEWALK*** shall mean a walkway constructed and dedicated for use by pedestrians.

2.37 ***SINGLE TIER LOT*** shall mean a lot which backs upon an arterial street, a railroad, or a physical barrier and to which access to or from the rear of the lot is usually prohibited.

2.38 ***STREET*** shall mean a right-of-way which has been dedicated and accepted by the City of Lineville as a means of public access. The term street shall be interpreted to include the terms road and highway. Streets shall be further classified as follows:

A. ***Arterials*** - Those streets designed and used for high speed or heavy volume traffic and which provide a means for such traffic to either bypass the City or travel expeditiously through the City. Also used to a certain extent to connect collectors to major trip attractors.

B. ***Collectors*** - Those streets which are designed and constructed primarily to conduct traffic from minor streets to major streets in residential and business

areas. Collectors shall include the principal entrance streets of a large residential development and streets for circulation in such a development.

C. ***Cul-De-Sac*** - A short street designed and constructed to have one end permanently closed; the closed end terminated by a vehicular turnaround.

D. ***Freeways*** - Those streets which are used primarily for high speed or heavy volume traffic, and which are divided by a median with full control of access and no crossings at grade.

E. ***Marginal Access Streets*** - Minor streets which are parallel to and adjacent to arterial streets and highways and which provide access to abutting properties and protection from through traffic.

F. ***Minor Streets*** - Those streets used primarily for access to abutting properties.

2.39 ***SUBDIVIDER*** shall mean the person(s) or corporation(s) engaged in the process of creating a subdivision or having completed a subdivision of said land.

2.40 ***SUBDIVISION*** shall mean the division of a lot, tract, or a parcel of land into two (2) or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or building development. Such term includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. However, the term subdivision within the context of these regulations shall not include any of the following:

A. any division of land into not more than five (5) parcels, provided;

1. each parcel created must contain not less than five (5) acres in total land area,

2. no new street or road will be constructed,

3. all parcels created shall satisfy the applicable minimum requirements for frontage on an existing public street or road, and

4. not more than one (1) single family dwelling will be located or constructed on each parcel.

B. any adjustment or change to a common property line between any two (2) adjoining divided lots of record, provided that the total area of land involved will not either increase the number of parcels that can be legally created from either of the affected lots or result in the creation of a substandard lot.

C. A division of land (not less than three [3] acres in total size) exclusively for agricultural purposes not involving a new street and not involving the construction of any dwelling.

2.41 ***SKETCH THOROUGHFARE PLAN*** shall mean that element of the official comprehensive plan of the City of Lineville, which sets forth the freeways and arterial and collector streets in the City of Lineville, provides for their approximate alignment, minimum right-of-way and paving width, and is to be used as a guide for all future development.

2.42 ***UTILITIES*** The equipment and/or service lines of a public system such as water, sewer, gas, electric, telephone, television cable, broadband, or other system serving within the jurisdiction of the designated planning area.

2.43 ***ZONING ORDINANCE*** shall mean the officially adopted code and map of the City of Lineville, which provides for the creation and delineation of districts, specifies permitted uses in each district, and promulgates specific requirements for such factors as lot size and width, building coverage, flood conditions, population density, and the use of land and structures.

ARTICLE III
PLANNING REQUIREMENTS AND CONSIDERATIONS

SECTION 1 – CONFORMANCE WITH THE COMPREHENSIVE PLAN

All proposed subdivisions shall be consistent with the goals and objectives for community development outlined in the Lineville Comprehensive Plan.

1.1 *Scattered or premature development discouraged.* Subdivisions within the City of Lineville should be supported by adequate public facilities and infrastructure. While the City of Lineville welcomes and desires growth and development, the Planning Commission must guard against scattered and premature development that would frustrate or conflict with the City's coordinated development plan for public facilities and services. Therefore, it shall be the responsibility of all subdividers to consult the Lineville Comprehensive Plan *prior* to submitting an application for subdivision review and approval to ensure that their proposed subdivisions are located in areas that are currently served or planned to be served by essential public facilities, including but not necessarily limited to, municipal water, sewer, natural gas, and adequate street access and stormwater drainage. In addition, proposed subdivisions should be scaled (in terms of the number of lots created) or phased (in terms of project build-out schedules) as may be needed to avoid overtaxing basic City services, including but not necessarily limited to, fire protection, police protection, municipal water, municipal sewer, and schools.

1.2 *Future land use map consistency.* All proposed uses of land within new subdivisions shall be generally consistent and compatible with the uses specified on the Future Land Use map contained in the Lineville Comprehensive Plan.

1.3 *Future public street or facility sites.* Where a proposed subdivision will be located in an area or location identified in the Comprehensive Plan or shown on an accompanying map as a future site for a needed public facility or street, the Subdivider shall make reasonable efforts to notify the Planning Commission *prior* to the submission of a Preliminary Plat. The City of Lineville shall be afforded a reasonable opportunity to work with a Subdivider during the planning and design of proposed new subdivisions to address community improvement needs shown in the Comprehensive Plan, either through an agreement to purchase or reserve land for needed future public facilities or by incorporating certain public improvements directly into the proposed subdivision, where it can be clearly shown that the future owners of land within the subdivision would receive a disproportionate benefit from expedited construction of the planned public facility improvements.

1.4 *Flood prone areas.* Land subject to flooding or land deemed by the Comprehensive Plan to be unsuitable for urban usage due to unmitigated environmental constraints, should not be platted for residential occupancy, nor for any other uses which may increase danger to health, life, or property, aggravate erosion, or increase flood hazard.

1.5 *Creative and Innovative Subdivision Concepts*. The City of Lineville wishes to encourage creative and innovative subdivision design, where such creativity and innovation substantially advances the goals and objectives of the Comprehensive Plan and is consistent with the spirit and intent of the Zoning Ordinance and Subdivision Regulations. Creative and innovative subdivision design concepts may include, but shall not be limited to, zero lot line developments, planned unit developments, cluster developments, and group developments. The Planning Commission shall consider approval of a creative or innovative subdivision design concept only after submission by the Subdivider of a written proposal and master plan clearly specifying the nature of the experimental design and a cost-benefit or fiscal impact study showing the benefits to the City from the proposed alternative development scheme. In order to provide opportunities for creative and innovative subdivision designs, the Planning Commission may waive or modify the standards and requirements of these regulations if, in its judgment, the proposed subdivision design in the master plan clearly demonstrates that the proposed development will:

A. not exceed the development density or intensity that would be otherwise permitted under the current applicable requirements of the Zoning Ordinance or Subdivision Regulations;

B. encourage or foster quality infill development or redevelopment in established residential neighborhoods;

C. be compatible and consistent with neighboring established uses and development patterns or provide a harmonious continuation of surrounding development patterns with a gradual transition to alternative designs in the interior portions of the development;

D. retain and protect sensitive or enhancing environmental features within the development in a manner that is better than could be achieved by a more traditional subdivision design;

E. encourage more efficient and cost effective use of land and infrastructure within the development; and/or

F. encourage quality affordable housing options for City residents.

1.6 *Conformity to Sketch Thoroughfare Plan*. All thoroughfares in the Sketch Thoroughfare Plan shown crossing or bordering a proposed subdivision are required to be provided for in the location and at the right-of-way width designed on the Sketch Thoroughfare Plan.

1.7 *Dedication of Open Space*. To insure development of the community in substantial conformity with the general principals set forth in the official plans and maps of the City of Lineville, the Planning Commission may require that the subdivider dedicate open spaces for parks, schools, fire stations, playgrounds, and any other use essential to the

welfare of the community. However, no more than ten (10) percent of the total subdivision may be required by donation. If additional area over ten (10) percent of the proposed subdivision is necessary to fulfill the requirements of the community, the additional area shall be offered for sale to the city at its fair market value. Such offer shall extend for a period of not less than ninety (90) days from the date of receipt by the city of such written offer.

1.8 *Improvements pursuant to development*. Clearly noted on the preliminary plat should be all the improvements the owner proposes to make pursuant to the development of the subdivision. These improvements shall relate to drainage, utilities, and other improvements necessary to permit development of the subdivision. Also, clearly noted on the preliminary plat should be all the improvements the owner proposes to request the City of Lineville to make, relative to off-premise improvements necessary to the development of the subdivision. These improvements shall relate to drainage improvements necessary to carry runoff to a major drainage channel, and also all extensions of water mains, sewers, and other utility extensions.

SECTION 2 - COMPLIANCE WITH APPLICABLE LAWS, CODES, AND ORDINANCES

Although the requirements contained in these regulations apply specifically to subdivisions, development plans also must comply with applicable Federal and State laws (including, but not necessarily be limited to, Section 404 of the Clean Water Act, the National Pollutant Discharge Elimination System [NPDES] permit requirements for land disturbance activities as administered by the Alabama Department of Environmental Management, the Americans with Disabilities Act of 1990, Part 77 of the Federal Aviation Regulations, and required curb cut approvals from the Alabama Department of Transportation for access to State highways), and with other related local codes and ordinances enforced by the City of Lineville and Clay County. Such related codes and ordinances include, but are not necessarily limited to, the Lineville Zoning Ordinance, the International Building Code, and the Health Regulations administered by the County Health Department. It shall be the responsibility of all subdividers to consult the appropriate governing or administrative authorities *prior* to the preparation and submission of a Preliminary Plat to ensure compliance of the planned subdivision with all other applicable laws, codes, and ordinances. Where the requirements of these regulations conflict with the specific requirements of other applicable codes and ordinances the requirement imposing the higher or stricter standard shall govern.

SECTION 3 – STREET DESIGN AND DEVELOPMENT

Street arrangement and design guidelines. 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 of vistas, public convenience and safety, consistency with established street layout and patterns, the need for new street connections, and the proposed uses of land that

are to be served by them. Unless otherwise permitted by these Regulations, the design and construction of all streets shall comply with the applicable current standards and criteria of the Alabama Department of Transportation (ALDOT) and the American Association of State Highway Transportation Officials (AASHTO). The Planning Commission may vary specific street requirements, as specified herein, where desirable to advance the concepts of a creative or innovative subdivision design or where desirable to preserve and reinforce traditional neighborhood design patterns.

3.1 *Consistency with neighborhood street patterns.* The proposed street system shall also be coordinated with the established street system of the surrounding area. However, the number of streets converging upon any one point should be held to a minimum in order to avoid undue congestion and confusion. The creation of multiple street intersections shall be in conformity with a plan for the most advantageous development of the entire neighboring area.

3.2 *Traffic circulation.* Sufficient proposed streets shall be provided to facilitate normal and efficient circulation of traffic within the vicinity. Land abutting a proposed subdivision shall not be left land-locked by the proposed subdivision. Street design shall provide connections to abutting properties at intervals not to exceed the applicable maximum and minimum block lengths required by these Regulations.

3.3 *Interconnections with public streets in abutting subdivisions.* If, in the opinion of the Planning Commission, it is desirable to provide street access to an adjoining subdivision or property, the Subdivider shall extend the applicable street by dedication to the boundary of such adjoining subdivision or property. A temporary turn-around as defined in design standards for street cul-de-sac, shall be provided for these future street connections. Minor streets shall be so laid out that their use by through traffic in the subdivision will be discouraged.

3.4 *Desired access management practices for freeways and arterial and collector highways.* Subdivisions which abut or include within the proposed area to be subdivided any freeway or arterial street shall utilize the one or more of the design features listed in this Section to manage access from individual lots in the subdivision to and from the freeway or arterial street, as may be most effective and appropriate for the specific site constraints. The Planning Commission may require the Subdivider to utilize one or more of the access management strategies listed in this Section to control access from lots in the subdivision to any affected collector street, if the Planning Commission determines that the collector street possesses traffic capacity constraints or may (by the nature of emerging traffic patterns) effectively serve as an arterial street. Desired highway access management strategies include, but may not be limited to, the following:

A. A marginal access street, or

B. Double frontage or reverse frontage lots with screen plantings contained in a non-access reservation or buffer along the freeway or arterial street right-of-way, or

C. Deep lots with rear service drives, or

D. Other design treatment(s) which may be necessary to provide for the adequate protection of properties, and to afford maximum separation of through and local traffic.

E. Intersections of minor subdivision streets with major and arterial streets shall be held to a minimum.

3.5 *External street access requirements.* All proposed subdivisions shall have direct street access to at least one existing external public or private street that has been constructed in accordance with all applicable City street construction standards. Any proposed sub-division that contains at least twenty five (25) lots or any expansion or new phase of an existing approved subdivision that, when combined with the earlier completed phase(s), would result in a total of twenty five (25) or more lots shall provide at least two (2) public street accesses to one or more existing streets extending beyond the boundaries of the subdivision. The Planning Commission may allow extended street connections to existing public streets in an abutting subdivision to satisfy the applicable requirement for direct public street access, where direct access to adjoining streets from the subdivision may be obstructed by topological, environmental, or highway frontage constraints. Additional intersections of minor subdivision streets with arterial streets over and above these minimum requirements shall be held to a minimum, commensurate with the need for emergency access and proper traffic circulation.

3.6 *Private reserve strips prohibited.* Private reserve strips controlling or restricting access to streets shall be prohibited.

3.7 *Half-streets.* Where a dedicated or platted half-street adjoins or extends into the tract of land to be subdivided, the other half shall be platted and incorporated into the proposed subdivision. New half-streets or half-alleys shall be prohibited.

3.8 *Paved street surfaces required.* On all streets and alleys within the jurisdiction of these regulations, a suitable hard surface type of roadway meeting the requirements of the City's specifications or as recommended by the Alabama Department of Transportation shall be provided.

3.9 *Classification of streets.* The general classification of streets shall be as defined in the Lineville Comprehensive Plan. However, rapid changes in land use patterns and traffic volumes that are not captured by timely amendments to the Comprehensive Plan can occur, especially in developing urbanized areas. In some instances, growth in traffic volumes, changing travel patterns, and/or changing vehicle composition can greatly reduce traffic capacity, create dangerous travel conditions and conflicts between through and local traffic, and overburden older substandard streets. Therefore, in developed or developing areas, the Planning Commission shall have the discretion of upgrading or altering the classification of

streets as they may apply to a pending Preliminary Plat during the review and approval process, in order to adequately reflect rapidly changing traffic and development patterns. Where the Planning Commission determines such changes are required, it shall immediately initiate the process of amending the Comprehensive Plan to reflect said changes. However, the initiation of a Comprehensive Plan amendment with regards to street classifications shall in no way diminish the application of an amended street classification as it applies to a pending Preliminary Plat.

3.10 *Abandoning and redeveloping improved roads within proposed subdivisions.* Where an existing dedicated and improved road or other right-of-way falls within a proposed subdivision site and the Subdivider proposes to abandon or otherwise redesign the aforementioned road, the Planning Commission shall reconsider the issues specified below in subparagraphs A-F prior to recommending approval of the request to the City Council for final action. Once the following issues have been considered, the Planning Commission shall document any beneficial or detrimental effects it determines in the form of a written recommendation to the City Council.

a. the effects that abandonment or redesign of the existing road will have on existing and potential future development on neighboring lands outside of the proposed subdivision site;

b. the impact of the proposed street abandonment or redesign on traffic circulation patterns and the street network within the broader community;

c. the extent to which the street to be abandoned is structurally deficient as compared to the changes or redesign proposed by the Subdivider;

d. the potential effects of the proposed street abandonment or redesign on emergency access to and from the subdivision;

e. the potential effects of the proposed street abandonment or redesign on the efficient provision of essential public services to residents of the subdivision, including school transportation, public transit access, and prompt utility service; and

f. the extent to which the proposed street abandonment or redesign will advance any specific goals and objectives contained in the Comprehensive Plan.

3.11 *Minimum pavement widths.* Pavement widths shall be measured from edge to edge of the paved surface or between the inside faces of opposing curbs, as may be applicable. Minimum pavement widths shall be twelve (12) feet per travel lane (exclusive of any required shoulders or proposed on-street parking lanes) for all arterials and collectors within any subdivision and for all minor streets in nonresidential or mixed use subdivisions. Minimum pavement widths for alleys or service drives and local streets in

residential subdivisions shall be ten (10) feet per lane (exclusive of any shoulders or on-street parking lanes). Each proposed on-street parking lane shall be at least eight (8) feet in width. The Planning Commission may reduce the required travel lane pavement widths for cul-de-sacs and alleys to not less than eight (8) feet per lane, if inverted street surface crowns *are not* utilized to satisfy the stormwater drainage requirements of these Regulations.

STREET	**PAVEMENT WIDTH (Measured from curb faces)**
Freeway	64 feet
Arterial Street	64 feet
Major Street	48 feet
Collector Street	40 feet
Minor Street	30 feet
Marginal Access Street	25 feet
Rear Service Road	18 feet

3.12 *Minimum right-of-way widths.* Public street rights-of-way shall be uniform in width and shall be designed to provide adequate dedicated space for utilities, sidewalks, shoulders, stormwater drainage facilities, on-street parking lanes, and traffic lanes, as may be needed. The minimum widths of rights-of-way for the various streets (arterial streets, collector streets, minor streets, and alleys) are indicated below. Angular breaks in right-of-way alignment of more than two (2) degrees shall not be permitted.

STREET	**RIGHT-OF-WAY**
Freeway	210 feet
Arterial Street	120 feet
Major Street	80 feet
Collector Street	60 feet
Minor Street	50 feet
Marginal Access Street	50 feet
Rear Service Road	30 feet

3.13 *Street width modifications.* In cases where topography or other physical conditions make a street of the required minimum width specified in Section 3.12 above impracticable or overly burdensome on sensitive environmental features, the Planning Commission may modify the above requirements. Where the minor or collector streets of the proposed subdivision will serve nonresidential uses, the Planning Commission may increase the required minimum street widths by an additional ten (10) feet on each side of the roadway in order to ensure safe access and increased curb radii for large vehicles traveling into and out of necessary off-street parking areas. The Planning Commission also may require greater right-of-way widths for minor streets or cul-de-sacs as may be needed to adequately accommodate seeded shallow "V" swales, where the Subdivider elects to use such measures to satisfy the applicable stormwater drainage requirements of these Regulations.

Likewise, the Planning Commission may reduce the minimum right-of-way width for cul-de-sacs and alleys by not more than six (6) feet where the Subdivider elects to use inverted street surface crowns to satisfy the applicable stormwater drainage requirements of these Regulations.

3.14 *Treatment of deficient street rights-of-way.* Subdivisions that adjoin existing roads shall dedicate additional right-of-way to satisfy the above minimum road width requirements, wherever traffic to or from the proposed development will be served by said deficient road.

A. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing road.

B. When the subdivision is located on only one side of an existing road, one-half (½) of the required right-of-way, measured from the center-line of the existing roadway, shall be provided.

C. The City, with prior consent and approval by the City Council, may agree to share in the cost of correcting such right-of-way deficiencies where the following conditions exist:

1. The degree to which the street right-of-way is substandard would impose substantial cost and land dedication burdens on the Subdivider.

2. The need for improvement of the affected highway is recognized in the Comprehensive Plan.

3. The long-term public benefit of the improvements would clearly outweigh the specific benefit to the Subdivider and future owners of land within the subdivision of timely improvement of said deficient or substandard street.

3.15 *Method of measuring specified distances in this section.* Unless otherwise noted, required distances between streets as specified in this section shall be measured from centerline-to-centerline. The following standards shall also apply.

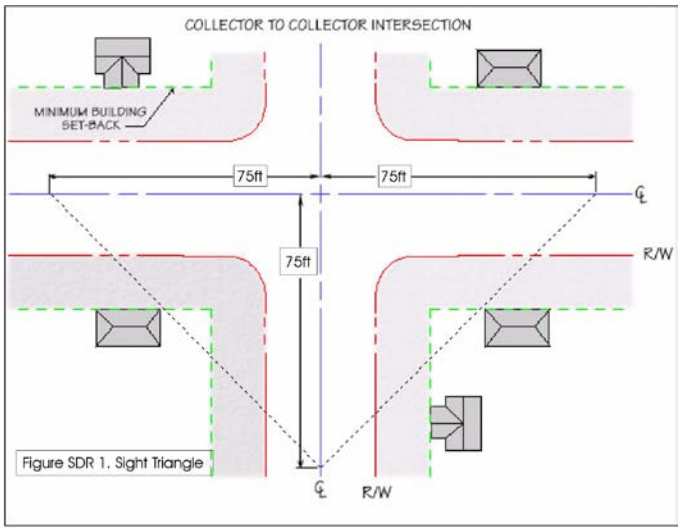


Figure SDR 1. Sight Triangle

3.16 *Street intersection angles.* Streets shall be laid out to intersect as nearly as possible at right angles. A proposed intersection of two (2) new streets at an angle of less than sixty (60) degrees shall not be permitted. An oblique street should be curved approaching an

intersection and should be approximately at right angles for at least one-hundred (100) feet from the end of the curve to the street intersection.

3.16 *Number of streets at intersections.* Not more than two (2) streets shall intersect at any one point, unless specifically approved by the Planning Commission, at the recommendation of the City Engineer.

3.17 *Intersection sight triangle distances.* All street intersections shall be designed to provide adequate sight distances to ensure that vehicles can enter the intersection safely from secondary approaches and nearby driveways. All streets shall have clear sight triangles within each corner of the intersection of seventy-five (75) feet (one-hundred fifty [150] feet for arterials and all divided streets and highways) as measured from the point of centerline intersection of the streets. These sight triangles shall be indicated on the Preliminary Plat. No building or other obstructions higher than thirty (30) feet shall be permitted in this area. Figure SDR 1 illustrates proper sight triangle distance for a typical collector street intersection.

3.18 *Intersection alignments.* Proposed new intersections along one side of an existing street shall coincide with any existing intersections on the opposite side of such street. Where two streets intersect, their pavement centerline alignments shall be generally continuous through the intersection. Street jogs with centerline offsets of less than one hundred fifty (150) feet shall not be permitted, unless the intersected street is a divided highway that has separated dual lanes without median breaks at either intersection. Consecutive centerline intersections of arterial and/or collector streets shall be at least six hundred (600) feet apart.

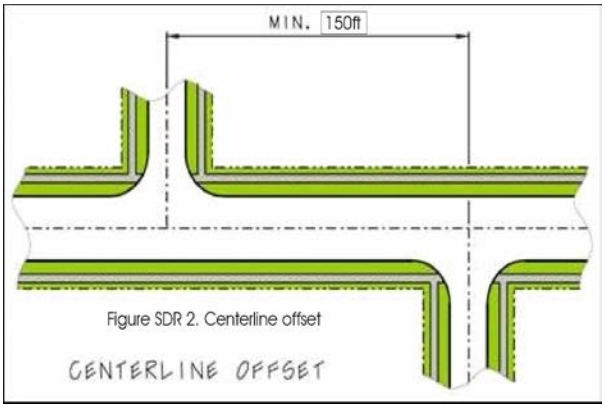


Figure SDR 2. Centerline offset

Where an existing road or other right-of-way falls within a proposed subdivision tract and the subdivider proposes to abandon this right-of-way, the Planning Commission shall review this proposal in view of its effect on neighboring properties, and forward its recommendation to City Council prior to taking legal action on the situation. Figure SDR 2 displays proper centerline offset distance.

3.19 *Intersection curb and property line radii.* The minimum curb radius at the intersection of two (2) minor streets shall be at least ten (10) feet. The minimum curb radius at any intersection involving an arterial or collector street shall be at least twenty (20) feet. Arterial and collector street intersections in nonresidential or mixed use subdivisions shall possess twenty-five (25) foot curb radii. Right-of-way lines at all intersections shall be rounded with a radius of not less than twenty-five (25) feet at all intersections. The Planning Commission may require larger curb and right-of-way line radii for approved oblique intersections (where the angle of intersection is less than ninety [90] degrees),

especially for intersections that can be reasonably expected to serve commercial truck traffic.

3.20 *Intersection grades.* Intersections shall be designed at a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than three (3) percent nor less than one-half (0.5) percent grade for a distance of sixty (60) feet, as measured from the point of the intersecting street centerlines. Where difficult terrain or unusual situations exist the Planning Commission may require submission of a grading plan, from the developer, showing existing conditions and a detailed design for intersections.

3.21 *Intersections near railroad crossings.* Railroad right-of-ways, where so located as to affect access to a proposed subdivision, shall be shown on the Preliminary Plat. The centerline of streets parallel to the railroad when intersecting a street which crosses the railroad at grade shall be a distance of at least two hundred (200) feet from the nearest railroad right-of-way. Greater minimum separation distances between arterial and collector intersections and railroad rights-of-way shall be determined by the Planning Commission and the City Engineer with due consideration of the peak traffic volumes and the minimum distance required for future separation of grades by means of appropriate approach gradient.

3.22 *Street identification signs.* The Subdivider shall provide for street identification signs within the subdivision, as approved by the City Engineer. Two (2) street signs are required for each four-way intersection and one (1) street sign at each three-way intersection or as required by the Planning Commission.

3.23 *Alleys and Service Drives*. Alleys and service drives may be allowed by the Planning Commission *only* in nonresidential or mixed use developments and used for off-street loading and unloading, and parking, consistent with Zoning Ordinance requirements. All alleys or service drives shall be designed to provide a through traffic connection between public streets. Dead end alleys or service drives shall be prohibited. On-street parking shall not be allowed along alleys or service drives, unless the Planning Commission determines that sufficient right-of-way exists to provide a paved ten (10) foot wide lane for on-street parallel parking and special conditions warrant a secondary means of access.

3.24 *Curbs and Gutters*. Standard “L” type curbs and gutters shall be placed on both sides of all streets in the City of Lineville in accordance with City specifications unless otherwise waived by the Planning Commission.

3.25 *Names for Streets*. Names for proposed new streets, subdivisions, and apartment complexes should be selected carefully to prevent confusion with existing streets. All proposed names for new streets, subdivisions, and apartment complexes must be reviewed and approved by the City. All streets, subdivisions, and apartment complexes shall be named in accordance with the following requirements.

A. *Approval.* Street names, address numbers, and subdivision and apartment complex names shall be subject to the approval of the Planning Commission and shall be consistent with established City policies and ordinances.

B. *Duplication of names.* Street, subdivision, and apartment complex names shall not duplicate either phonetically or by spelling, an existing City street, subdivision, or apartment complex.

C. *Continuity of names.* Any street or road which is a continuation, an approximation, or logical continuation of any existing dedicated street or road or shall bear the same name.

3.26 *Vacating a Street*. No street (whether improved or unimproved) may be vacated unless and until such action has been recommended by the Planning Commission to the City Council and subsequently approved by the City Council.

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

A. *Notification of Work*: It shall be the duty and responsibility of the developer or contractor to give written notice to the City Engineer or his authorized agent, one working day prior to starting any phase of road construction. The developer or contractor shall notify the City Engineer or his authorized agent in writing the day the work is resumed after a delay of more than five (5) working days. This includes all phases of construction, clearing, grading, drainage, gutters, inlets, base, surfacing and any work pertaining to the street, road or development. Failure to notify as specified may be grounds for non-acceptance.

B. *Testing*: the City Engineer shall determine which tests shall be scheduled and performed and shall notify the developer. All testing shall be charged/billed to the developer and shall be conducted by an independent testing laboratory approved by the City Engineer. Copies of all test reports are to be provided to the City Engineer before additional construction occurs.

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

D. *Slope Paving*: Slope paving shall be required in ditches over 6% grade or as determined necessary by the City Engineer. Other alternatives must be approved by the City Engineer.

E. *Embankment Sections*: The City Engineer will have the right to approve all borrowed sources; however this does not relieve the developer from full responsibility for the quality of material used. Roadway fill or embankment of earth material shall be placed in uniform layers, full width, and not exceeding eight (8) inch thickness (loose measurement). Each layer shall be compacted so that a uniform specified density is obtained. Compaction tests shall be run at the frequency and location as directed by the City Engineer. Additional layers of fill shall not be added until directed by the County Engineer. For other than fill sections of earth material refer to Section 210 and Section 306 of the "Alabama Department of Transportation Standard Specifications for Highway Construction';

F. *Subgrade*: The subgrade shall be compacted and properly shaped prior to the placement of base materials. The top six (6) inches of the roadbed shall be modified, with the work being performed under Section 230 Roadbed Processing of the "Alabama Department of Transportation Standard Specifications for Highway Construction". It shall be full width of regular section and extend two (2) feet outside of curb and gutter and/or valley gutter sections. Both sections are twenty-eight (28) feet width. The embankment or subgrade may be inspected by proof rolling, under the supervision of the City Engineer or his/her designee, with a fully loaded tandem axle dump truck to check for soft or yielding areas. Any unsuitable materials shall be removed and replaced with a suitable material compacted to density requirements in accordance with Section 3.27 (E) of these regulations. Suitable material shall be determined by the City Engineer. All base and subgrade materials shall be compacted to the maximum laboratory dry density of one-hundred (100) percent. However, this compaction requirement shall be reduced to ninety-eight (98) percent for all minor streets and cul-de-sacs in residential subdivisions.

G. *Base*: Base course shall meet the requirements for crushed aggregate as set forth in Section 301 of the Alabama Department of Transportation Standard Specifications for Highway Construction. Base course shall have a minimum thickness of six (6) inches compacted thickness, full width of regular section and shall extend two (2) feet outside of curb sections. Both sections are twenty-eight (28) feet in width. The density requirements for compaction shall be in accordance with Section 306 of the ALDOT Standard Specifications for Highway Construction. Developer/Engineer may submit an alternate base design for approval by the City Engineer. All base and subgrade materials shall be compacted to the maximum laboratory dry density of one-hundred (100) percent. However, this compaction requirement shall be reduced to ninety-eight (98) percent for all minor streets and cul-de-sacs in residential subdivisions.

H. *Roadway Pavement*: A bituminous pavement shall be constructed on a suitable base as approved by the City Engineer. Minimum requirements for the bituminous pavement shall be a double bituminous surface treatment of AKG or AJG as covered in Section 401 of the ALDOT Standard Specifications for Highway Construction or one-hundred and fifty (150) pounds per square yard (220 LBS/SY) of Bituminous Concrete Plant Mix, Wearing Surface either type 416 or 429. The mix shall be approved by the City Engineer and be covered in the latest memorandum recommendation from the office of the ALDOT County Transportation Engineer or as specified by the ALDOT Standard Specifications for Highway Construction, latest edition.

I. *Paving Waiver*: The Planning Commission *may* waive the requirement for paved surface improvements on a street that shall be *privately owned and maintained* and will not serve in excess of two hundred (200) vehicle trips per day, as determined by application of the Institute of Traffic Engineer's Trip Generation Manual, 5th Edition, as amended, to the proposed land uses that will be served by the subject street. Where the requirement for paved surface on a private street has been duly waived by the Planning Commission, such waiver shall not in any way obligate the City Council to accept the future dedication of said private street were it has not been fully improved to public street standards.

3.28 *Surface Crowns.* All paved streets shall possess a crested surface crown which slopes downward from the centerline towards the outer edges of the improved surface. Crown slopes shall not exceed three (3) percent, nor shall be less than one (1) percent. The degree of crown slope used shall be appropriate for the width of the pavement that must be drained, with greater slopes utilized for wider pavement surfaces. Streets that possess a raised median may use a combination of cross slopes to ensure adequate pavement drainage. Inverted surface crowns shall be allowed only when authorized by the Planning Commission for cul-de-sac streets and alleys that do not exceed six hundred (600) feet in length and that are specifically designed to maintain a constant slope of not more than six (6) percent nor less than one (1) percent in grade.

3.29 *Cross Slopes.* A cross slope is the overall grade of a street surface as measured perpendicular to the centerline between the outer edges of the pavement. Cross slopes on all streets, including intersections, shall not exceed three (3) percent. Cross slopes (super-elevation) may be utilized on arterials and collectors to help improve vehicle stability on sharp curves, as may be commensurate with the design speed of the street. Super-elevated cross slopes on street curves shall only slope towards the inner edge of the horizontal street curve.

3.30 *Street Grades.* All streets shall be designed to possess proper grades (as measured along the street centerline) to ensure adequate runoff of stormwater, but should not be designed with excessively steep slopes. Street grades shall not be less than 0.5% for any street, unless otherwise approved by the Planning Commission. The Planning Commission may approve an increase of not more than two (2) percent in the minimum required street grade,

if geologic or topographic constraints prohibit conformance with the specified standards, the subject street will not serve significant truck or heavy vehicle traffic, and the increase is approved by the City Engineer. Submission of a grading plan showing existing and proposed contours at one (1) foot intervals may be required by the Planning Commission.

STREET	**PERCENT GRADE**
Freeway	3.0%
Arterial Street	5.0%
Major Street	6.0%
Collector Street	8.0%
Minor Street	12.0%
Marginal Access Street	12.0%
Rear Service Road	12.0%

3.31 *Curves, Vertical and Horizontal.* Vertical street curves, including street hill crests and sags (dips in the roadway), and horizontal street curves (corners or turns in the roadway) for major collector streets shall be designed in accordance with all applicable AASHTO requirements. A minimum tangent of one hundred fifty (150) feet shall be required between reverse horizontal curves (consecutive curves or turns in opposing directions) on arterial and collector streets. Where a deflection angle of more than ten (10) degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. The minimum horizontal street curve radii and maximum degree of centerline curvature for all arterials, collectors, or minor streets shall satisfy the requirements specified below. However, the Planning Commission may require an arterial or collector street to satisfy the applicable AASHTO standards for horizontal street curves, if it is determined that trucks will comprise more than ten (10) percent of the potential street traffic. Figure SDR 3 illustrates street curves for reverse curves and single curves on local, collector and arterial roadways.

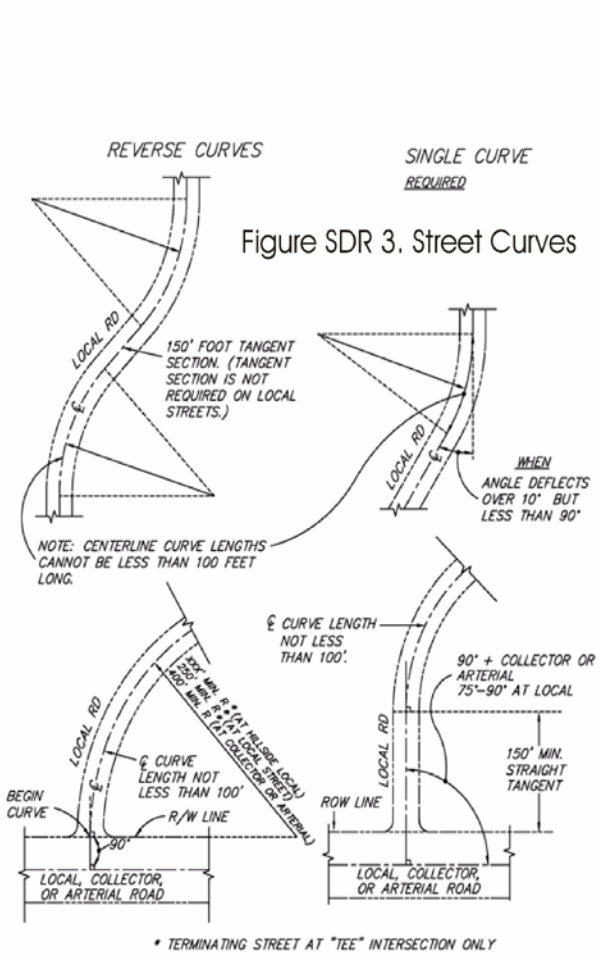


Figure SDR 3. Street Curves

HORIZONTAL STREET CURVE

Design Speed In MPH	Minimum Radius In Feet	Maximum Curvature In Degrees
20	150	40
25	200	29
30	280	20
35	400	14
40	600	10
45	800	7
50	1,000	6

3.32 *Visibility.* Clear horizontal visibility measured along the street centerline shall be provided for at least six hundred (600) feet on freeway and arterial streets; three hundred (300) feet on collector streets; and at least two hundred (200) feet on all other streets, unless otherwise approved by the Planning Commission. Figure SDR 4 shows minimal street visibility for minor and collector streets. For existing roads, engineering plans for right-of-way must be designed so as to contemplate elimination of bends, crooks, and other undesirable hazardous conditions.

3.33 *Shoulders.* An eight (8) foot wide paved shoulder shall be required along both outer sides of an arterial or collector roadway. Provision shall be made for a two (2) foot wide paved shoulder, plus an additional four (4) foot wide grassed shoulder, along both sides of a minor street, alley, or marginal access roadway. Shoulders shall be delineated from the roadway travel lines by appropriate striping. All such shoulders shall be exclusive of any proposed or desired on-street parking areas.

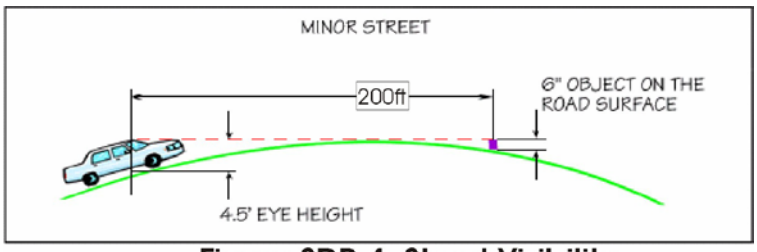
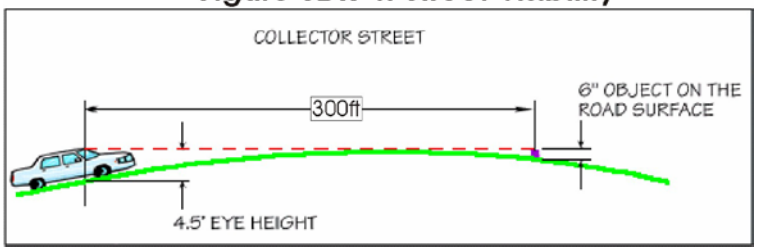


Figure SDR 4. Street Visibility



3.34 *Street Barricades.* Any private street or street intended to be accepted by the City as a public street shall be barricaded during construction to prevent traffic access and clearly marked to indicate that the street is under construction and not open for travel. Such barricades and markings shall remain in place and shall be properly maintained by the developer until construction is complete and approved by the City in accordance with a final inspection.

3.35 *Design Requirements.* Streets designed to have one (1) end permanently closed shall be provided at the closed end with a turn-around having a minimum right-of-way diameter of one hundred (100) feet, and a minimum roadway diameter of eighty (80) feet, as measured from the roadway centerline. Such streets will not exceed six hundred (600) feet in length.

3.36 *Special Exceptions for Cul-de-sacs in Rural Areas.* Cul-de-sacs shall provide a turn-around having a minimum right-of-way diameter of one-hundred (100) feet, and a minimum roadway diameter of eighty (80) feet. Such streets shall not exceed six hundred (600) feet in length. Figure SDR 5 displays minimum standards for cul-de-sac streets. The Planning Commission may increase the maximum permitted length of cul-de-sac or dead end streets to not more than seven-hundred (700) feet where the following conditions exist:

A. The proposed subdivision site is located outside the City limits of Lineville, and is not in an area targeted for annexation in the foreseeable future.

B. The cul-de-sac will provide access to not more than twenty (20) lots that cannot be further subdivided.

C. Longer cul-de-sac streets are needed to facilitate efficient development of the site.

D. The subdivision cannot be served by existing or planned municipal water and sewer lines.

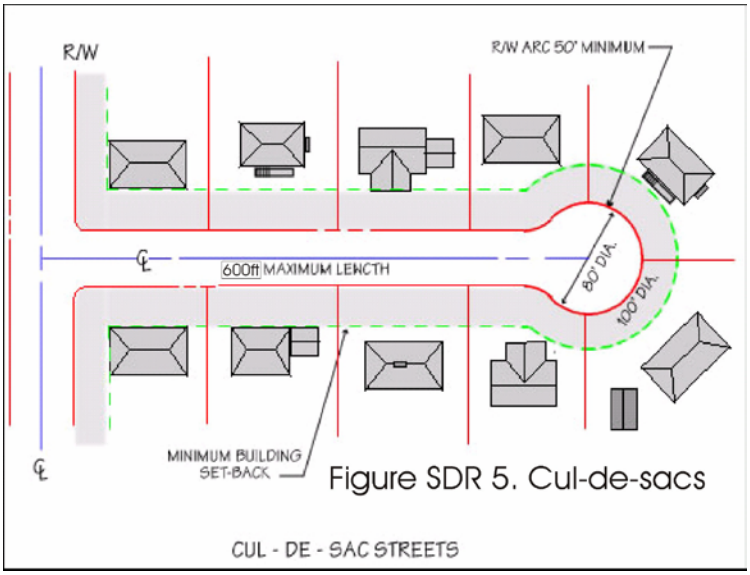


Figure SDR 5. Cul-de-sacs

SECTION 4 – BLOCK DESIGN AND DEVELOPMENT

4.1 *General guidelines.* Blocks within proposed subdivisions should be designed to provide reasonable, but not excessive public street frontage for all lots located within each block. The design and orientation of blocks within a development should relate to both established

development patterns in the neighborhood and the specific environmental and topographical constraints of the development site. Proposed subdivision blocks also should be designed to minimize excessive, and potentially hazardous or conflicting, property access demands on major highways and thoroughfares, such as arterials and collectors, adjoining to or providing access to the subdivision. At the same time, blocks should be designed to reinforce and extend the street network patterns in adjoining developed areas. Specifically, subdivision blocks should be designed with due regard to the following considerations.

A. Provision of adequate building sites suitable to the special needs of the type of use contemplated.

B. Zoning Ordinance and Health Department requirements as to lot sizes and dimensions. In such cases where requirements may conflict, the stricter requirements shall govern.

C. Needs for convenient access, circulation, control, and safety of street traffic both within the planned development and between the proposed development and adjoining areas and neighborhoods.

D. Topographical limitations and opportunities.

E. Compatibility and consistency with the character of surrounding established neighborhoods and street patterns.

4.2 *Specific Requirements.* The following specific requirements for the design of subdivision blocks shall be observed.

A. Block lengths shall not be less than four hundred (400) feet nor more than one thousand, two hundred (1,200) feet and shall normally be of sufficient width to allow two (2) tiers of lots of appropriate depth. Where a proposed residential subdivision is surrounded by or interconnected with (via the street network) established residential neighborhoods, blocks within the proposed subdivision should be designed to reinforce and complement the established pattern in the surrounding neighborhood to the greatest extent feasible.

B. Where a proposed subdivision possesses continuous frontage along an arterial or collector highway, all proposed lots that front said arterial or collector highway shall be double frontage lots. Furthermore, such lots shall be designed, to the maximum extent possible, to limit transportation access from the adjoining arterial or collector highway.

C. In blocks over eight-hundred (800) feet in length, the Planning Commission may require one (1) or more public crosswalks or alleys of not less than ten (10) feet in width to extend entirely through the block at locations deemed necessary to

facilitate pedestrian and vehicular traffic demands such as near schools, playgrounds, shopping centers, bus stops, and other community facilities.

Subdivision lots shall be designed in a manner that promotes efficient land development while respecting the specific environmental constraints of the site, established development patterns in the areas surrounding the site, and the limitations of existing or proposed public facilities and infrastructure. In some instances, it may not be practical or feasible to maximize the number of lots that could be created in a subdivision, if such a design would expose future property owners to unnecessary natural hazards or result in lots that could not be developed under existing zoning requirements. Therefore, subdivision lot design should be governed by the following requirements and considerations.

4.3 *General design.* The lot size, width, depth, shape, and orientation, and the minimum building setback line shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

4.4 *Lot size requirements.* Unless otherwise specified in an officially adopted Zoning Ordinance having application to the area being subdivided, the following lot size area requirements shall govern: Residential lots shall have a depth of not less than 125 feet and a lot area of not less than 12,500 square feet. Lot areas shall conform to the requirements of the Lineville Subdivision requirements and the requirements of the applicable County Health Department. In cases where requirements conflict, the requirements imposing a higher or stricter standard shall govern said laws.

4.5 *Corner lots and Side lot lines.* Corner lots intended for residential use shall contain an extra fifteen (15) feet of width to permit appropriate building orientation and setback from both streets. Side lot lines shall be at right angles to streets, except on curves where they shall be radial.

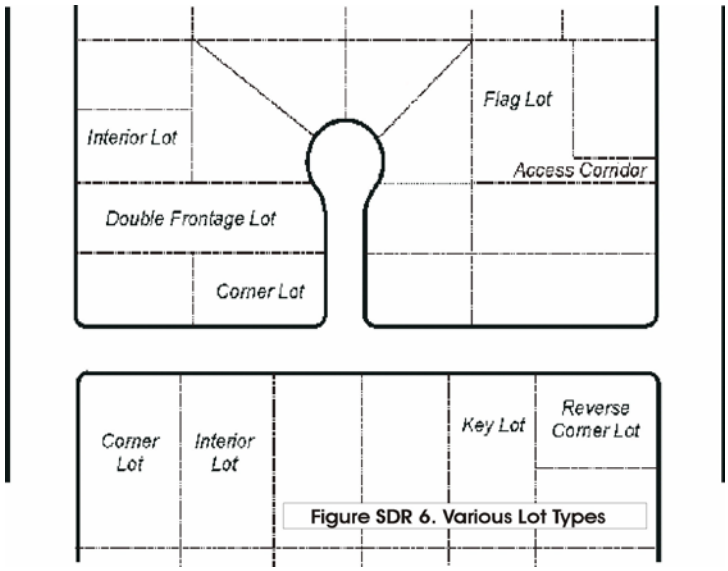


Figure SDR 6. Various Lot Types

4.6 *Frontage.* All lots shall have a minimum frontage of not less than one-hundred (100) feet along a public street or a private street dedicated for public use and constructed in accordance with all applicable City street standards. The minimum required frontage shall be reduced to fifty (50) feet for lots fronting on the turn-about at the end of a permanent cul-de-sac. Figure SDR 6 illustrates various lot types with proper street access.

4.7 *Double frontage lots.* Double frontage and reverse frontage lots

shall be avoided, except where essential to minimize property access impacts on lots with frontage along an arterial or collector highway, as identified in the Lineville Comprehensive Plan, or to overcome specific constraints of topography and orientation. The Planning Commission may require a planting screen easement of not less than ten (10) feet in width, and across which there shall be no right of access provided along the line of lots abutting such traffic artery or other disadvantageous feature.

4.8 *Lot line angles.* To the greatest practical extent, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Angular deviations of more than twenty five (25) degrees from right angles are generally discouraged, unless compelled by specific topographical conditions or environmental constraints. Where such deviations are to be considered, the applicant should consult the Planning Commission regarding the specific design constraints before preparing a formal preliminary plat.

4.9 *Nonresidential lots.* The 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.

4.10 *Lots within floodplains.* Where proposed subdivision lots will be located within an area of Special Flood Hazard, as delineated on the applicable Flood Insurance Rate Map, the Planning Commission may require the Subdivider to create lots larger than the minimum allowed, in order to provide sufficient developable land for the construction of a principal use structure outside the flood-prone area.

4.11 *Bowling alley and flag lots permitted subject to planning commission approval.* So-called "bowling alley," "spaghetti," and "flag" lots, characterized by unusually long, narrow lots with a lot depth to width ratio of greater than three to one (3:1) are permitted subject to planning commission approval. Such lot designs represent an inefficient use of land and tend to create enormous back yard areas which are not properly maintained and/or promote lengthy primitive driveways which impede emergency vehicle access to structures and buildings on the property.

4.12 *Minimum lot size.* All lots created after the effective date of this Ordinance shall comply with the minimum lot size requirements for the zoning district within which they are located.

4.13 *Yard reduction.* No lot shall be reduced in area so that yards and other open spaces total less than the minimum area required under this Ordinance, except as herein provided.

4.14 *Minimum frontage.* All lots shall have a minimum frontage of not less than one-hundred (100) feet along a public street or a private street dedicated for public use and constructed in accordance with all applicable City street standards. The minimum required frontage shall be reduced to fifty (50) feet for lots fronting on the turn-about at the end of a permanent cul-de-sac.

4.15 *Minimum lot width-to-length ratio.* No part of any lot shall have a width narrower than one (1) foot for each three (3) feet of length or depth as measured along the longest side boundary of the lot and subject to Planning Commission approval.

4.16 *Required yards and open spaces.* In each district, each structure hereafter erected or altered shall be provided with the yards specified, and shall be on a lot of the area and width specified in this Ordinance. No open space or lot required for a building or structure shall, during its life, be occupied by or counted as open space for another building or structure. No yard or other open space provided, nor the off-street parking and loading spaces required, about any building for the purpose of complying with the regulations of this Ordinance shall hereafter be included as a part of a yard or other open space, or the off-street parking or loading spaces, for any other building, except as hereafter provided.

4.17 *Yards and open spaces on substandard lots.* Where the owner of a property, at the time of adoption of this Ordinance, has a lot or lots of official record which are substandard to the requirements of the district in which they are located according to this Ordinance, the building and its accessory structures may be built, provided:

A. The yard space and other requirements conform as closely as possible, in the opinion of the Board of Adjustment, to the requirements of the district in which the property is located.

B. That neither side yard shall be reduced to less than five (5) feet.

C. No building shall be required to set back more than the average of the setbacks of the existing residences within one hundred (100) feet each side thereof, but in no case shall the front yard setback of any building hereafter erected or altered be less than twenty (20) feet.

4.18 *Properties abutting existing improved public streets.* When any required yard abuts a street or roadway with an existing public street right-of-way of forty (40) feet or more, the setback shall be the standard setback required in that zoning district. The setback shall be measured from the property line.

4.19 *Properties abutting dedicated rights-of-way.* When any required yard abuts a street or roadway with a dedicated right-of-way (public or private) of less than forty (40) feet, the setback shall be not less than twenty (20) feet, ***plus*** any additional setback required by the minimum dimensional requirements for the applicable zoning district. The setback shall be measured from the centerline of the existing improved roadway. If no improved roadway has been constructed within the right-of-way, then the twenty (20) foot setback shall be measured from the centerline of the dedicated right-of-way.

4.20 *Properties abutting street or roadways without dedicated rights-of-way.* When any required yard abuts a street or roadway (public or private) without a dedicated right-of-way, the setback shall be not less than twenty (20) feet, ***plus*** any additional setback

required by the minimum dimensional requirements for the applicable zoning district. The setback shall be measured from the centerline of the existing improved street or roadway.

On lots having frontage on more than one street, the side or rear yard setback along the secondary street shall not be less than the required front yard setback for the applicable zoning district.

No building for human occupancy shall be erected without unrestricted vehicular access to a public street or a private street dedicated for public use and constructed in accordance with all applicable City street standards.

4.21 *Height on residential properties.* Fences or walls may be erected, placed, maintained, or grown along a side or rear lot line on residentially zoned property, or adjacent thereto, to a height not exceeding six (6) feet above the ground. Fences or walls located in a required front yard shall not exceed a height of four (4) feet, and in the first ten (10) feet from the right-of-way the height shall not exceed two-and-one-half (2½) feet. Where such lot line is adjacent to a non-residentially zoned property, fences and walls may be maintained at a height not exceeding nine (9) feet.

4.22 *Height on nonresidential properties.* No fence or wall erected, placed, maintained, or grown along a lot line on any non-residentially zoned property shall exceed a height of nine (9) feet.

4.23 *Appropriate materials.* Fences and walls shall be constructed of a durable material such as treated lumber, brick, chain link or equal materials and be attractive in appearance. Barbed wire fencing shall be allowed only in the Agricultural District. Razor wire shall not be permitted as part of any wall or fence, except by special exception of the Board of Adjustment within a manufacturing district, where special measures are clearly required to secure the property from public intrusion.

4.24 *Fences and walls near street intersections.* No fence or wall capable of obstructing driver vision may be erected within twenty (20) feet of an intersection of the right-of-way lines of streets or streets and railroads.

SECTION 5 – SIDEWALKS AND BICYCLE LANES

When desired. Adequate facilities for pedestrian and bicycle circulation are important for public safety and convenience. They also can provide an attractive aesthetic environment in residential subdivisions, especially when they are located in or adjacent to an urban development setting. The City of Lineville maintains an extensive public sidewalk network, but desires continued expansion of this network commensurate with the growth and urban development of the City. Therefore, the Planning Commission may require subdividers to provide sidewalks and/or bicycle lanes within proposed subdivisions where one or more of the following conditions exist.

A. Where the proposed subdivision contains at least fifty (50) lots.

B. Where the external boundaries of the proposed subdivision lie within a one-half (½) mile radius of any public school, park, or other major public use facility.

C. Where the proposed subdivision adjoins or is otherwise served by an existing street or highway that provides public sidewalks.

D. Where the proposed subdivision includes a mix of land uses, such as residential, commercial, or industrial or includes common recreational improvements.

E. Where it is reasonable to expect that the future residents of the proposed subdivision might not have adequate access to personal vehicular transportation modes.

5.1 *Where provided.* Where required by the Planning Commission for pedestrian safety, sidewalks shall be provided along both sides of streets designated as arterial or collector streets in the Lineville Comprehensive Plan. Sidewalks must be provided along only both sides of any minor street within the subdivision and constructed according to city specifications.

5.2 *Surface and width requirements.* All sidewalks shall be constructed using a concrete surface at least two (2) inches thick. The Planning Commission may approve an asphalt surface for sidewalks along minor streets only, where the proximity to tree root and soil/drainage conditions are adequate to ensure long-term surface stability. Minimum widths for sidewalks and/or bicycle lanes shall be as follows:

A. Six (6) feet for all sidewalks in all residential subdivisions.

B. Eight (8) feet for all sidewalks in non-residential developments and for all shared pedestrian/bicycle lanes or trails located within an existing street right-of-way.

C. Ten (10) feet for all independent, bi-directional bicycle trails or paths.

5.3 *Distance from right-of-way line.* When required by the Planning Commission, pedestrian and bicycle facilities that will be provided within a street right-of-way shall be located not less than one (1) foot from private property lines to prevent interference or encroachment by fencing, walls, hedges, or other planting or structures that may be placed along the property line at a later date.

5.4 *Compliance with A.D.A. requirements.* All sidewalks shall be designed in accordance with the applicable requirements of the Americans with Disabilities Act of 1990, as amended.

SECTION 6 – EASEMENTS

6.1 *Required.* Easements across lots or centered on rear or side lot lines shall be provided where necessary for utilities and drainage, and shall be at least twenty (20) feet wide (as may be appropriate to serve existing and planned future needs), unless otherwise approved by the engineering department of the affected utility.

6.2 *Drainage easements.* Where a subdivision is traversed by an existing or proposed water course, drainageway, channel, or stream, the Subdivider shall provide a storm drainage easement or right-of-way conforming substantially with the lines of such existing or planned drainageway. The width of such drainage easement or right-of-way shall be reasonably sufficient to contain the ultimate channel and maintenance way of the tributary area upstream. Off-premise drainage easements and improvements may be required to handle the runoff of subdivisions into a natural drainage channel. Cross drains shall not be permitted on any streets, except local, unless otherwise approved by the Planning Commission.

6.3 *Alignment.* Lots and easements shall be arranged in such a manner as to eliminate unnecessary easement jogs or centerline off-sets, and to facilitate the use of easements for power distribution, telecommunications, gas, drainage, water, and sewer services.

SECTION 7 – PUBLIC UTILITIES

7.1 *Connection to public utilities required.* Where a public water or sewer main is within three hundred (300) feet of the external boundary of a property to be subdivided, the Subdivider shall connect with same and extend municipal water and/or sewer throughout the subdivision. All water mains, sanitary sewers and laterals, and storm sewers shall be installed as necessary to minimize the future cutting of the pavement and any street, sidewalk, or other required pavements. The developer shall be responsible for coordinating with the appropriate power, phone, gas, and other utility service provider and shall pay all associated fees, installation charges, service charges or other service costs required by the utility service provider. When located along the street, utility poles, hydrants, and signs shall be at least 2 feet 6 inches back of the face of the curb or 4 feet 6 inches back of pavement edge or edge of the surface when curbs are not installed.

7.2 *Water mains.* Water mains properly connected with the community water supply system shall be constructed in such a manner as to adequately provide for domestic use on all lots shown on the subdivision plat. The size of water mains, the location and type of valves and hydrants, the amount of soil cover over the pipes, and other features of installation shall be approved by the applicable Water Board and shall conform to accepted standards of good practice for municipal water systems. Water distribution systems shall be certified by the Lineville Fire Department as to their adequacy for fire protection. They shall meet or exceed the minimum standards set by the National Board of Fire Underwriters. If public water service is not available, each lot in a proposed subdivision shall be served by a community or private well that has been approved by the County Health Department. Such

well shall be installed under the supervision of and inspected by the applicable Water Department.

7.3 *Fire plugs and fire ponds.* Fire plugs shall be installed along each street every 1,000 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. The Planning Commission may, at the recommendation of the Fire Chief, require a Subdivider to construct a fire pond within large subdivisions--consisting of at least twenty (20) lots--that, in the opinion of the Fire Chief, lack adequate nearby water supplies for fire suppression. The size of any required fire pond may be determined by consulting National Fire Protection Association Codebook 1231, *Water Supplies for Suburban and Rural Fire Fighting*.

7.4 *Sanitary sewers.* Sanitary sewers shall be installed in each subdivision, in full compliance with the policies and requirements of the applicable public sewer board. All sanitary sewer lines shall be installed in such a manner as to adequately serve all lots. On-site septic systems may be permitted in lieu of sewer lines wherever sanitary sewerage will not be available within a reasonable period of time. Special approval for on-site septic systems must be obtained from the applicable County Health Department. Where on-site septic systems will be utilized for sewage treatment, individual lot sizes within the subdivision shall not be less than the minimum standard and of satisfactory size for the proper installation of a septic tank sewerage system as indicated by percolation tests.

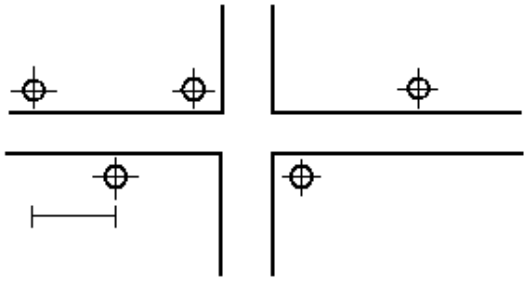
7.5 *Oversized facilities.* The City Council may participate in the cost of "oversized" improvements within a subdivision, if in its judgment such oversized improvements are necessary to serve large areas of land not in the subdivision, and if the cost of such oversized improvements is an unreasonable burden on the Subdivider. Where the need for City participation in the expansion of public facilities arises during review and approval of a proposed subdivision, the Planning Commission shall prepare a written request to the City Council seeking such approval and reporting the Planning Commission's formal recommendation on the need.

7.6 *Underground utilities.* Power, phone, gas, and other utilities providing service to residential dwellings within a subdivision shall be located entirely underground, with the exception of existing or new three-phase lines transmitting 20,000 volts or more. The installation shall be in accordance with the respective utility's specifications and procedures and shall comply with all requirements of the applicable building codes and development ordinances enforced within the City of Lineville.

7.7 *Street lighting.* Street lights shall be required in all subdivisions. The cost for installation and maintenance within the Utilities Board, City of Lineville service territory shall be the responsibility of the Utilities Board. Any developer requesting a non-standard installation will be required to pay in advance the applicable unit price per fixture and pole, and shall also document to the Utilities Board the establishment of an acceptable mechanism to ensure the perpetual operation and maintenance of said non-standard facilities. All street lighting fixtures shall be installed on poles at a height above grade as recommended by the

manufacturer of each, and shall comply with the minimum standards of the applicable utility. Street lights shall be spaced on alternating sides of each continuous street at a uniform distance not to exceed thee hundred (300) feet between each fixture. Each street intersection or railroad crossing shall be lighted by installing one pole and fixture on each corner, with a ratio of one light to every to street corners (e.g., a tee intersection, having two street corners, would require one pole and light, while a four-way intersection, having four corners, would require two poles and two lights, etc.). See example in Figure SDR 7.

FIGURE SDR 7. Placement of Street Lights
300 ft. placement between poles



SECTION 8 – STREET TREES

Mature street trees (in excess of ten [10] inches diameter breast height [dbh]) are an important visual icon for small, rural communities and an attractive amenity for residential neighborhoods. They also contribute significantly to the street appeal of a development, and the retention and use of mature deciduous trees can promote energy efficiency. Although not required by these standards, the planting and retention of street trees is considered a duty of the Subdivider as well as good business practice. Therefore, the City of Lineville urges all subdividers to retain as many existing mature trees within or along the proposed subdivision site as is possible. It is further recommended that new trees be planted (5) feet inside (or behind) property lines where they will enjoy favorable conditions for growth and be less subject to injury from automobile accidents or excessive trimming. If trees are to be planted within a planting strip in the right-of-way, their proposed locations and species to be used must be approved by the Planning Commission, since the public inherits the care and maintenance of such trees.

SECTION 9 - STORMWATER DRAINAGE AND MANAGEMENT

Stormwater drainage and flooding are important considerations in subdivision design. Stormwater runoff causes soil erosion and results in increased contamination and sedimentation of public waters. Flooding represents a serious hazard to lives and property. Therefore, no final plat approval of a development site shall be granted by the City until the developer has complied

with all applicable requirements of this Section. The City may request assistance from the Natural Resource Conservation District or other qualified experts in evaluating the applicant's proposed measures to comply with these requirements.

9.1 *ADEM permit required.* It shall be the developer's responsibility to secure compliance with all applicable Alabama Department of Environmental Management (ADEM) Construction Stormwater Management Administrative Code rules, as amended, and/or any applicable ADEM construction site permit requirements, which are designed to prevent/minimize, to the maximum extent practicable, the discharge of sediment and other pollutants in construction stormwater runoff to ensure the protection of water quality in accordance with applicable Federal and State law. Applicants subject to this requirement shall provide evidence that a stormwater discharge permit has been issued by ADEM prior to approval by the Planning Commission of a Preliminary Plat.

9.2 *Drainage plan required.* A drainage plan shall be prepared and submitted by the owner's Engineer, Architect, Landscape Architect, or Surveyor for each proposed subdivision . Such plan shall consider the ultimate or saturated upstream development, as may be contemplated by the Lineville Comprehensive Plan, of the major drainage channel(s) in which the proposed subdivision is located. Adequate provisions shall be made to provide drainage easements needed within the subdivision, taking into consideration the saturated development of the tributary area. Engineering preference shall be given to gravity flow drainage improvements. The plan also shall incorporate appropriate best management practices to minimize soil erosion and sedimentation impacts both during (short-term) and after (long-term) construction. The Planning Commission may waive or reduce the requirements for a drainage plan for residential subdivisions of twenty (20) or fewer lots, provided that the Subdivider can document that adequate stormwater drainage facilities exist to serve the proposed development and any potential future resubdivision of the site.

9.3 *Design storm event.* Each subdivision shall contain adequate stormwater management facilities (detention or retention basins, drainage ways, storm drains, etc.) to accommodate on-site and safely release or transmit the runoff that would be generated by a twenty-five (25) year storm event, without causing an increase or surge in the volume and velocity of off-site peak stormwater runoff over the pre-development state.

9.4. *Creative and innovative polluted runoff management practices.* Subdivision drainage plans should, to the greatest feasible extent, incorporate creative and innovative design to minimize the impacts of polluted runoff on the environment. Such design features may include, but are not limited to, undisturbed natural buffers between impervious surfaces and adjoining streams and drainageways, maximum retention of existing mature trees on building lots, the use of seeded shallow "V" drainage swales (with stabilized cut slopes not to exceed a ten [10] percent grade) rather than concrete curb and gutter, the use of porous pavement surfaces for parking lots, service roads, alleys, and cul-de-sacs, the use of crushed gravel or turf parking areas for small parking lots or spillover parking areas, and the creation of wetlands for stormwater detention and retention, and other practices as may

be appropriate to address on-site stormwater drainage needs. Such creative and innovative design features should be used in the following development settings;

A. where they will be compatible with existing off-site stormwater management infrastructure improvements serving the drainage basin, and

B. where appropriate to adequately and safely accommodate the stormwater runoff that would be generated by the proposed level of impervious surfaces without the need for excessive perpetual maintenance.

9.5 *Tie-in required.* All proposed drainage improvements shall tie into any existing man-made or natural drainageways along the existing public streets adjoining the development site. Under no conditions shall stormwater drainage be emptied into the sanitary sewer system or vice-versa.

9.6 *Lot Drainage Standards.* The following design requirements for lot drainage shall be satisfied in each Stormwater Management Plan:

A. A positive slope of finish grade shall be provided around each structure to direct water away from all foundations, slabs, or footings;

B. Side lot swales shall be utilized, as necessary, to direct lot drainage into public drainage improvements or easements;

C. Roof drains shall be utilized to prevent soil erosion and to prevent the accumulation of stormwater runoff along structure foundations and footings. Such drains shall be directed away from structures and into swales or other drainage facilities;

D. All driveway and service drive piping shall be installed on an appropriate grade to prevent standing water.

9.7 *Erosion and Sediment Control.* The following erosion and sediment control measures shall be observed for the construction and maintenance of all stormwater management facilities:

A. Roadside ditches, swales, and embankments within each dedicated right-of-way or drainage easement shall be properly stabilized in accordance with applicable Best Management Practices to prevent excessive erosion from cut slopes;

B. It shall be the developer's responsibility to provide the necessary measures to ensure that clearing, grubbing, grading, landscaping, and other construction activities do not adversely affect the drainage structures that are essential to overall stormwater management and control;

C. It shall be the developer's responsibility to ensure proper implementation, regular inspection, and continual maintenance of effective Best Management Practices for construction site erosion and sediment control;

D. It shall be the developer's responsibility to promptly remove and/or remediate, to the extent practicable, any off-site sediment from the development site that is washed or deposited into municipal stormwater drainage facilities.

9.8 *Conditions for requirement of curb and gutter.* Concrete curbs and gutters may be required by the Planning Commission on both sides of all new streets within the City limits where any of the following conditions have been determined to exist:

A. The topography, extensiveness of impervious surfaces, and/or soils in the vicinity of the proposed subdivision site are not generally conducive to the use of stabilized drainage ditches or swales due to the degree of erosion and sedimentation that would occur during a design storm event or the potential for standing water within proposed draining ditches or swales.

B. Alternative stormwater drainage measures would not be compatible with existing curb and gutter improvements serving or adjoining the proposed subdivision site.

C. Adequate right-of-way width is not available to accommodate alternative stormwater drainage measures.

D. Alternative stormwater drainage measures will not provide sufficient protection to the improved street surface sub-base from excessive water intrusion.

9.9 *Curb and gutter standards.* When required, concrete curbs and gutters shall be a minimum of eighteen (18) inches lateral total dimension. In no case shall the size of a pipe used for storm drainage be less than fifteen (15) inches in diameter. Concrete curbs shall have a minimum strength of three thousand (3,000) pounds per square inch. Storm sewers and drainage structures shall be designed and installed where curbs and gutters are required in accordance with good engineering practice. Adequate drainage facilities for collector streets may be achieved through the use of a standard concrete vertical curb with spill gutter. Concrete rolled curbs may be used to provide drainage facilities for minor streets. Additional drainage structures may be required by the Planning Commission, as may be recommended by the City Engineer.

9.10 *Additional drainageway improvements.* Adequate provision shall be made in all street improvements for culverts, pipes, headwalls, drains, and drop inlets. Required storm pipes shall be designed to maintain a water flow velocity equal to or greater than three (3) feet per second. At a minimum, storm pipe inlets or drains shall be located in all sump locations not designed as detention or infiltration facilities and at all low points on vertical sag curves. A manhole or inlet with access shall be placed at maximum distances

of eight-hundred (800) feet and at all changes in pipe size, grade, or alignment on straight runs, and at all storm pipe intersections, except roof drains.

9.11 *Alternative drainageway improvements.* Subdividers may seek approval from the Planning Commission to utilize creative and innovative stormwater management features, as referenced in Section 9.4 above, in lieu of concrete curbs and gutters. Subdividers also may request special permission to utilize inverted street surface crowns to satisfy stormwater drainage needs for cul-de-sac streets and alleys that do not exceed six hundred (600) feet in length and are specifically designed to maintain a constant slope of not more than six (6) percent nor less than one (1) percent in grade. Where inverted surface crowns are utilized and adequately tied into existing or proposed stormwater drainage facilities along adjoining streets, all curb and gutter requirements for stormwater drainage along such cul-de-sacs and alleys may be waived. All requests to utilize creative and innovative stormwater management measures must be submitted in writing, and must be accompanied by appropriate documentation to justify that the conditions stated in subparagraphs A and B of Section 9.4 above exist and are applicable to the proposed subdivision.

9.12 *Stormwater management on privately owned common open space lands.* Where any stormwater management improvements are to be constructed on common open space lands within the development, such improvements shall be subject to special maintenance provisions as required in Section 10 (Common Open Space Requirements) of this Article. The City of Lineville shall assume no responsibility or liability for the continued, maintenance, improvement, or repair of privately owned stormwater management facilities.

9.13 *Areas subject to flooding.* Low areas subject to periodic flooding shall not be developed or subdivided unless and until the Planning Commission establishes that:

A. The nature of the land use (i.e., recreational areas) would not lend itself to damage by water inundation to an appreciable extent;

B. The area may be filled or improved in such manner to prevent such periodic inundation; or

C. Minimum floor elevations be required to prevent damage to building and structures.

9.14 *Suitability of the Land*. Land which the Planning Commission has found to be unsuitable for subdivision due to flooding, poor drainage, steep or undesirable slopes, rock formations, or other features which may prove harmful to the safety, health, and general welfare of future residents shall not be subdivided unless adequate methods are formulated by the developer for meeting the particular problem or problems involved. Corrective methods proposed shall be reviewed and approved by the Planning Commission.

SECTION 10 - COMMON OPEN SPACE REQUIREMENTS

Within subdivisions where common open space is required or will be provided by a Subdivider, the following requirements shall apply:

10.1 *Access to common open space.* Open space should be distributed throughout the development so that all lots within the subdivision shall have either direct access or access from an improved public right-of-way or easement to such areas. Common open space lands shall be designed to permit access for maintenance without the need to cross private lands. Where common or public lakefront open space is provided within a proposed subdivision, such lands shall be afforded convenient vehicular and pedestrian access from all lots within the subdivision. Such access may be provided through a combination of streets and greenbelt easements.

10.2 *Minimum size of subdivision.* No subdivision containing fewer than twenty-five (25) lots or units shall contain common open space lands, unless such common lands are deemed necessary by the Planning Commission to provide and maintain required stormwater management improvements.

10.3 *Improvements prohibited from inclusion in common open space.* Common open space shall not include public or private streets, driveways, private yards, patios, parking areas, or utility easements, where the utilities within the easement would interfere with reasonable active or passive recreation uses. Sidewalks, playgrounds, and other outdoor recreational facilities, and ponds or lakes may be constructed within common open space lands, where adequate provisions are made for continued private maintenance of any such improvements. However, lakes, ponds, and similar areas may be accepted for city maintenance only if sufficient land is dedicated as a public recreation area or if such area constitutes a necessary part of the drainage control system. Such park areas are subject to approval by the Parks and Recreation Department of the City of Lineville.

10.4 *Management agreement for control and maintenance of common areas.* The City of Lineville shall bear no responsibility or liability for the continued maintenance, repair, or improvement of privately owned common open space lands. No lot or structure in a subdivision containing common or shared open space shall be sold until a corporation, association, property owner's group or similar entity has been formed. Such corporation shall possess the right to assess all the properties which are jointly owned with interests in the common areas and facilities in the entire development, or in the tract which is a part of the entire development, to meet the expense of such entity. The corporation also shall be vested with authority to control, and the duty to regularly maintain (either directly or by contract), all of said mutually owned features of the development or tract portion thereof. In addition, the homeowner's association bylaws or rules shall contain provisions authorizing the local government to maintain said open space at the association's expense and upon fifteen (15) days advance written notice, if the association has not properly maintained any or all open space entrusted to it. Such entity shall operate under recorded conditions, covenants, and restrictions which may include compulsory memberships of all

owners of lots and/or dwelling units, and flexibility of assessments to meet the changing costs of maintenance, repairs, and services. The Subdivider or developer shall submit evidence of compliance with these requirements to the Planning Commission prior to approval of a Final Plat.

SECTION 11 - BOUNDARY MARKERS

11.1 *Boundary markers required.* The applicant shall place permanent boundary markers or monuments for reference in any approved subdivision as required herein. All required monuments shall be properly set in the ground and approved by a Registered Land Surveyor prior to recording of the Final Plat.

11.2 *Street boundary markers.* Monuments shall be located on street right-of-way lines, at street intersections, angle points of curves, and lot corners. They shall be spaced so as to be within sight distance of each other, the sight lines being wholly contained within the street limits.

11.3 *External boundary markers.* The external boundaries of a subdivision shall be mounted in the field by monuments of stone or concrete, not less than twenty-four (24) inches in length, not less than four (4) inches square or five (5) inches in diameter, and marked on top with a cross, brass plug, iron rod, or other durable material securely embedded; or by iron rods or pipes at least twenty-four (24) inches long and at least one (1) inch in diameter. These monuments shall be placed not more than fifteen-hundred (1,500) feet apart in any straight line and at all corners, at the end of all curves, at the point where a curve changes its radius, at all angle deflection points in any line, and at all angle deflection points along the meander line, said points to be not less than twenty (20) feet back from the bank of any river or stream, except that when such corners or points fall within a street, or proposed future street, the monuments shall be placed in the side line of the street. The top of the monument shall be set flush with the finished grade.

11.4 *Internal boundary markers.* All internal boundaries and those corners and points not referred to in the preceding paragraph shall be mounted in the field by iron pipes at least three-quarters (3/4) of an inch in diameter and at least twenty-four (24) inches long as described above. These monuments shall be placed at all block corners, at each end of all curves, at a point where a river changes its radius, and at all angle points at any line. All such markers shall be set flush with the finished grade.

11.5 *Stream bank boundary markers.* The lines of lots that extend to rivers or streams shall be monumented in the field by iron pipes at least thirty (30) inches long and three-quarters (3/4) of an inch in diameter or by round or square iron bars at least thirty (30) inches long. These monuments shall be placed at the point of intersection of the river or stream lot line, with a meander line established not less than twenty (20) feet back from the bank of the river or stream.

SECTION 12 - MISCELLANEOUS SUBDIVISION OR TRACT DEVELOPMENT

Other types of subdivision or tract development may be allowed by the Planning Commission when such subdivisions or developments come under the provisions of these regulations and are in keeping with their purpose and intent, and are consistent with the general requirements specified in Sections 1 and 2 of this Article.

12.1 *Large Tracts or Parcels.* When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of streets in the future and for logical future resubdivision.

12.2 *Group Housing Developments.* A comprehensive housing development, consisting of two (2) or more buildings including all necessary drives and ways of access on not less than four (4) acres of land and which may not be subdivided into the customary lots and blocks, may be approved by the Planning Commission, if departure from the foregoing standards of these Regulations can be made without destroying their intent. A detailed site plan for all such developments shall be submitted to and approved by the Planning Commission in accordance with the standard subdivision review and approval procedures specified in Article IV of these Regulations whether or not a subdivision plat will be recorded. No building permit for a group housing development shall be issued until said detailed site plan has been approved by the Planning Commission.

12.3 *Commercial and Industrial Subdivisions*. Subdivision of land for commercial or industrial purposes shall conform to the provisions of these regulations and street development shall conform to the Sketch Thoroughfare Plan. In addition, all non-residential subdivisions shall be reviewed and approved by the Planning Commission in accordance with the applicable requirements of the Zoning Ordinance. Lot sizes shall be large enough to provide for necessary off-street parking and loading requirements.

12.4 *One Lot Sell-Off Provision*. When a residential lot is being subdivided out of a large tract of land, the Planning Commission may approve such subdivision *only* if the following conditions are met:

A. Only one lot is being subdivided and *no other lots have been previously sold* from the tract.

B. No conflict exists with the proposed subdivision and the Sketch Thoroughfare Plan and no new streets or roads are required to access either lot.

C. Three (3) copies of the Final Plat are provided which meet the applicable requirements of these regulations.

12.5 *Mobile Home Subdivision*. Plans for the development of a mobile homes subdivision or "Trailer Park" shall include the same minimum requirements and be subject to the same regulations and or restrictions as a general subdivision development and shall be approved

by the Zoning Ordinance, the Health Department, the Community Facilities Plan, and any other affected municipal plan, regulation, or ordinance. (For all practical purposes a mobile home subdivision shall consist of two (2) or more mobile homes or trailers).

In addition to the minimum requirements for conventional-type subdivisions, Article III, herein, the following shall be provided for mobile home subdivisions located within the Planning Jurisdiction:

A. All lots shall have a minimum area of 3,200 square feet.

B. Minimum street frontage shall be forty (40) feet.

C. An outdoor living area or terrace of four (4) inch thick concrete, flagstone, tile or other approved material, 10 ft. x 20 ft. in length shall be constructed at the main or front entrance to each mobile home unit.

D. Off-street vehicular parking with provisions for parking one (1) vehicle at each mobile unit, and graded and drained as per conventional access.

E. Planting screens of monumental height of frontal streets.

F. Regular garbage collection service.

SECTION 13 - PERFORMANCE BONDS

Improvement responsibilities and assurances may be required by the City to ensure the proper installation of required subdivision improvements prior to approval of a Final Plat. The nature and duration of any arrangement requiring the documentation of improvement responsibilities and assurances shall be structured to achieve this goal without adding unnecessary costs to the developer. Before construction activities in accordance with an approved Preliminary Plat may be undertaken, or as a condition of Preliminary Plat approval, the City may approve and shall accept the following assurances, when required by the Planning Commission.

13.1 *Value of improvement assurance.* The furnishing of a performance assurance in an amount determined by the City Engineer not to exceed one-hundred twenty (120) percent of the estimated or projected cost of proper construction or installation for the required improvements.

13.2 *Extensions.* The time allowed for the installation of the improvements for which the performance assurance has been secured may be extended by the Planning Commission by resolution, provided that the applicant has demonstrated a good faith effort to complete the improvements in accordance with the approved construction schedule and that the need for the extension is caused by factors beyond the exclusive control of the developer.

13.3 *Review and release.* Upon substantial completion of all required improvements, the developer may notify the City Engineer, in writing, that such substantial completion has taken place. The City Engineer, or his/her designated agent, shall be afforded an opportunity to inspect all improvements to assure compliance with applicable standards. The City Engineer shall prepare and file a report on the status of the affected improvements. If approved, the City Engineer may notify the developer in writing that the specified improvements satisfy all applicable requirements. If only partially approved, or disapproved, the City Engineer shall notify the developer in writing regarding any deficiencies concerning specified improvements, and shall indicate any corrective action to be taken. If, however, an inspection reveals that the improvements were not constructed in accordance with the Preliminary Plat or any specific changes to the Preliminary Plat that were formally approved by the Planning Commission and the developer has not corrected the deficiency, then the City shall be authorized to undertake remedial work or may complete the defective improvement in accordance with the approved Preliminary Plat, the City's cost for which shall be paid in full by the performance bond. The City also may utilize the funds secured by the performance bond to complete subdivision improvements shown on the approved Preliminary Plat where the developer has abandoned or failed to complete the improvements. Where the City has undertaken such remedial work activities, the developer shall not seek nor receive reimbursement of the performance bond funds necessary to cover the City's costs for the remedial work. Where partial approval is granted, the developer may be released from financial liability for only those portions of the improvements that have been satisfactorily completed and approved.

13.4 *Performance and maintenance mechanisms.* Performance and maintenance assurances may be provided by a variety of means including, but not necessarily limited to, the following.

A. *Security bond.* The applicant may obtain a security bond payable to the City, which has been countersigned by a surety bonding agent licensed to do business in the State of Alabama.

B. *Cash.* The applicant may deposit cash, or other instrument readily convertible into cash at face value, either with the City or in an escrow account with a bank approved by the Planning Commission. Any accrued interest on the cash principal shall be payable to the Subdivider.

C. *Letter of Credit.* The applicant may provide an irrevocable letter of credit from a bank or other reputable institution approved by the Planning Commission. The letter of credit shall bind the developer and the bank, together with their heirs, executors, administrators, and successors to the City of Lineville.

D. *Property.* The applicant may provide as an assurance land or other real property to which clear title can be verified and validated by an affidavit. The market value of any property offered as an assurance substitute for a performance bond shall be established by an independent appraiser selected by the Planning

Commission, the cost for which shall be reimbursed in full to the City by the applicant. Where any question remains regarding the true market value of any property offered as a security, the Planning Commission may require a review appraisal conducted by an independent appraiser selected by the Planning Commission. The cost for any such review appraisal shall be reimbursed in full to the City by the applicant. When property is offered as a security for proposed improvements, the applicant shall:

1. Execute an agreement with the trustee, when it is not the Planning Commission, instructing the trustee to release the property to the City in the case of default. The agreement shall also state that the property may be released only upon the consent of the Planning Commission. The agreement shall be placed on file with the Planning Commission.

2. File with the Planning Commission an affidavit affirming that the property to be used as a guarantee is free and clear of any encumbrances or liens at the time it is to be placed into trust.

3. Execute and file with the Planning Commission an agreement stating that the property to be placed into trust as an improvement guarantee will not be used for any other purpose or pledged as a security in any other matter until it is released by the Planning Commission

4. Not request any release of title until all improvements secured by the property have been completed in satisfaction of the City as stipulated in this section.

ARTICLE IV
ADMINISTRATION AND APPLICATION PROCEDURES

SECTION 1 - ADMINISTRATION

The Lineville Planning Commission is hereby authorized and directed to adopt, administer, and amend these Regulations. Final approval of plats and other supporting plans and documentation shall be the responsibility of the Planning Commission, as prescribed by Alabama law. The Zoning Enforcement Officer is hereby authorized and directed to enforce all provisions of these subdivision regulations.

SECTION 2 - GENERAL PROCEDURES

The Lineville Planning Commission recognizes the complexity of the subdivision design, review, and approval process, and desires to make the process as expedient and easy as possible, without compromising the quality of approved developments. This Section provides an outline of the recommended and mandatory steps involved in the subdivision design, review, and approval process. It has been designed to serve as a general procedural checklist and to help Subdividers understand the essential relationships between various steps in the process. Additional submission and procedural requirements for specific steps in the review and approval process are explained in detail in subsequent Sections of this Article.

2.1 *Subdivider develops design scheme.* The subdivision design, review, and approval process begins with the initial development of a design scheme for a proposed subdivision. At this point in the process, no formal action by the Subdivider or the City is required. However, the Subdivider should consult the City's Comprehensive Plan, Zoning Ordinance, Flood Damage Prevention Ordinance, and Subdivision Regulations to understand the process and ensure that the applicable requirements can be satisfied. The Subdivider may desire to select a qualified engineer, architect, or surveyor to assist with the development of design plans, but it is not necessary to begin preparing formal plans at this point in the process.

2.2 *Pre-application conference.* The purpose of a pre-application conference is to help the applicant understand the review process, consider potential public concerns, and prepare a successful application. A general discussion of the City's code requirements with City staff *prior* to submission of a formal application can help the Subdivider reduce subdivision plan preparation costs and negotiate the review process more efficiently. In no instance shall a pre-application conference be conducted or accepted in lieu of a required formal application, and the procedural recommendations resulting from the conference are not binding upon the Subdivider, unless and until they are specifically required by the Planning Commission. No formal application or fee shall be required for a pre-application conference. However, applicants are strongly encouraged to bring a simple or crude conceptual sketch of the proposed subdivision to the conference to serve as a basis for discussion.

2.3 *Obtain and complete formal application.* Once the Subdivider fully understands the process and the applicable design requirements that must be satisfied, a formal application for Preliminary Plat review and approval can be prepared and submitted. At this point, the Subdivider may wish to utilize the services of a qualified professional engineer, architect, or surveyor to assist in the preparation of a Preliminary Plat and all required supporting documents. The Subdivider also should initiate the process of obtaining approval from the proper cognizant authorities for required infrastructure and services as may be needed or required to support the proposed subdivision. Once the necessary supporting documents, plans, permits, and materials have been prepared or secured in accordance with these Regulations, the Subdivider may submit the required Preliminary Plat application form and fees.

2.4 *Review of Preliminary Plat application.* When the Subdivider submits a formal application for Preliminary Plat review and approval, the Zoning Enforcement Officer must review the application for completeness. Where the Subdivider has participated in a voluntary pre-application process, the Zoning Enforcement Officer may be able to complete this review more quickly than would be possible if the Zoning Enforcement Officer is totally unfamiliar with the proposed subdivision. Once the Zoning Enforcement Officer verifies that the application is complete and that all necessary supporting documents, plans, permits, and materials have been submitted, the application will be deemed complete and the formal review and approval process can be initiated. No application for Preliminary Plat review and approval shall be deemed complete unless accompanied by both the required fee paid in full and by the names and mailing addresses of the owners of all lands immediately adjoining the subdivision site boundaries as their names appear upon the plats in the county tax assessor's office and their names appear in the directory of the municipality or the county.

2.5 *Review scheduled and public hearing advertised.* Once the application for Preliminary Plat review and approval has been accepted by the City of Lineville as complete, the application will be scheduled to be received by the Planning Commission at the conclusion of the required public hearing. The required public hearing shall be conducted at next available regularly scheduled meeting that will occur not less than fifteen (15) days after the date that the application has been formally accepted as complete by the Zoning Enforcement Officer. The City of Lineville will publish a notice of the scheduled hearing in a newspaper of general circulation in the City and will send copies of the notice by registered or certified mail to the addresses of all abutting land owners at least six (6) days prior to the scheduled date of the hearing. During this notification period, the Zoning Enforcement Officer may conduct a staff review of the Preliminary Plat and consult with other supporting staff to ensure compliance of the Plat with the applicable codes, ordinances, and regulations of the City.

2.6 *Preliminary Plat review hearing.* The Planning Commission shall conduct a formal public hearing prior to approval of a Preliminary Plat. The Planning Commission may stipulate specific rules of conduct for the public hearing in order to ensure adequate, fair, and

balanced opportunities for public comments to be heard. At the hearing, the Planning Commission shall formally receive the complete application for Preliminary Plat review and approval and shall receive public comments regarding the proposed subdivision. The Planning Commission may debate issues raised by the public comments, but also shall afford the Subdivider an opportunity to respond to specific public concerns regarding the proposed subdivision. The Planning Commission also may request additional information from the Subdivider during the public hearing in order to address concerns raised by the public regarding the conformity of the proposed subdivision plan with the requirements of applicable City codes, ordinances, and regulations. If the requested information cannot be provided at the hearing, the Planning Commission may for one time only continue the public hearing at a later date, not to exceed the next regular meeting, to provide the Subdivider with the additional time needed to provide the requested information. After all public comments and necessary additional information about the proposed subdivision have been received, the Planning Commission shall close the hearing. The closing of the required public hearing by the Planning Commission shall constitute the official receipt of the Preliminary Plat by the Planning Commission, thereby triggering the statutory thirty (30) day deadline for a final decision on the submitted Preliminary Plat. The Planning Commission shall maintain a written record of the comments received and issues discussed during the public hearing.

2.7 *Planning Commission decision on Preliminary Plat.* The Planning Commission shall decide to approve or deny the Preliminary Plat within thirty (30) days of the date that the public hearing was closed. The Planning Commission may place specific conditions upon the approval of a Preliminary Plat as may be deemed appropriate and necessary to ensure compliance with these Regulations or any other laws, codes, ordinance, or regulations enforced by Federal agencies, the State of Alabama, Clay County, and the City of Lineville. The specific grounds for approval or disapproval by the Planning Commission shall be duly recorded in the minutes of the Planning Commission, and shall be provided to the public upon request. If the Planning Commission fails to approve or deny the Preliminary Plat within the required thirty (30) day period, the Preliminary Plat shall be deemed to have been approved in accordance with Title 11, Chapter 52, Section 32 (a) of the Code of Alabama, 1975, as amended, unless the Subdivider has provided the Planning Commission with written consent for an extension of the required thirty (30) day review deadline. Once the deadline for a formal decision from the Planning Commission has lapsed, a certificate to that effect shall be issued by the Planning Commission on demand by the Subdivider.

2.8 *Review and approval of Preliminary Plat by City Engineer.* Once the Planning Commission has formally approved the Preliminary Plat or has issued a certificate stating that the deadline for a final decision on the Preliminary Plat has lapsed, the Subdivider must submit the approved Preliminary Plat to the City Engineer for review and approval in accordance with Title 11, Chapter 52, Section 30 (b) of the Code of Alabama, 1975, as amended. The City Engineer, or in his/her absence, the acting County Engineer, shall review the Preliminary Plat for compliance with the applicable County subdivision

regulations, and may require such additional conditions or Preliminary Plat approval as may be necessary to ensure proper compliance with the applicable County Subdivision Regulations.

2.9 *Securing of performance bond and initiation of construction work.* Once the City Engineer has formally approved the Preliminary Plat, the Subdivider must comply with any applicable requirements for a performance bond as required in Article III, Section 13 of these Regulations and as stipulated by the approved Preliminary Plat. Once a performance bond has been secured to the satisfaction of the City, the Subdivider may begin work constructing the subdivision improvements as shown on the approved Preliminary Plat. If, during the process of constructing the subdivision improvements, circumstances arise that require a significant change in the subdivision design including, but not necessarily limited to, alterations in lot dimensions or sizes, changes to planned subdivision build-out schedules, or changes in the locations or nature of planned infrastructure improvements or street design, the Subdivider shall appear before the Planning Commission and request formal approval of said changes *prior* to actual construction. If the proposed changes require the issuance of a variance, a proper application for variance shall be forwarded to the Planning Commission for review and approval.

2.10 *Inspection and review of construction work.* During and throughout the construction process, the Subdivider shall provide adequate opportunities for inspection of the construction work by the Zoning Enforcement Officer to verify compliance with the Preliminary Plat and any applicable laws, codes, ordinances, and regulations. The Zoning Enforcement Officer may be accompanied by such other public officials as may be necessary to ensure compliance with the applicable laws, codes, ordinances, and regulations. However, approval of any or all site inspections shall in no way constitute, imply, or substitute for formal approval of a Final Plat.

2.11 *Release of performance bond.* Once construction of all improvements shown on the Preliminary Plat has been completed and duly inspected and approved by the City, the Subdivider may request formal release of any required performance bond in accordance with Article III Section 13.3 of these Regulations. If, however, an inspection of required improvements reveals that the improvements were not constructed in accordance with the Preliminary Plat or any specific changes to the Preliminary Plat that were formally approved by the Planning Commission, then the City shall be authorized to undertake remedial work or may complete the defective improvement in accordance with the approved Preliminary Plat, and the Subdivider shall not seek nor receive reimbursement of the performance bond funds necessary to cover the City's costs for said remedial work. Where the Planning Commission has approved a Preliminary Plat for a subdivision, the Subdivider must complete all construction work in accordance with the provisions of this Section and submit a Final Plat to the City for approval by the Planning Commission within the deadline prescribed by the Planning Commission under the terms of Section 4.6 of this Article.

2.12 *Final Plat review and approval.* Before the Subdivider may sell or transfer ownership of any lots within a subdivision, a Final Plat shall be approved by the Planning Commission and duly recorded. Said Final Plat shall show all improvements as they have been built and approved by the City. The Final Plat also shall note any deviations from the approved Preliminary Plat. The Planning Commission shall review the Final Plat for completeness and issue approval for official recording or request specific changes prior to official recording. No Final Plat shall be filed or recorded in the office of the County Probate Judge until such time as the Planning Commission has officially approved and certified said Final Plat. No sale or transfer of land within the subdivision shall occur until a Final Plat has been approved and certified by the Planning Commission and duly recorded by the Subdivider in the office of the County Probate Judge.

2.13 *Recording of Final Plat.* Once the Planning Commission has approved and signed the Final Plat, the Subdivider shall present the plat to the City Engineer for final approval prior to filing. Once the City Engineer has signed the final plat, the subdivider shall file and record said Plat in the office of the County Probate Judge. Once the Final Plat has been officially recorded, the Subdivider may sell or transfer lots or land within the subdivision, and the review and approval process is complete.

SECTION 3 - PRE-APPLICATION CONFERENCES

All pre-application conferences shall be governed by the following procedures.

3.1 *Timing.* A voluntary pre-application conference may be arranged between the applicant and the City Planner for any subdivision application. Such a conference shall occur at least twenty-four (24) hours prior to the submission of a formal application for Preliminary Plat review and approval. Pre-application conferences for subdivisions consisting of fifty (50) or more lots or involving non-residential or mixed land uses shall occur at least five (5) regular business days prior to the submission of a formal application for Preliminary Plat review and approval. All persons who desire to relocate one or more boundary lines between two or more adjoining lots of record are strongly encouraged to request a pre-application conference, to ensure that the proposed lot line adjustment will not create a nonconforming lot or structure.

3.2 *Scope of Consultation.* Any discussions and recommendations that result from a pre-application conference shall be non-binding on both the Subdivider and City, and shall not represent or constitute an indication of the City's predisposition in favor of or against a formal application. Subjects that may be discussed during a pre-application conference include, but shall not be limited to:

A. general code requirements that must be addressed in the application or preliminary plat;

B. general application review procedures and time frames;

C. additional permits or reviews that may be required for the proposed subdivision;

D. potential justifications for any variances that may be needed for the proposed subdivision;

E. any potential complications that could arise during the review process, due to the nature of the proposed subdivision or known conditions of the subdivision site; and

F. questions regarding the potential consistency or compatibility of the proposed subdivision plan with the Comprehensive Plan or any other code, plan, or ordinance administered by the City. Questions of this nature may require joint consultation with other City officials or administrators.

SECTION 4 - PRELIMINARY PLAT APPROVAL

4.1 *Timing and number of plat prints required.* The application for Preliminary Plat approval, including ten (10) prints or copies of the subdivision plans, shall be submitted to the Planning Commission at least fifteen (15) days prior to the date of the Planning Commission meeting at which it will be received.

4.2 *Consultation with other government entities during plat review.* The Planning Commission, before its formal public hearing and review, may transmit prints of the Preliminary Plat to any City or county department for review and recommendation in relation to specific service problems.

4.3 *Contents of and attachments to the Preliminary Plat.* The preliminary plat, which shall meet the minimum standards of design and the general requirements for the construction of public improvements set forth in these regulations, shall be composed of a preliminary sketch plan of the subdivision and prepared using an indelible ink at a scale of not more than one (1) inch equals one hundred (100) feet. The Preliminary Plat shall show the following:

A. A locus map showing the general location of the development site in relation to nearby streets, highways, and other major points of reference;

B. A title block identifying the proposed name of the subdivision, the total amount of acreage to be divided, the names, mailing addresses, and business and fax telephone numbers of the property owners and the plat preparer, the plat preparer's official certification or license seal, the preparation date of the plat, the tax map and lot number(s) as well as the deed book and page number of the subdivision property, the amount of acreage to be divided, the plat sheet or page number, an approximate north arrow, and a graphic scale;

C. The location of existing and platted or proposed property lines, streets, municipal boundaries, buildings, watercourses, sewers, culverts, drain pipes, street lights, water mains, and any proposed or existing public utility easements located within or not

more than fifty (50) feet from the boundaries of the subdivision site (including property line dimensions and proposed lot and block numbers);

D. The right-of-way boundaries of any railroads within or adjacent to the subdivision, or located within two hundred (200) feet of an intersection between a subdivision street and any street crossing the railroad at grade;

E. The proposed names, locations, widths, and other dimensions of proposed streets, alleys, easements, parks, common or public open space lands, reservations, intersection sight triangles, lot lines, and building lines;

F. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one (1) inch equals one hundred (100) feet horizontal and one (1) inch equals twenty (20) feet vertical, unless otherwise authorized by the City Engineer;

G. Sketches of typical cross-sections, centerline profiles, and curve data associated with drainage improvements;

H. Preliminary sketch plans of proposed utility layouts (sewer, water, gas, and electricity) and associated easements showing feasible connections, where possible, to existing and proposed utility systems;

I. The boundaries of any areas of special flood hazard or floodways, as may be required by City of Lineville Zoning Ordinance or other applicable Flood Hazard Area Regulations; and

J. A statement of the proposed land use of the lots.

K. A statement of all proposed easements or common open space lands to be platted within the subdivision, including a description of the provisions to be filed for management and control of any proposed common open space lands within the subdivision as required by Article III Section 10.4 of these Regulations.

L. A stormwater drainage and management plan as required in Article III Section 9.2 of these Regulations.

M. For all proposed subdivisions containing thirty (30) or more lots, a traffic impact study shall be prepared and submitted with the Preliminary Plat. The preparation cost of said traffic impact study shall be borne by the applicant. The traffic impact study shall determine the number of average daily vehicle trips and peak hour trips that will be generated by the proposed development (according to the latest edition of the Institute of Transportation Engineers' Trip Generation Manual) and assess the impacts that these trips will have on traffic volumes on all streets providing access to the subdivision and the resulting impacts on the peak hour level of service for all

impacted major intersections identified by the Enforcement Officer and/or City Planner. The study shall be prepared by a qualified consultant approved by the Planning Commission. The purpose of the traffic impact study and review by the Planning Commission shall be to determine the adequacy of the surrounding street network to safely accommodate potential traffic generated by the proposed development, as well as the need for special restrictions on the scale or intensity of the development, the need for special conditions of approval, which may include special curb cut requirements, special restrictions on access to the development site from affected streets, special traffic controls at the main entrance to the development site, and the construction of special acceleration or deceleration lanes at the entrance(s) to the development site.

N. A listing of the names and mailing addresses of all owners of land immediately adjoining the subdivision site as their names appear upon the plats contained in the County Tax Assessor's office and as their addresses appear in the directory of the municipality or on the tax records of the municipality or county.

O. The required filing and review fee paid in full.

4.4 *Additional information that may be required.* The Planning Commission may require topography sketches of the property for subdivision at contour intervals of not less than five (5) feet. They may also require supplemental data including: existing and proposed covenants, land characteristics, on-site septic system disposal permits from the County Health Department, and other required or necessary permit approvals.

4.5 *Record-keeping.* One (1) copy of the Preliminary Plat and all supporting documents shall be retained in the Planning Commission files, and one (1) copy shall be returned to the Subdivider at the time of approval or disapproval, with the specific notations of any changes or modifications required.

4.6 *Expiration of Preliminary Plat approval.* The City of Lineville desires and supports quality growth and development, and invests a significant level of paid and volunteer staff time assisting developers in preparing, reviewing, and approving development proposals. In recognition of the public investment, in terms of both time and cost, involved in the efficient and expeditious review of a Preliminary Plat, the City expects a good faith commitment from the Subdivider to efficient and expeditious construction of the proposed subdivision improvements in accordance with the approved Preliminary Plat. Therefore, approval of the Preliminary Plat shall expire twelve (12) months from the date of such approval, unless a Final Plat in conformance with the requirements of these Regulations is submitted. However, the Planning Commission may authorize an eighteen (18) or twenty-four (24) month deadline for submission of a Final Plat, as may be appropriate for very large subdivisions in excess of fifty (50) total lots. Where circumstances beyond the specific control of the Subdivider occur that require an extension of the Preliminary Plat approval expiration deadline, the Subdivider may apply to the Planning Commission for an extension not to exceed six (6) months. Where a Preliminary Plat approval has expired as

stipulated in this Section, the City may compel the Subdivider to abandon work on the subdivision until such time as the Planning Commission approves a new Preliminary Plat, or–where substantial work in compliance with the Preliminary Plat has been completed–the City may exercise its rights under Article III Section 13.3 of these Regulations to complete the subdivision improvements in accordance with the approved Preliminary Plat utilizing the funds secured by the performance bond.

4.7 *Limitations of Preliminary Plat approval.* The approval of a preliminary plat by the Planning Commission shall not constitute or imply acceptance of the final plat, which does not conform with the specific requirements in Section 5 of this Article. Approval of a Final Plat is required prior to the sale, lease, or transfer of ownership of any lot within an approved subdivision.

SECTION 5 - FINAL PLAT

5.1 *Final Plat required.* Upon completion of the proposed subdivision improvements shown on the Preliminary Plat, the Subdivider shall prepare a Final Plat showing the finished condition of the required improvements as they exist on the land. Construction work on the subdivision shall not be deemed complete until all of the subdivision improvements shown on the Preliminary Plat have been properly inspected and approved by the City of Lineville. The final plat shall conform to the Preliminary Plat as approved and/or modified by approval of the Planning Commission.

5.2 *Timing and number of plat prints required.* The original drawing of the Final Plat, along with three (3) copies (black and white or blue line prints), together with any street profiles or other plans which may be required by the Planning Commission shall be submitted at least fifteen (15) days prior to the date of the Planning Commission meeting at which it will be received.

5.3 *Contents of and attachments to the Final Plat.* The Final Plat shall be prepared by a licensed or certified engineer, architect, landscape architect, or land surveyor. The final plat for a minor subdivision, consisting of not more than ten (10) lots or parcels, may be drawn on sixteen (16) pound or heavier rag vellum. Final Plats for all other subdivisions shall be drawn on film. All Final Plat sheets shall measure twenty-four (24) by thirty-six (36) inches in size and shall be drawn using an indelible ink at a scale of not more than one hundred (100) feet to the inch. Where necessary, the Final Plat may be comprised of several sheets, accompanied by an index or cover sheet showing the entire subdivision. When more than one (1) sheet is required a key plan shall be provided as a reference for the component drawings. The Final Plat shall contain all of the following information:

A. Name and location of subdivision;

B. Name of owner and designer;

C. North point, graphic scale, preparation date (including revision dates), and primary control points, which shall be tied to land lot corner, street intersections, or, where possible, the Alabama State Plane Coordinate System;

D. Location, width, and name of all streets, roads and alleys and other rights-of-way;

E. Location of all blocks, streets, and lot lines, with all lot numbers in numerical order;

F. Sufficient data to determine readily and reproduce on the ground the location, bearing, and length of every road line, lot line, boundary line, block line, and building line, whether curved or straight, with accurate dimensions, bearings, or deflection angles, and radii, arcs, and central angles of all curves. The length of all dimensions shall be to the nearest one hundredth (1/100) of one (1) foot, and bearings of all angles to the nearest one (1) minute;

G. Minimum building setback lines on all lots and other sites;

H. Location, dimensions, and purpose of all easements;

I. Location and description of all monuments and iron pins;

J. Name and location of adjoining subdivisions, roads, and the ownership of adjoining unsubdivided property.

K. Location and description of drainage facilities.

5.4 *Required certifications.* The following certifications shall be presented along with the final plat;

A. Certification showing that the applicant is the legal owner of the land, and that he formally dedicates all street, rights-of-way and any other sites for public use;

B. Certification by a registered surveyor or engineer of the accuracy of the survey and plat, and the placement of all required monuments;

C. Certification by the City Engineer that the Subdivider has compiled with one of the following alternatives:

1. Installed all improvements according to the requirements of these regulations, or,

2. Posted a surety bond in the amount sufficient to assure the completion of all required improvements.

D. Certification of approval to be signed by the Chairman or Secretary of the Planning Commission;

E. A certification from the City Clerk indicating that sufficient bond has been posted;

F. A certification of approval by the County Health Department.

5.5 *Review and approval.* The Planning Commission shall review the Final Plat for completeness and issue approval for official recording or request specific changes prior to official recording. Where the Planning Commission has identified errors or omissions in the Final Plat, said Plat must be revised in accordance with the Planning Commission's requirements before it may be filed or recorded by the Subdivider. No lots or portion of the subdivision site may be sold or transferred until the Final Plat has been officially recorded.

5.6 *Record-keeping.* When the Final Plat has been approved by the Planning Commission, the original tracing, with the approval of the Planning Commission certified thereon and all other required certifications properly signed, shall be returned to the Subdivider for filing with the Probate Judge as the official plat of record. An additional copy of the Final Plat shall be returned to the Subdivider for his/her records, and one (1) copy shall be retained in the records of the Planning Commission. The Planning Commission must consider a final plat within thirty (30) days after meeting at which it was received. Failure of the Planning Commission to act on a Final Plat submission within these thirty (30) days shall be considered an approval of same. If the plat is disapproved, grounds for such disapproval shall be stated in writing in the official minutes of the Planning Commission.

5.7 *Limitations of Final Plat approval.* Approval of a Final Plat by the Planning Commission shall not constitute acceptance by the City of Lineville of any dedicated street or other public way or ground. The City of Lineville may withhold acceptance of any dedicated street for a period of one (1) year from the date of completion to ensure that the dedicated street shall be found to be free from defective workmanship or material and free from sink holes or other settling. The City Council may, in lieu of the waiting period, accept a one (1) year performance bond in a reasonable amount determined necessary by the City Engineer to ensure adequate repair and improvement of any defects in the construction of said dedicated street that may occur during the bonding period. After approval of the Final Plat, the construction of streets shown thereon, and the successful expiration or execution of any required maintenance guarantee as specified in this Section, the Planning Commission shall recommend to the City Council that it accept the dedicated public roads and assume their perpetual maintenance.

SECTION 6 - VARIANCES

Where the Planning Commission finds that extraordinary hardships may result from strict compliance with these regulations, due to unusual topographic or other conditions beyond the exclusive control of the Subdivider, it may vary the regulations so that substantial justice may be done and the public interest secured. However, any such variance shall not have the effect of

nullifying the intent or purpose of the Subdivision Regulations, Zoning Ordinance, Sketch Thoroughfare Plan or other elements of the Lineville Comprehensive Plan. Any variance thus authorized is required to be entered in writing in the minutes of the Planning Commission and the specific findings of fact which justify the variance also shall be duly recorded in the minutes.

SECTION 7 - VIOLATION PROCEDURES

Where a violation of the requirements of these Regulations has been identified, either by complaint or by City staff inspection, the following procedures shall be followed.

7.1 *Investigation.* If a complaint is received regarding an alleged violation of these Regulations, the Zoning Enforcement Officer shall investigate the complaint and document the extent of the violation.

7.2 *Initial notification of violation.* Once a violation has been confirmed and documented by investigation, the Zoning Enforcement Officer shall issue a stop work order (if applicable) and/or prepare a letter to the owner of record of the property stating the nature of the violation, the date that the violation was verified, and requiring that the property owner cure the violation within a specified number of days from the date that the letter was mailed. The deadline for correction of the violation shall be established by the Zoning Enforcement Officer with due consideration and respect for the nature of the violation, the amount of work necessary to correct the violation, and the need for expeditious remedy of the violation to prevent undue public impacts. However, in no instance shall the deadline for correction of the violation be less than fifteen (15) days nor more than thirty (30) days from the date that the letter was mailed. The letter also shall state that the owner must correct the violation, or the City will issue a citation. Finally, the letter shall afford the offending property owner an opportunity to schedule a meeting with the Zoning Enforcement Officer within five (5) business days to discuss objections to the violation or to make special arrangements to cure the violation. Such notification letter shall be sent to the property owner via certified mail, return receipt requested. The City may, at the discretion of the Zoning Enforcement Officer, send a copy of the letter to the Subdivider or tenant of the property (as the case may be) by first class mail.

7.3 *Re-inspection.* The Zoning Enforcement Officer shall, at the expiration of the prescribed deadline for correction of the violation, re-inspect the property for compliance with the notification of violation.

7.4 *Notice of citation.* If, upon re-inspection, the Zoning Enforcement Officer confirms that the violation has not been cured as ordered, the Zoning Enforcement Officer shall prepare a notice of citation, which shall be sent to the offending property by certified mail, return receipt requested. The notice shall state the date upon which the initial violation was confirmed, the nature of the violation (including references to the specific code provisions that have been violated), the required corrective measures, the dates upon which the initial notification of violation was sent and received, the time frame afforded to the property owner for correction of the violation, the date that the failure to correct the violation was

confirmed, and the amount of the applicable fine, which shall be calculated from the date of citation and full payment of which shall constitute an additional remedial action for correction of the violation. The notice also shall require the property owner to fully correct the violation within ten (10) days of the date of citation, or the owner will be required to appear before the Municipal Court, at a time and date to be determined by the Municipal Court, to answer the charge of violation as explained in the notice of citation.

7.5 *Court action.* If the Zoning Enforcement Officer confirms that the violation has not been cured within the time frame specified in the notice of citation, the Zoning Enforcement Officer shall file a written complaint for relief of the violation with the Municipal Court.

ARTICLE V
LEGAL PROVISIONS

SECTION 1 - VIOLATIONS AND PENALTIES

1.1 *Illegal sale or transfer of lots.* A violation of these Regulations shall occur in accordance with Title 11, Chapter 52, Section 33 of the Code of Alabama, 1975, as amended where the owner or agent of the owner of any land located within a subdivision subject to the requirements of these Regulations transfers, sells, agrees to sell, or negotiates to sell any land within a subdivision for which no Final Plat has been approved by the Planning Commission and duly filed and recorded in the office of the County Probate Judge. Any such violation shall be punishable by a fine of one hundred dollars ($100.00) for each lot or parcel of land so transferred or sold or agreed or negotiated to be sold, and the description of such 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 such penalties. The City also may enjoin such transfer or sale or agreement by a civil action for injunction brought in any court of competent jurisdiction or may recover the same penalty provided in this section by a civil action in any court of competent jurisdiction.

1.2 *Failure to comply with Regulations.* Any failure to comply with the applicable requirements of these Regulations or failure to construct subdivision improvements in accordance with an approved Preliminary Plat shall constitute a violation of these Regulations under Title 11, Chapter 52, Section 83 of the Code of Alabama, 1975, as amended. Any such violation shall be punishable by a fine of up to five hundred dollars ($500.00) and or imprisonment of not more than six (6) months, as provided in accordance with Title 11, Chapter 45, Section 9 of the Code of Alabama, 1975, as amended. Where such a violation has been confirmed to exist by the Zoning Enforcement Officer, the violation shall be cured in accordance with the administrative procedures outlined in Article 4 Section 7 of these Regulations.

SECTION 2 - RESTRICTIVE COVENANTS AND BYLAWS

Subdivision bylaws, covenants, and deed restrictions may be imposed upon the lots within the subdivision by the Subdivider when the Final Plat is recorded. Once any such subdivision bylaws, covenants, and deed restrictions have been recorded, they can be administered only by the Subdivider, the homeowners' association of the subdivision, or the owners of land within the subdivision, as may be applicable, and they may be enforced only by private legal action through a court of competent jurisdiction. The City of Lineville and the Lineville Planning Commission is in no way liable for and assumes no responsibility to approve, enforce, amend, or administer any duly adopted or recorded subdivision bylaws, covenants, and deed restrictions. Furthermore, advance knowledge by the Planning Commission prior to Final Plat approval that any such subdivision bylaws, covenants, and deed restrictions will be imposed by the Subdivider shall in no way constitute implied authority or responsibility to approve, enforce, amend, or administer any subsequently adopted or recorded restrictive covenants or bylaws. Finally, no such authority

shall be implied by the granting of Final Plat approval for any subdivision within which special bylaws, covenants, or deed restrictions have been or will be imposed.

SECTION 3 - SEVERABILITY AND SEPARABILITY

Should any article, section, subsection, or provision of these Subdivision Regulations be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the Subdivision Regulations as a whole, or any part thereof other than the part so declared to be invalid or unconstitutional.

SECTION 4 - ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS

The Planning Commission may adopt, readopt, amend, or repeal these Regulations by a majority vote of the members at a meeting where a quorum is present. Before adoption, a public hearing, as described by law, shall be held thereon. Procedures for public notification and conduct of such public hearing shall be in accordance with the provisions of Article IV Sections 2.5 and 2.6 of these Regulations, with the exception that the specific notice to adjoining property owners and Subdivider shall not be required. Following its adoption, a full and complete copy of the amendment shall published, certified, and recorded in compliance with Title 11, Chapter 52, Section 8 of the Code of Alabama, 1975, as amended. In addition, a copy of the adopted amendment shall be certified by the Planning Commission to the Probate Judge of Clay County.

SECTION 5 - REPEAL OF FORMER REGULATIONS

These Regulations are the official Subdivision Regulations for the City of Lineville. All other conflicting municipal subdivision regulations adopted prior to the adoption or amendment of this ordinance are hereby repealed; provided that nothing herein shall be construed as repealing or modifying those approvals, permits, or variances issued in good faith compliance with any previous local ordinance hereinafter repealed by these Regulations.

SECTION 6 - INTERPRETATION OF CONFLICTING REQUIREMENTS

Whenever the requirements of these Regulations conflict or are in any way inconsistent with the requirements of any other lawfully adopted statutes, rules, regulations, and ordinances or whenever two or more requirements of these Regulations are in conflict, the most restrictive, or that imposing higher standards, shall govern, unless otherwise specifically stated in these Regulations. No certificate of zoning compliance or plat approval shall be issued or considered valid for any use or activity which is or would be otherwise illegal under the terms of any applicable local, State, or Federal Law.

SECTION 7 - EFFECTIVE DATE

These Subdivision Regulations shall supersede all previous Subdivision Regulations for the City of Lineville and shall take effect on the date of final publication by the City, in accordance with Title 11, Chapter 45, Section 8 of the Code of Alabama, 1975, as amended.

APPENDICES

APPENDIX A: FORMS AND CERTIFICATES

OWNER'S CERTIFICATE

OWNER'S CERTIFICATE AND DEDICATION. We, the undersigned (name of owner) do hereby certify that we are the owners of and the only person having any right, title, or interest in the land shown on the Plat of (name of subdivision), and that the Plat presents a correct survey of the above described property made without consent, and that we hereby dedicate to the public use all the streets shown on said plat. The easements as shown on the plat are created for the installation and maintenance of public utilities. We hereby guarantee a clear title to all lands so dedicated from ourselves and our heirs or assignees forever, and have caused the same to be released from all encumbrances so that the title is clear, except as shown in the abstractor's certificate.

RESTRICTIONS: (if any, follow here)

Witness _____ hand _____ this _____ day of , 20 _____.

WITNESS:_____

SURVEYOR'S CERTIFICATE

SURVEYOR'S CERTIFICATE, I _____ the undersigned, do hereby certify that I am a professional land surveyor or civil engineer and that the annexed map of (name of subdivision) consisting of sheets, correctly represents a survey made under my supervision on the _____ day of _____, 20 ____; and that all of the monuments shown hereon actually exist and their positions are correctly shown.

Signature:_____

License #:_____

Witness :_____

CERTIFICATION OF THE APPROVAL OF STREETS AND UTILITIES

I hereby certify: (1) that streets, utilities, and other improvements have been installed in an acceptable manner according to City specifications in the subdivision entitled _____ or (2) that a performance bond in the amount of $_____ has been posted with the City of Lineville to assure completion of all required improvements in the event of default.

20 ____

City Engineer
or other Approving Agents:
_____

CERTIFICATION OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat for _____subdivision has been found to comply with the Subdivision Regulations for Lineville, Alabama, with the exception of such variances, if any, as are noted in the minutes of the Planning Commission, and that it has been approved for recording in the office of the Probate Judge of Clay County.

Chairman, Planning Commission:_____
20____

ATTEST:_____

Secretary:_____

By:_____

PERFORMANCE BOND

STATE OF ALABAMA *

CLAY COUNTY *

KNOW ALL MEN BY THESE PRESENTS;

That we, _____ as Principal and the undersigned Surety, are held and firmly bound unto the City of Lineville, Alabama, hereafter called the City, in the full sum of _____ ($ _____), for the payment of which, well and truly to be made, we, and each of us, bind ourselves jointly and severally, by these present.

WHITNESSETH:_____

WHEREAS, under the provisions of Title 11-52-31, Code of Alabama, 1975, the Planning Commission of the City of Lineville has the authority to tentatively approve a plat before all conditions are complete, subject to revocation if such conditions are not met by a term certain provided a Bond is given by the principal with sufficient surety in an amount sufficient to make the improvements required under the tentative approval of the subdivision plat; and,

WHEREAS, Principal has submitted to the Planning Commission a Preliminary Plat for the subdivision of a tract of land described as follows:

Incorporate Property Description Here

and,

WHEREAS, Principal has, pursuant to Title 11-52-31, Code of Alabama, 1975, elected to give this Bond in lieu of the actual completion of improvements as required by the tentative approval by the Planning Commission, and,

WHEREAS, the conditions of this obligation are as follows:

Incorporate Specific Terms (required improvements) of the Bond Here

NOW, THEREFORE, if the Principal shall, by the _____ day of _____, 20____, faithfully comply with the conditions set forth above and show that all liens or potential liens against said property have been satisfied, the above obligation shall be void but, failing to do so, the within Bond shall remain in full force and effect.

The City may enforce the within Bond by all appropriate legal and equitable remedies, or in the alternative, may revoke said tentative approval of the above described subdivision.

Signed, sealed, and delivered this _____ day of _____, 20_____.

Principal_____

Surety

Taken, approved, and Surety ordered by the Planning Commission of the City of Lineville this _____ day of _____, 20_____.

Chairman of the Planning Commission:_____

CITY COUNCIL ACCEPTANCE OF PUBLIC DEDICATION

Be it Resolved by the City Council of the City of Lineville, Alabama, that the dedication shown on the attached plat of (name of subdivision) are hereby accepted.

Adopted by the City Council of the City of Lineville, Alabama, this _____ day of _____ 20_____.

Mayor:_____

ATTEST:_____

Clerk:_____

CERTIFICATE OF APPROVAL OF THE FINAL PLAT BY THE PLANNING COMMISSION (*to be placed on the plat*)

Pursuant to the City of Lineville Subdivision Regulations all the requirements for approval have been fulfilled. This final plat was given Final Approval by the City of Lineville Planning Commission on:
_____, 20_____

Secretary:_____

Date:_____

Approved as to form and legality this _____ day of _____ A.D., 20____

Attorney:_____

Approved by the City Council of Lineville; This _____ day of_____ A.D., 20_____

ATTEST:

Mayor:_____

Clerk:_____

CITY OF LINEVILLE
VIOLATION COMPLAINT

Date of complaint:_____ Complaint received by:_____
Form of Complaint: _____ Citizen _____ Public Official _____ Inspector

Name of Person Filing Complaint:_____ Telephone:

Nature of Complaint:

Location:

Probable violation of Article _____Section_____, of the Lineville Subdivision Regulations, described as follows:

Referred for inspection to:_____

Date of inspection:_____

Inspection
findings:_____
_____
_____

_____ Violation found _____ No violation found ____ Other:
Initial action following discovery of violation:
_____
_____
_____

Notice of Violation sent on:_____

___ Other
Follow-up inspection due on
Notes:

CITY OF LINEVILLE

NOTICE OF VIOLATION
(*Sample Notice*)

Date of notice

Name of Property Owner
Mailing address
City, State, Zip

Dear (Name of property owner) :

On (Date of investigation) , I investigated and confirmed a violation of the City of Lineville Subdivision Regulations on your property located at (Street address of subject property) . The nature of this violation is (Description of the violation) , which violates Article (Cite article number) , Section (Cite section and subparagraph number) of the Subdivision Regulations. I am writing to request that you take action to correct this violation on or before (Specify date by which the violation must be corrected) , in order to avoid the issuance of a formal citation and penalty. If you feel that this notice has been issued in error or you feel that an extension to the deadline is necessary, please arrange a meeting with me on or before (Date - five business days after the date of notice) . I will be happy to discuss this problem with you in greater detail.

Thank you for your help in addressing this problem. The City of Lineville appreciates your cooperation.

Sincerely,

(Signature of Enforcement Officer)
Enforcement Officer

CITY OF LINEVILLE

NOTICE OF CITATION
(*Sample Notice*)

Date of citation

Name of Property Owner
Mailing address
City, State, Zip

Dear (Name of property owner) :

On (Date upon which initial violation was confirmed) , I investigated and confirmed a violation of the City of Lineville Subdivision Regulations on your property located at (Street address of subject property) . The nature of this violation is (Description of the violation) , which violates Article (Cite article number) , Section (Cite section and subparagraph number) of the Subdivision Regulations. Our records show that the Notice of Violation was sent to you on (Date that the notice was mailed) and received by you on (Date of receipt by property owner) explaining the nature of this violation and requesting that you correct the problem on or before (Deadline for correction of violation specified in the notice of the violation) .

On (Dated of re-inspection) , I performed a follow-up investigation to determine whether or not the violation had been corrected in accordance with the Notice of Violation. My inspection of the property revealed that the violation has not been corrected in accordance with the Subdivision Regulations. Therefore, the City of Lineville is hereby issuing this Citation to you for failure to correct a violation of the Subdivision Regulations. To correct this violation, you must (Specify corrective measures including the amount of the fine that must be paid by the property owner) on or before (Ten days after the date of citation) . If this violation is not corrected in full by the aforementioned date, the City of Lineville will be obligated to file a written complaint with the Municipal Court for relief. If such a complaint is filed, you will be required to appear before the Municipal Court, at a time and date to be determined by the Court, to answer the charge of violation as explained in this Citation. If you have any questions regarding this violation or the subsequent actions that the City will take, please do not hesitate to

contact me at ___(Specify contact number and/or e-mail address)___ during the hours of (Specify business hours).

We appreciate your efforts to resolve this violation as soon as possible. Thank you for your cooperation.

Sincerely,

_(Signature of Enforcement Officer)
Enforcement Officer

CITY OF LINEVILLE, ALABAMA

SUBDIVISION APPLICATION

Property owners in the City of Lineville who wish to subdivide property within the City and within the City's extraterritorial planning jurisdiction must complete a Subdivision Application form. To request Planning Commission approval of a proposed subdivision plan, please complete the following application and return the form with all necessary supporting documents to City Hall. Incomplete applications will not be processed. For additional information, please call the City of Lineville Enforcement Officer at *(334) 863-4129* during regular business hours.

Applicant Information:

Name of Applicant:

Mailing Address:

Business Hours Telephone #: (_____)

Fax # (If available): (_____)

NOTE: ***If the applicant is NOT the owner of the subject property, then the application MUST be accompanied by a letter signed by the owner authorizing the applicant to submit the application.***

Consulting Engineer Information: (If same as applicant, complete only first three lines)

Name of Lead Consultant:

Name of Consulting Firm:

Professional Trade Affiliation:* [ ] *Engineer* [ ] *Surveyor* [ ] *Architect

Mailing Address:

Business Hours Telephone #: (_____)

Fax # (If available): (_____)

Property Summary Information:

Owner(s) of Record:

Street Address of Subject Property:

Is Subject Property Located Within the City Limits of Lineville?* [ ] *Yes* [ ] *No

Tax Map & Lot Number of Subject Property:

Zoning Classification of Subject Property:

Size of Subject Property in Acres:

Size in Acres of Smallest Lot to be Created:

Total Number of New Lots to be Created:

Is Subject Property Located Within 300 Feet of a Town Water or Sewer Main?

[ ] *Yes* [ ] *No*

Uses to be Allowed in Subdivision:* [ ] *Residential* [ ] *Industrial* [ ] *Commercial

Is Property Located Within a 100-Year Floodplain?
[ ] ***Yes*** **[ ]** ***No***

Supporting Information:

Please submit the following items with the Subdivision Application form:

[ ] ***Full payment of the required Application Fee.***

[ ] ***Six prints or copies of a preliminary plat of the proposed subdivision satisfying all requirements of Article IV, Section 4 of the Lineville Subdivision Regulations.***

[ ] ***A listing of the names and mailing addresses of all owners of land immediately adjoining the proposed subdivision property as their names may appear upon the plats contained in the County Tax Assessor's office and as their addresses appear in the directory of the municipality or on the tax records of the municipality or county.***

[ ] ***A complete list of all local, state, and federal permits or approvals that have been applied for or secured by the applicant for the proposed subdivision as of the date of filing of this application.***

Certifications:

Applicant:

I hereby certify and attest that, to the best of my knowledge and abilities, the information provided in this application is true and accurate. Further, I agree to provide any additional information within my powers that may be required by the Enforcement Officer, City Engineer, or Planning Commission to determine the compliance of the proposed property construction or improvement activities with the Subdivision Regulations and Zoning Ordinance of the City of Lineville.

_____

Date ***Applicant's Signature***

Property Owner:

I hereby certify and attest that, to the best of my knowledge and abilities, the information provided in this application is true and accurate. Further, I agree to provide any additional information within my powers that may be required by the Enforcement Officer, City Engineer, or Planning Commission to determine the compliance of the proposed property construction or improvement activities with the Subdivision Regulations and Zoning Ordinance of the City of Lineville.

_____

Date ***Property Owner's Signature***

---------- FOR CITY OF LINEVILLE USE ONLY ----------

<u>Enforcement Officer's Information</u>:

Date Filed:

Received By:

Application Fee Received: $_____ **[ ]** ***Cash***
[ ] ***Check #***

Date Reviewed and Deemed Complete:

Enforcement Officer's Signature:

Public Hearing Date:

Date Public Hearing was Closed (if Different from Above):

Planning Commission Action on Preliminary Plat: **[ ]** ***Approved***
[ ] ***Denied***

Date of Final Action by Planning Commission:

Planning Commission Findings and/or Special Conditions of Approval:

Planning Commission Chair's Signature:_____

APPENDIX B: ADOPTION RESOLUTION

RESOLUTION NO. 5312017-01 √

A RESOLUTION ADOPTING THE 2017 CITY OF LINEVILLE, ALABAMA SUBDIVISION REGULATIONS, IN ACCORDANCE WITH THE PROVISIONS OF TITLE 11, CHAPTER 52, CODE OF ALABAMA, 1975, AS AMENDED; REPEALING ALL CONFLICTING REGULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, Title 11, Chapter 52, Section 30 of the Code of Alabama, 1975, authorizes the Planning Commission to enact Subdivision Regulations to govern the subdivision of all lands within the corporate limits of the City of Lineville, Alabama and all lands lying within five miles of the corporate limits of Lineville; except that, in the case of any non-municipal land lying within five miles of more than one municipality having a municipal planning commission, the jurisdiction of each municipal planning commission shall terminate at a boundary line equidistant from the respective corporate limits of such municipalities, and

WHEREAS, the City of Lineville, Alabama desires to exercise its powers to regulate subdivisions in accordance with Alabama law; and

WHEREAS, the Planning Commission has prepared Subdivision Regulations for the City; and

WHEREAS, the Planning Commission conducted a formal public hearing on the proposed new Subdivision Regulations on May 31, 2017 in accordance with the requirements of Title 11, Chapter 52, Section 31 of the Code of Alabama, 1975, as amended;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF LINEVILLE, ALABAMA:

SECTION 1. That the Lineville Planning Commission hereby adopts the 2017 Lineville Subdivision Regulations, pursuant to the authority granted by Title 11, Chapter 52, Code of Alabama, 1975, as amended on this 31st day of May, 2017.

SECTION 2. That all conflicting regulations adopted previously by the Planning Commission, be repealed.

SECTION 3. That the aforementioned Subdivision Regulations shall become effective on the date of final publication, in accordance with Section 11-45-8 of the Code of Alabama, 1975, as amended.

ATTEST:

Lineville City Clerk

Planning Commission Member

Planning Commission Chairman

Planning Commission Member

Planning Commission Member

Planning Commission Member

Planning Commission Member

Planning Commission Member