

# Town of Shorter Subdivision Regulations



**Proposed Amendments:  
July 12, 2007**



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**RESOLUTION OF THE TOWN OF SHORTER, ALABAMA  
FOR THE ADOPTION OF SUBDIVISION REGULATIONS**

Pursuant to the powers and jurisdictions vested through §11-52-31, Chapter 52, Title 11, the Code of Alabama, 1975, as amended:

WHEREAS, the Planning Commission of the Town of Shorter, Macon County, Alabama, has declared its intent to consider the subdivision of land in order to regulate the minimum size of lots, the planning and construction of all public streets, public roads, and drainage structures, and require the proper placement of public utilities; and

WHEREAS, the Planning Commission has formulated Subdivision Regulations with the expressed purpose of establishing procedures and standards for the development and subdivision of real estate within the Town of Shorter and its immediate surrounding environs; and

WHEREAS, the document entitled Town of Shorter Subdivision Regulations and all illustrations and descriptive matter included herein comprise the Subdivision Regulations of the Town of Shorter;

NOW, THEREFORE, BE IT KNOWN AND ORDANED that the Planning Commission of the Town of Shorter, Macon County, Alabama, hereby adopts the Town of Shorter Subdivision Regulations in order to guide the orderly, planned, efficient, economical growth and development of the Town.

ADOPTED and APPROVED by the Planning Commission of the Town of Shorter, Alabama, following a public hearing, on the 9<sup>th</sup> day of August, 2007.

\_\_\_\_\_  
Planning Commission Chair  
Town of Shorter

\_\_\_\_\_  
Planning Commission Member

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Planning Commission Member

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Planning Commission Member

**Certification**

I, \_\_\_\_\_, Secretary of the Planning Commission of Shorter, Alabama, hereby certify that the above subdivision regulations were posted in four public places within the Town, one of which was in the office of the Mayor, and three other public places, in accordance with the provisions of the Code of Alabama, 1975, as amended, Section 11-45-8.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary of the Planning Commission



## **ARTICLE ONE GENERAL PROVISIONS**

### **Section 1.1: Title**

These regulations shall hereafter be known, cited, and referred to as the *Official Subdivision Regulations of the Town of Shorter, Alabama*. They may also be referenced as the *Shorter Subdivision Regulations*.

### **Section 1.2: Authority**

Under the provisions of Sections 11-52-30 to 11-52-36, inclusive, of the *Code of Alabama, 1975, as amended*, these following regulations governing the subdivision and development of land are hereby adopted by the Planning Commission of the Town of Shorter at its meeting on August 9, 2007. A copy of these regulations shall be certified to the Probate Judge of Macon County, Alabama, and to the Clerk of Shorter, Alabama.

### **Section 1.3 Effective Date**

These Subdivision Regulations shall supersede all previous Subdivision Regulations and shall take effect and be in force from and after the date of their adoption and publication. Adopted this 9<sup>th</sup> day of August, 2007.

### **Section 1.4: Jurisdiction and Scope of Regulations**

#### 1.4.1 Jurisdiction

On and after the effective date hereof, these subdivision regulations shall apply to all subdivisions and development of land, as defined herein, located within the corporate limits of the Town of Shorter and within **five (5) miles** of the corporate limits of the Town of Shorter, Alabama, except where there are contiguous borders with another municipality. Where there is another municipality, having established a planning commission, whose extraterritorial planning jurisdiction boundaries would overlap the areas outside Shorter that are governed by these regulations, then these regulations shall govern only those areas that located one-half (1/2) the distance from Shorter to the other municipality.

#### 1.4.2 Subdivision Approval Required

No land shall be subdivided within the stated limits of the Town of Shorter until:

1. The subdivider, or his agent, has submitted the required plats and plans to the Planning Commission; and
2. The required plats and plans, including the final plat, have been approved by the Planning Commission of the Town of Shorter; and
3. The approved final plat is recorded with the Office of the Judge of Probate, Macon County, Alabama.

#### 1.4.3 Compliance with Shorter Zoning Ordinance

All proposed subdivisions located within the corporate limits of the Town of Shorter shall also comply with all applicable requirements of the Shorter Zoning Ordinance for the zoning district(s) within which the proposed subdivision will be located. If a proposed subdivision does not lie within the corporate limits of the Town of Shorter, the Planning Commission may require provisions for minimum lot size and width as may be required by the Macon County Health Department for proper sanitary on-site sewage treatment.

#### 1.4.4 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 Macon, Elmore or Montgomery Counties, as administered by the appropriate County Engineer. However, the requirement for subdivision approval by the County Engineer shall in no way diminish, waive, or otherwise lessen the requirements of the Shorter Subdivision Regulations. Where the requirements of such duly adopted County Subdivision Regulations conflict with the requirements of the Shorter Subdivision Regulations, the more stringent requirements, whether of the City or the County shall govern.

### **Section 1.5: Purpose and Intent**

The Shorter Subdivision Regulations have been prepared and adopted with the purpose and intent to establish objective, community wide standards for public improvements and the subdivision of land within the Town, and for the purpose of promoting the health, safety, and the general welfare of the people of the Town of Shorter, Alabama.

More specifically, the purpose and intent of these regulations are to advance and promote the following goals and objectives:

#### 1.5.1 Purposes of the *Code of Alabama, 1975, as amended*

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 Shorter 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 established as a condition precedent to plat approval.
5. To authorize the Town of Shorter to accept performance bonds to ensure that required subdivision improvements or utilities are installed and constructed according to the Town's specifications and requirements.

#### 1.5.2 Implementation of the Shorter Comprehensive Plan and Development Plan:

These regulations also recognize the responsibility of the Town to maintain public improvements. Proper and timely maintenance is essential to preserve the required improvements through their designed life. These regulations are designed, intended, and should be administered in a manner to:

1. Establish adequate and accurate records of all land subdivision.
2. Advance and implement the goals and objectives of the Shorter Comprehensive Plan and the Shorter Development Plan.
3. Promote neighborhood conservation by preventing the development of slums and blight.
4. Encourage the harmonious development of neighborhoods.
5. 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.

### 1.5.3 Establish and Advance Equitable Community-Wide Standards

The purpose and intent of these regulations is to establish objective community-wide standards for public improvements and the subdivision of land within the Town of Shorter. These regulations are based upon:

1. Encouragement of an orderly and efficient development pattern.
2. Impact of development.
3. The definition of public and private development responsibilities.
4. Concern for the health, safety and welfare of the entire Town.
5. The preservation of valuable and scenic natural features and open spaces.
6. The vital use of imagination and creativity in development of property.



## ARTICLE TWO DEFINITIONS

### **Section 2.1 Purpose and Word Usage**

For the purpose of interpreting these subdivision regulations, certain words or terms are herein defined. In the event that a term is not listed in this Article, or is not defined in the Zoning Ordinance of the Town of Shorter or Sections 11-52-30 through 11-52-36 of the *Code of Alabama, 1975, as amended*, then the said term shall have its customary dictionary definition. If a term is listed and defined in this Article as well as in the Shorter Zoning Ordinance, then the definition listed in these subdivision regulations shall take precedence.

Words used or defined in one tense shall include other tenses and derivative forms. Words used in the singular number shall include the plural, and words used in the plural number shall include the singular. The word *person* shall include a firm, corporation, association, organization, trust or partnership. The word *lot* shall include the meanings of the words *plot* and *parcel*. The word *shall* is mandatory and not directory. The word *may* is permissive. The masculine gender shall include the feminine, and the feminine gender the masculine. The words *zoning map or zoning maps* refer to the Zoning Map(s) of the Town of Shorter, Alabama. The word *shall* is mandatory. The word *may* is permissive. The words *governing body* refer to the Town Council of Shorter, Alabama. The words *Planning Commission* refer to the Shorter Planning Commission. The word *board* refers to the Board of Zoning Adjustment of the Town of Shorter. In case of any difference of meaning or implication between the text of this ordinance and any caption, illustration or table, the text shall take precedence.

### **Section 2.2 Interpretation**

The Building Official of the Town of Shorter is hereby authorized to make a final determination of any term used in these regulations. In case of a dispute over such interpretation a written appeal of the Building Official's determination may be filed with the Shorter Planning Commission. Such appeal must be filed within 15 days of such determination.

### **Section 2.3 Definitions**

For the purpose of these regulations, certain words used herein are defined as follows: **Abutting Property.** Property that is immediately adjacent to property that is subject to review under these regulations or property that is located immediately across any road or public right-of-way from the property that is subject to review under these regulations.

**Administrator or Administrative Officer.** The official of the Town of Shorter charged with the responsibility of administering and enforcing these regulations.

**Alley.** A minor public way with a narrow right-of-way designed to afford a secondary means of access to abutting properties.

**Applicant.** One (1) individual, entity or agency that is legally authorized to submit subdivision plats for review and apply for any form of subdivision approval or waiver with respect to a development site.

**Application for Development.** The application forms and all accompanying documents required by these regulations or other regulations for the approval of a subdivision plat or site plan.

**Block.** A tract of land bounded by streets, or a combination of streets and public parks, cemeteries, railroad rights-of-ways, shorelines of waterways, or boundary lines of municipalities or counties.

**Block or Lot Corners.** An angle point in the boundary of a block or lot.

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

**Building Official.** The duly designated Building Official of the Town of Shorter, Alabama, or the appointed or designated Town Engineer or his duly authorized representative that may be consulted from time to time on technical matters. The term "Building Official" as used herein refers to all of the above interchangeably.

**Building.** Any structure built for the support, shelter, or enclosure of persons, animals, property of any kind, and includes any structure.

- a. **Building Area.** The portion of the lot occupied by the main building, including porches, carports, accessory building, and other structures.
- b. **Building Line.** A line shown on a plat indicating the minimum allowable distance between any structure and a lot line, as established by requirements of the developer and/or the Town of Shorter Zoning Ordinance and these regulations.

**Building Setback Line.** The line, generally parallel to a lot line or road right-of-way line, indicating the minimum horizontal distance between the lot line and the face of the building, as required by the Zoning Ordinance. In those cases where the Building Line and the Building Setback are not identical, the greater of the two shall take precedence. Platting required building setback lines is discouraged as they may change with amendments to the Zoning Ordinance; thereby complicating enforcement.

**Build-to Line.** A line contiguous or parallel to the property line to which the facade(s) of the main and/or accessory structure(s) shall extend.

**Comprehensive Plan.** Any officially adopted part or element of the general comprehensive plan of the Town of Shorter or its environs.

**Curb or Curb Line.** The inside vertical face of a masonry curb, the center line of a valley gutter, or the edge of the pavement where no curb or gutters exist.

**Dedication.** The deliberate assignation of land by its owners for any general or public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The transfer may be of fee-simple interest or of a less than fee interest, including an easement.

**Designated Representative.** An individual appointed or named by the Town Council to enforce the provisions of these subdivision regulations in the absence of the Building Official. For the purposes of these Subdivision Regulations, any reference to "Building Official" shall be understood to mean "Designated Representative".

**Developer.** A person, corporation, or duly authorized agent who undertakes the subdivision of land as defined herein. The term "developer" includes the term, "Subdivider".

**Development.** The division of a parcel of land into two (2) or more parcels (See Subdivision); the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any buildings; any use or change in use of any buildings or land; any extension of any use of land or any clearing, grading, or other movement of land, for which an approved development plan is required pursuant to these regulations or other codes and ordinances of the Town

**Deviation.** An approved and acceptable change from the provisions of these Subdivision Regulations.

**Drainage Facilities.** Structural and nonstructural elements designed to collect storm water runoff and convey it away from structures and through the roadway right-of-way in a manner which adequately drains sites and roadways and minimizes the potential for flooding and erosion.

**Easement.** A grant by the property owner for use, by the public, a corporation or person(s), of a strip of land for specified purposes. No title to real property is conveyed. No easement shall be recognized under these regulations that has not been created through valid legal instruments and recorded in the

Office of the Judge of Probate of Macon County, except those established by the Town through continuous and historic use.

**Engineer.** A Professional Engineer and registered by the State of Alabama Board of Registration for Professional Engineers and Land Surveyors.

**Engineering Plan.** Plans prepared by a registered engineer showing details of the design and construction of required improvements in a proposed subdivision.

**Erosion.** The wearing away of the ground surface as a result of the movement of wind, water, and/or ice.

**Erosion Control.** Measures and actions, which are to be taken to control potential erosion and sedimentation problems.

**Family.** One or more persons occupying a dwelling and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, rooming house, or hotel, as herein defined.

**Final Plat or Plan Approval.** The official action of the Shorter Planning Commission taken on a preliminarily approved plat, after all conditions, engineering plans and other requirements have been completed or fulfilled and the required improvements installed, or guarantees properly posted for their completion; or approval conditioned upon the posting of such guarantees.

**Final Plat or Plan.** A plat of a tract of land which meets the requirements of these regulations and is in form for recording in the office of Probate Judge, Macon County.

**Fire Chief.** The duly designated Fire Chief of the Town of Shorter, Alabama.

**Flood or Flooding.** A general and temporary condition of partial or complete inundation of normally dry land areas from (1) the overflow of inland and/or (2) the unusual and rapid accumulation or runoff of surface waters from any source.

**Floodplain or Flood-Prone Area.** Any land area susceptible to being inundated by water from any source (see *Flooding*).

**Floodproofing.** Any combination of structural and non-structural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, or structures and their contents.

**Floodway.** The channel of a river, stream, or other watercourse, and those portions of the floodplain joining the channel that are reasonably required to carry and discharge flood waters or flood flows so that confinement of flood flows to the floodway area will not result in substantially higher flood levels and flow velocities.

**Grade.** The slope of land or a built feature such as a street, specified in percentage terms.

**Grand Tree.** Any tree, whether on public or private property which has a diameter at breast height (DBH) of thirty-two (32) inches or greater, or a circumference at four and one half (4 ½) feet above ground level of one hundred (100) inches or more.

**Group Development.** 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, businesses or other enterprises.

**Governing Body.** The Mayor and the Town Council of the Town of Shorter, Alabama.

**Half Street.** A street which does not meet the minimum right-of-way widths set forth in these regulations.

**Hardship.** An unusual situation on the part of an individual property owner, which will not permit the full utilization of property that is given to other owners within the community. A hardship exists only when it is not self-created.

**Health Department.** The Macon County Health Department, the Elmore County Health Department, the Montgomery County Health Department, or the State of Alabama Department of Public Health, as may be applicable to the specific context of the term.

**Hundred (100) Year Flood.** Flood created by a 100-year storm event, a storm having a one (1)

percent chance of being equaled or exceeded in any given year.

**Hundred (100) Year Floodplain.** The area of land inundated as a result of the 100-year rainfall event.

**Improvement.** Any built or constructed immovable item that becomes part of, placed upon, or is affixed to, real estate.

**Inspector.** An individual who, on behalf of the Town, inspects public improvements in a subdivision to assure conformance with approved plans and specifications.

**Land.** Includes the words "water", "marsh" or "swamp".

**Lot.** A parcel of land occupied by, or designated to be developed for, one (1) building or principal use and the accessory buildings or uses customarily incidental to such building, use or development, including such open spaces and yards as are designed and arranged or required by these Regulations for such building, use, or development.

- a. **Corner Lot.** A lot abutting two or more streets at their intersection. If the two streets form an angle of more than 135 degrees, as measured at the point of intersection of their center lines, the lot shall not be considered a corner lot.
- b. **Double Frontage Lot.** A lot, other than a corner lot, which has frontage on more than one street.
- c. **Flag Lot.** Any lot, established after the effective date of these regulations, which does not comply with the definition of Lot Width provided in these regulations.
- d. **Lot Area.** The area contained within the boundary lines of a lot.
- e. **Lot Depth.** The distance between the midpoints of the front and rear lot lines.
- f. **Lot Frontage.** Lot width measured at the street lot line. When a lot has more than one street lot line, lot width shall be measured at each such line.
- g. **Lot Line.** A line bounding a lot which divides one lot from another or from a street or any other public or private space.
- h. **Lot Line, Front.** In cases where the lot fronts on only one street, the lot line adjacent to the street. For corner lots, the side meeting minimum width requirements. For double frontage lots and corner lots meeting width requirements on both frontages, the property owner may choose one as the front lot line for the purposes of setbacks and placement of accessory structures.
- i. **Lot Line, Rear.** That lot line which is parallel to and most distant from the front lot line of the lot. In the case of an irregular, triangular, or gore-shaped lot, a line twenty (20) feet in length, entirely within the lot, parallel to and at the maximum possible distance from, the front line shall be considered to be the rear lot line.
- j. **Lot Line, Side.** Any lot line other than a front or rear lot line.
- k. **Lot of Record.** Any validly recorded lot, which complies with all currently applicable laws, ordinances, and regulations.
- l. **Lot Width.** The distance between side lot lines measured at the right-of-way.
- m. **Nonconforming Lot of Record.** Any lot, validly recorded in the public records of Macon County, which complied with all applicable laws, ordinances, and regulations in effect on the recording date.
- n. **Single Tier Lot.** A lot that backs upon a limited access highway, a railroad, a physical barrier, residential or nonresidential use and to which access from the rear of the lot is usually prohibited.

**Maintenance Bond.** A cash bond used to insure the proper operation of all public improvements (taken over by the Town). The bond will be made out to the Town of Shorter and remain in effect for one year from the date of completion of construction. The bond will be equal to 10 percent of the performance bond.

**Major Street Plan.** The plan for the street system of the Town of Shorter, including the official Major Street Plan Map, as adopted by the Planning Commission and which may be an element of the Comprehensive Plan.

**Master Drainage Plan.** Shall mean any drainage plan or element thereof which has been approved by the town engineer and adopted by the Planning Commission.

**Metes and Bounds.** A system of land description using distances and directions.

**Monument.** A permanent object serving to indicate a limit or to mark a boundary.

**Open Space.** Any land either publicly or privately owned which is designated as being permanently undeveloped and used for recreation, conservation or preservation.

**Owner.** The person or persons having legal title to a lot or parcel of land.

**Owner's Engineer.** That 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. Includes "Developer's Engineer".

**Non-Residential Subdivision.** A subdivision designed for commercial or industrial land uses.

**Parcel.** A portion or tract of land which has not been previously subdivided or recorded in the Probate Judge's office.

**Paving Width.** The horizontal width of paved surface, excluding curb and gutter.

**Performance Bond.** A cash bond equaling 100 percent of the cost of constructing water, sewer, drainage, street, and other public improvements. The bond is to insure the complete construction of such facilities and is to be made out to the Town of Shorter.

**Planned Unit Development (PUD).** A designed grouping of varied and compatible land uses, such as housing, recreation, commercial centers, and industrial parks, all within one contained development or subdivision.

**Planning Commission.** The Planning Commission of the Town of Shorter, Alabama.

**Preliminary Plat or Plan.** A set of engineering drawings which meet the requirements of these regulations for the proposed subdivision and is submitted for consideration by the Planning Commission.

**Preliminary Plat or Plan Approval.** The conferral of certain rights prior to final approval after specific elements of a development plan have been agreed upon by the Planning Commission and the applicant.

**Private Subdivision.** A subdivision in which the road systems and utilities are not dedicated to the public and maintenance is assumed by the property owners within the subdivision and/or the developer(s) of the subdivision.

**Probate Judge.** The Judge of Probate of Macon County, Alabama, the Judge of Probate of Elmore County, Alabama, or the Judge of Probate of Montgomery County, Alabama, as may be applicable depending on the location of the subdivision or development site.

**Public Hearing.** An advertised public meeting involving the Town Councilor the Planning Commission and all interested residents and the developer if he chooses to be there.

**Public Improvement.** Any improvement, facility, or service, together with customary improvements and appurtenances thereto, necessary to provide for public needs as: vehicular and pedestrian circulation systems, storm sewers, flood control improvements, water supply and distribution facilities, sanitary sewage disposal and treatment, public utility and energy services.

**Registered Engineer.** An engineer properly licensed and registered in the State of Alabama.

**Registered Land Surveyor.** A land surveyor properly licensed and registered in the State of Alabama.

**Reserve Strip.** A strip of land, smaller than a lot, and retained in private ownership as a means of

controlling access to land dedicated or intended to be dedicated to street or other public use.

**Resubdivision.** A combination, recombination, or splitting of previously recorded lots or tracts of contiguous land for the purpose of creating additional lots or enlarging existing ones.

**Right-of-Way.** A strip of land separate and distinct from the lots adjoining such right-of-way and not included within the dimensions or areas of such lots, which is occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use.

**Roadway.** The portion of a right-of-way intended for use by vehicular traffic.

**Sidewalk.** A right-of-way intended primarily for pedestrians, excluding self-propelled vehicles.

**Sight Distance.** The maximum extent of unobstructed vision (in 'a horizontal plane), along a street located at any given point on the street.

**Sketch Plat or Plan.** A sketch preparatory to the preparation of a Preliminary Plat or Final Plat to enable the applicant to save time and expense in reaching general agreement with the Planning Commission as to the form of the plat and the objectives of these regulations.

**Special Flood Hazard Area.** The land in the floodplain subject to a one (1) percent or greater chance of flooding in any given year.

**State.** The State of Alabama.

**Street.** Any street, highway, thoroughfare, thoroughway, avenue, boulevard, road, parkway, viaduct, drive, land, place, or other right-of-way provided for vehicular traffic and travel.

- a. **Arterial.** A major street intended mainly to carry through traffic and to connect major activity centers in the Town and its planning jurisdiction.
- b. **Collector.** A street intended to carry traffic from local streets to arterial streets.
- c. **Cul-de-sac.** A local street with only one outlet, and having the closed end terminated by a vehicular turn-around.
- d. **Local.** A street intended mainly to provide access to adjoining property and uses, providing access to and from individual lots.
- e. **Marginal Access.** A service road that runs parallel to a major street, generally an arterial. Its purpose is to separate through from local traffic, and to provide access to abutting properties.
- f. **Minor Streets.** Those that are used primarily for access to the abutting properties.

**Structure.** Anything constructed or erected that requires rigid and permanent location on or attachment to the ground; including, but not limited to, buildings, signs, towers, monuments, statues, and walls; but not including telephone and other utilities poles, overhead wires, retaining walls and terrace walls, wire fences, and any other thing less than three feet in height.

**Subdivider.** The person(s), firm(s), or corporation(s) engaged in the process of creating a subdivision or having completed a subdivision.

**Subdivision.** The division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites or other divisions of land, whether described by metes and bounds or by any other description, for the purpose, whether immediate or future, of sale or of building development. It includes resubdivision 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.

**Subdivision Regulations.** The Subdivision Regulations of the Town of Shorter, Alabama.

**Surface Drainage.** A drainage system consisting of culverts and open ditches.

**Surveyor.** A Land Surveyor and registered by the State of Alabama Board of Registration for Professional Engineering and Land Surveyors.

**Town.** Town of Shorter, Alabama.

**Town Attorney.** The licensed attorney designated by the Town Council to furnish legal assistance for the administration of these regulations.

**Town Clerk.** The duly designated Clerk of the Town of Shorter, Alabama.

**Town Council.** The Town Council of the Town of Shorter, Alabama.

**Town Specifications.** All construction specifications or codes which have been, or may be, adopted by the Town Council or as required by the Planning Commission.

**Tree.** All wooded vegetation, whether occurring naturally or planted, which has one erect perennial stem or trunk at least nine and one half (9 ½) inches in circumference at a point four and one half (4 ½) feet above ground level.

**Water Supply.** The system made up of water sources, treatment, and conveyance systems to provide potable water to the community.

**Watercourse.** Any depression serving to give direction to a flow of water, having a bed and well-defined banks and that it shall, upon the rule or order of the Town of Shorter also include other generally or specifically designated areas where flooding may occur. The flow of water need not be on a continuous basis, but may be intermittent resulting from the surface runoff of precipitation.

**Watershed.** The land area from which surface water runoff flows and ultimately drains to a particular water course or body of water.

**Work.** All required construction as shown on approved plans and specifications for all facilities and features of any kind.

**Zoning Ordinance.** The Zoning Ordinance of the Town of Shorter, Alabama.



## **ARTICLE THREE ADMINISTRATION**

### **Section 3.1 Enforcement, Violations, and Penalties**

3.1.1 For the purpose of generally enforcing and administering these Subdivision Regulations, the Planning Commission shall be deemed the administrative division of the Town. The Building Official (or Designated Representative, *see Definitions*) shall serve as the Council's and the Commission's representative for the direct administration and enforcement of these Subdivision Regulations. He shall review plats, plans, specifications, designs, and other information required by these Regulations to assure conformance with all provisions thereof. He shall inspect or cause to have inspected the construction of all public improvements within a subdivision to assure conformance with the approved plans and specifications. Such inspections shall be made before, during, and after the construction of the work.

Any violations or lack of compliance of these Regulations noted or discovered by the Building Official shall be brought to the attention of the Town Attorney and the Planning Commission. All corrective actions deemed necessary by the Planning Commission shall be taken prior to Final Acceptance by the Town.

3.1.2 No owner, or agent of the owner, of any parcel of land located in a proposed subdivision shall transfer to sell any such parcel before a final plat of such subdivision has been approved in accordance with the provisions of these regulations by the Planning Commission, and filed with the Judge of Probate of the appropriate county according to where the subdivision is located. The description of metes and bounds in the instrument of transfer or other document used in the process of selling or transfer shall not exempt the transaction from these penalties.

3.1.3 The penalty for transferring a lot in an unapproved subdivision shall be one hundred (\$100.00) dollars for each lot or parcel so transferred or sold. The Town of Shorter may enjoin such transfer or sale or agreement by action for injunction brought in any court or equity jurisdiction or may recover the same penalty by a civil action in any court of competent jurisdiction.

### **Section 3.2 Conflicts With Other Laws**

Whenever the provisions of these regulations impose more restrictive standards that are required in or under any other ordinance, the regulations herein contained shall prevail. Whenever the provisions of any other ordinance require more restrictive standards than are required herein, the requirements of such regulations shall prevail.

### **Section 3.3 Guarantee of Completion of Improvements**

#### **3.3.1 General**

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

### 3.3.2 Financial Guarantee of Performance

The guarantee of performance by the subdivider shall be in the form of a Subdivision Improvement Bond or an Irrevocable Letter of Credit, and shall meet the following requirements:

1. Bond or Irrevocable Letter of Credit must be approved by the Building Official and Town Attorney, and shall be made payable to the Town of Shorter, Alabama.
2. Bond or Irrevocable Letter of Credit must be in an amount not less than 100 percent of the total cost to cover installation of all required utilities and fees encountered in the completion of improvements. The estimated cost shall be approved by the Building Official.
3. The Improvement Bond shall be filed with the Town Clerk.
4. The bond shall be made by a surety company doing business in the State of Alabama and approved by the Planning Commission.

### 3.3.3 Failure of Complete Work

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

### 3.3.4 Guarantee Against Faulty Materials

If, in the opinion of the Building Official or the Town Council, there is reasonable doubt concerning the stability or proper construction of any improvement made under these Regulations, the Planning Commission may require a maintenance bond for from two years to five years. This bond shall be in cash or a cashier's check, or made by a surety company doing business in Alabama. Such maintenance bond shall be in addition to the one year's maintenance bond described elsewhere herein.

If, at any time during the prescribed maintenance period, defects within those items covered by the bond become apparent, the Developer will, at the request of the Town Building Official, immediately cause to have all such defects repaired to the satisfaction of the Town Council.

### 3.3.5 Final Completion and Acceptance

Upon completion of all work, where the work has proceeded under bond, the developer's engineer shall submit to the Town a certificate stating that the work has been entirely completed, and that it conforms in all respect to the final plat and plans for required improvements and to the specifications set by these regulations. On completion of all the work the Developer will furnish five (5) copies of as-built drawings of the improvements to the Town.

Upon receipt of this certificate of completion, the Building Official shall make a final inspection of the completed construction on the site. In the event that the improvements are incomplete or do not conform to the requirements of these Regulations and the plans and specifications, the Building Official shall notify the developer and the developer's engineer so that corrective measures may be instituted within the life of the construction contract and within the tenure of the contractor's performance bond. Once improvements are approved by the Building Official, the plat shall be submitted to the Planning Commission and the Town Council for approval.

When the plat has been approved by the Planning Commission and Town Council, four (4) copies and the original, with the approval of the Planning Commission certified thereon shall be returned to the subdivider to be used for filing with the applicable Probate Judge(s) as the official plat of record. The original tracing containing all required certifications shall be returned to the subdivider for his 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 the meeting at which the final plat is introduced. 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.

Approval of final plat by the Planning Commission shall not constitute acceptance by the public of the dedication of any street or other public improvement. After approval of the final plat and the construction of public improvements thereon the Building Official may recommend to the Town Council that it accept these public improvements and take over their perpetual maintenance.

The developer shall provide the Planning Commission a copy of any subdivision restrictive covenants.

### **Section 3.4 Conformity to Town Plan**

All proposed subdivision plans shall be consistent with the goals and objectives of the adopted Shorter Master Plan and to the Shorter Zoning Ordinance. Whenever a tract to be subdivided embraces any part of a highway, major street, secondary street, or parkway so designated, such part of such proposed public way shall be platted by the subdivider in the same location and at the same width as indicated on such Town plan.

### **Section 3.5 Deviations and Variances**

Where the Planning Commission finds that unusual hardship may result from strict compliance with these regulations, it may approve deviations or a variance to these regulations so that substantial justice may be done, provided that such deviation or variance shall not have the effect of nullifying the intent or purpose of these regulations.

The Planning Commission shall not approve deviations unless it shall make findings based upon the evidence presented to it in each specific case that:

- a. The granting of the deviation will not be detrimental to the public safety, health or welfare or injurious to other property.
- b. The conditions upon which the request for a deviation is based are unique to the property for which the deviation is sought and are not applicable generally to other property.
- c. Because of the particular physical surroundings, shape or topographical conditions of the property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out.

A petition for such deviation shall be submitted in writing by the subdivider at the time when the preliminary plat is filed for consideration by the Planning Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

Any deviation thus authorized shall be entered in writing in the minutes of the Planning Commission with the reason which justified the departure to be set forth.

### **Section 3.6 Vacation of Plat or Map**

Any plat or map, whether or not executed and recorded as provided in these regulations, may be vacated by the owner, his executor, administrator or guardian of the lands at any time before the sale of any lot therein by a written instrument declaring the same to be vacated, executed, acknowledged and recorded in like manner as conveyances of land which declaration, being duly recorded, shall operate to destroy the force and effect of the recording of the plat or map so vacated and to divest all public rights in the streets, alleys and public grounds and all dedications laid out or described in such plat or map.

When lots have been sold, the plat or map may be vacated, in the manner herein provided by all the owners of lots in such plat or map joining the execution of such writing, as prescribed by law.

### **Section 3.7 Public Use and Service Areas**

#### **3.7.1 Public Uses**

Where a park, neighborhood recreational open space, a school site, or other areas for public use shown on an official map or on a plan adopted by the Planning Commission is located in whole or in part in the proposed subdivision, the Planning Commission shall seek to secure the reservation of the necessary land for such use.

#### **3.7.2 Easements for Utilities**

Except where alleys are provided for the purpose, the Planning Commission may require easements not exceeding ten (10) feet in width for poles, wires, conduits, stern and sanitary sewer, gas, water, or other utility lines on each side of the common rear lot line and along side lot lines if necessary or advisable in the opinion of the Planning Commission, and unless wider easements are required in the opinion of the Building Official.

#### **3.7.3 Dedication to Public Use**

There shall be no reserve strips except these which are conveyed to the government having jurisdiction.

#### **3.7.4 Suitability of the Land.**

Land which the Planning Commission has found to be unsuitable for subdivision due to flooding, bad drainage, steep slopes, rock formation, or other features likely to be harmful to the safety, health, and general welfare of the future residents shall not be subdivided unless adequate methods approved by the Planning Commission are formulated by the developer for meeting the problems involved.

#### **3.7.5 Building Restrictions**

No final plat of land within the force and effect of the Shorter Zoning Ordinance shall be approved unless the building restrictions to be established conform with the minimum requirements of such zoning ordinance.

### **Section 3.8 Comprehensive Group Housing Development**

A comprehensive group housing development including the construction of two or more buildings together with the necessary drives and ways of access and which is not subdivided into the customary lots, blocks, and streets may be approved by the Planning Commission if, in the opinion of the Commission, any departure from the foregoing regulations can be made without destroying the intent of the regulations. Plans for all such development shall be submitted to and approved by the Planning Commission whether or not such plat is to be recorded and no building permits shall be issued until such approval has been given.

**Section 3.9 Mobile Home Subdivisions**

All provisions of the Subdivision Regulations shall apply to the development of mobile home subdivisions, including the preliminary and final plat requirements. In addition, all minimum requirements of the Alabama State Health Department pertaining to mobile home use shall be met.

**3.10 Mobile Home Parks**

Development of mobile home parks on parcels of land will be allowed. Any and all public improvements which are expected to be dedicated will be constructed in accordance with these Subdivision Regulations. All minimum requirements of the Alabama State Public Health Department pertaining to mobile home use shall be met.

**Section 3.11 Non-Residential Subdivisions and Planned Unit Developments**

A non-residential subdivision and Planned Unit Developments (PUDs) shall be subject to all the sketch plan, preliminary plat and final plat content and approval process as outlined in these Regulations for a residential subdivision.

**Section 3.12 Severability and Separability**

If any section, clause or portion of these regulations shall be held by a court of competent jurisdiction to be invalid or unconstitutional, such findings shall not affect any other section, clause or portion of these regulations.

**Section 3.13 Adoption, Amendment, and Repeal of Regulations**

3.13.1 Adoption

The Planning Commission may adopt, readopt, amend, or repeal these Subdivision Regulations by a majority vote of the members of the planning commission 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 4, Section 4.3.4 of these Subdivision 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 Shorter Subdivision Regulations shall be certified by the Planning Commission to the Probate Judges of Macon, Elmore and Montgomery Counties.

3.13.2 Amendment

Any article, section, sub-section, or provision of these Subdivision Regulations proposed for amending shall be published as provided by law for the publication of ordinances. Before adoption, a public hearing as described by law, shall be held thereon. Following its adoption, a full and complete copy of the amendment shall be 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 amendment shall be certified by the Planning Commission to the Probate Judges of Macon, Elmore and Montgomery Counties.

3.13.3 Repeal of Former Regulations

These Regulations are the official Subdivision Regulations for the Town of Shorter, Alabama. 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, variances, or deviations issues in good faith compliance with any previous local ordinance hereinafter repealed by these Regulations.



**ARTICLE FOUR  
APPLICATION PROCEDURE AND APPROVAL PROCESS**

**Section 4.1 Purpose**

The purpose of this article is to establish an orderly and expeditious procedure for reviewing and acting upon applications for subdivision approval in accordance with these regulations. The procedure for review and approval of a subdivision plat consists of three (3) separate steps. The initial step is the preparation and submission of a Sketch Plan of the proposed subdivision to the Building Official for advice and review. The preparation and submission of a Sketch Plan by the applicant is optional, except in the case in which a subdivision is planned to be constructed in phases. The second step is the preparation and submission of a Preliminary Plat of the proposed subdivision for the Planning Commission approval. The third and final step is the preparation and submission to the Planning Commission of a Final Plat together with all required certificates. This Final Plat becomes the instrument to be recorded in the Office of the Judge of Probate when duly signed by the Planning Commission

**Section 4.2 Sketch Plan**

Whenever a subdivision is proposed within the jurisdiction of these regulations, it is recommended that the subdivider or developer contact the Building Official and submit a Sketch Plan in accordance with these regulations. When a subdivision is proposed to be constructed in phases, a Sketch Plan is required. The Building Official may require consultation with other Town departments. In this way the developer can obtain the advice and assistance of the Building Official and other Town departments, and facilitate the subsequent preparation and review of the preliminary subdivision plat.

**4.2.1 Information Required**

The subdivider must present a Sketch Plan containing all information listed below. Three (3) copies of the Sketch Plan shall be submitted to the Building Official. Copies may be distributed to other Town departments to obtain comments and suggestions.

- a. A completed application and a deed and/or completed Authorization to Act as Applicant Form.
- b. A vicinity map, to scale, showing the location of the proposed subdivision and its relationship to the surrounding area.
- c. Survey data showing the dimensions and bearings of the boundaries of the subdivision; section and corporate lines; and contours at five (5) foot intervals based on National Geodetic Survey Sea Level Datum, unless required by the Building Official to submit contours at lesser intervals. In some cases the Building Official may require spot elevations in sufficient number to provide necessary drainage information.
- d. The title or name under which the proposed subdivision is to be recorded; the name and address of the owner or owners; and the name and seal of the registered land surveyor or engineer responsible for the plat.
- e. Notations giving the scale of the drawing(s), true north arrow, datum, benchmarks, bearing base, and date.
- f. The location of existing streets, buildings, railroads, bridges, sanitary sewers, drainage facilities, water mains, and any public utility easements on both the land being subdivided and on the adjoining land. Aerial photos, the Town's available digital files and similar sources may be used to determine the location of these facilities and structures.

- g. The names and/or County Road Numbers, locations, right-of-way widths and other dimensions of proposed streets, alleys, easements, open spaces, and reservations.
- h. Lot lines, lot numbers, tabulations stating gross and net acreage of the subdivision, acreage of existing and proposed public areas within the subdivision, number of residential lots, and area of each lot.
- i. The location of water courses, 100-year floodplains, wetlands, waters of the United States, wooded areas, buildings or structures, and other significant natural and built features on the tract.
- j. Sites to be reserved or dedicated for parks, recreation areas, schools or other public uses; sites, if any, for multi-family dwellings, commercial uses, churches, industry, or other uses exclusive of single-family dwellings.
- k. Implementation of any portion of the Major Streets, Water and/or Sewer Plans planned by public authorities for construction on or adjacent to the tract.
- l. Preliminary plans of proposed drainage, storm water management, and utility layouts along with approximate locations of valves and fire hydrants and similar facilities; and showing feasible connections, when possible, to existing and proposed utility and drainage systems.
- m. Any area within or adjacent to the proposed subdivision subject to inundation by the 100-year flood as defined in these regulations, or subject to periodic inundation by storm drainage overflow or ponding, shall be clearly shown and identified on the plat.

#### 4.2.2 Miscellaneous

The Sketch Plan is optional and it is intended to serve as an initial step in the subdivision process. Subsequent meetings may be called between Town staff and the developer to discuss required corrections, impacts and/or issues resulting from the proposed subdivision. This step is included in the review process because it allows the subdivider and local officials to discuss the proposed subdivision in an informal setting, and to correct any design errors and/or problems during the early stages of the project.

Staff shall be allowed a review period for Sketch Plans of not less than fifteen (15) days prior to the regular submission date for Preliminary Plats to be considered by the Planning Commission.

Upon receiving consideration by the Building Official, the subdivider may proceed to prepare the Preliminary Plat for the subdivision. However, neither the subdivider nor the Planning Commission shall be bound by the Sketch Plan; and it is expressly understood that favorable consideration by the Building Official regulations at the Sketch Plan stage of the process shall under no circumstances be construed as preliminary or tentative approval.

### **Section 4.3 Preliminary Plat**

The purpose of the Preliminary Plat is to provide a basis for plans for the construction of the subdivision and its improvements. To this end, during preparation of the Preliminary Plat the subdivider should consult with the Building Official and other officials and agencies concerned with the subdivision of land and the improvements placed thereon.

#### 4.3.1 Filing and Review

The subdivider shall file with the Building Official five (5) copies of the Preliminary Plat together with the Attendant Items required herein, with written application for approval at least fifteen (15) days prior to the Planning Commission meeting at which it is to be considered. Prior to Planning Commission review, the Preliminary Plat shall be reviewed by the Building Official; Water and Sewer Administrator, Public Safety Departments; the

County Health Officer and County Engineer, as appropriate; and other appropriate officials. The review shall take into consideration, in addition to the requirements set out in these regulations, conformance of the subdivision design to the Shorter Master Plan and the particular requirements and conditions affecting installation of improvements.

#### 4.3.2 Information Required

The Preliminary Plat shall be drawn at a scale of one (1) inch equals one hundred (100) feet, or other appropriate scale as approved by the Building Official; and the sheet size shall not be larger than 24 inches by 36 inches. Where necessary the plat may be presented on several sheets accompanied by an index sheet showing the entire subdivision. In addition to all information required for the Sketch Plan, the Preliminary Plat shall provide names of adjoining subdivisions; and the names and mailing address of the owners or record of the adjoining parcels of land as they appear on the current tax records in the Office of the Tax Assessor of the appropriate and applicable county.

For projects having a gross site area of one (1) acre or more, the applicant may submit a Project Engineer's Statement in lieu of the utility plans specified in the preceding paragraph. This statement shall be signed and sealed by a registered professional engineer in the State of Alabama. It shall attest to the adequacy of available utilities to service the subdivision, and declare that storm water runoff from the site can and will be managed in accordance with Town of Shorter regulations. The Building Official shall furnish blank copies of the Project Engineer's Statement upon request; the wording of such statement shall not be altered in any way by the applicant.

In those cases where a request for reduced street improvements is being made in accordance with these regulations, profiles of all proposed streets, and such other information as required by the Building Official to determine whether or not the proposed development meets the requirements of these regulations.

#### 4.3.3 Town Specifications

All sanitary sewers, storm sewers and drainage facilities, water lines, street grading and paving, fire protection and related improvements shall be designed by a registered engineer to meet the requirements of the Town of Shorter, Alabama.

#### 4.3.4 Notice and Hearing

Preliminary Plats shall be considered by the Planning Commission at a public hearing. Notice of the time and place at which a Preliminary Plat will be considered shall be sent to the subdivider and to the person(s) identified on the plat as the owner(s) of the land. The owners of all abutting property shall also be notified by certified mail of the hearing at least five (5) days prior to such hearing.

#### 4.3.5 Preliminary Plat Approval

The Planning Commission shall approve, approve conditionally, or disapprove such Preliminary Plat within thirty (30) days after the submission thereof. If approved conditionally, the conditions and reasons therefore shall be stated; and if necessary the Planning Commission may require the subdivider to submit a revised Preliminary Plat. If any of the requirements are modified or waived, the reasons for such shall be specified. If the Planning Commission should disapprove the Preliminary Plat, the reasons for such action shall be stated and, if possible, recommendations made on the basis of which the proposed Subdivision would be approved. One (1) copy of the Preliminary Plat as acted upon by the Planning Commission shall be retained in its office, one (1) copy forwarded to the Building

Official, and one (1) copy returned to the subdivider.

#### 4.3.6 Effect of Approval

Approval of a Preliminary Plat shall not constitute acceptance of the plat of the proposed subdivision but shall be deemed only as an expression of approval of the plan submitted as a guide to preparation of the Final Plat, which Final Plat will be submitted for approval and recorded upon fulfillment of the requirements of these regulations and the conditions of tentative approval. Approval of a Preliminary Plat shall be effective for eighteen (18) months, unless, upon application by the subdivider, the Planning Commission grants an extension. If the Final Plat has not been submitted for final approval within this time limit, the Preliminary Plat shall again be filed for tentative approval; provided, however, that if a Final Plat of a part of the subdivision shall have been submitted and approved within the 18-month period, the tentative approval of the Preliminary Plat shall automatically be extended for a period of eighteen (18) months from the date of approval of such Final Plat of part of the subdivision, and the same automatic extension shall govern in subsequent cases of submission of a Final Plat of part of the subdivision; provided, further, that at any time after the expiration of the initial 18-month period during which the Preliminary Plat approval is effective, the Planning Commission may notify the subdivider of changes it will require to meet new or changed conditions. A corrected Preliminary Plat with all conditions fulfilled shall be submitted prior to the construction or installation of any improvements.

Approval of the Preliminary Plat and Engineering Plan and receipt of a permit from the Building Official shall constitute authorization, subject to obtaining the necessary State and Federal permits, that the subdivider may proceed with the construction of any improvements in accordance with applicable Town codes, regulations and specifications approved by the Building Official; and with the staking of the lots in preparation for the Final Plat. The subdivider shall not begin any construction without first notifying the Building Official, the applicable utility departments, and the County Engineer if appropriate.

### **Section 4.4 Engineering Plan**

The purpose of the Engineering Plan is to provide information, including drawings and specifications, for the construction or installation of the improvements. To this end, the subdivider should consult with the Building Official and, if applicable, with the appropriate Water Board, the appropriate County Engineer, the appropriate County Health Department, and other appropriate authorities that may be concerned with construction or installation of improvements.

#### 4.4.1 Filing and Review

After approval of the Preliminary Plat and prior to the construction or installation of any of the improvements, the subdivider shall prepare and submit to the Building Official and to other officials or agencies concerned, the necessary copies of the Engineering Plan. The Engineering Plan shall be reviewed by the appropriate authorities, and the review shall take into consideration, in addition to the requirements set out in these regulations, conformance with the applicable standards and regulations of the Town of Shorter and of other agencies concerned.

Copies of the ADEM and U.S. Army Corps of Engineers letters of approval must accompany the filing of the final Engineering Plans. If the property to be developed does not fall within the jurisdiction of the Corps of Engineers, a letter from that agency or a statement to this effect must be filed with the Engineering Plan.

#### 4.4.2 General Form

The Engineering Plan shall show accurately, and in sufficient detail for their construction or installation, the design of all proposed improvements in the subdivision. At a minimum it shall provide the following information:

- a. Profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision.
- b. Typical cross sections of the proposed grading, roadways, and sidewalks.
- c. The location, sizes, and invert elevations of existing and proposed sanitary sewer and drainage facilities; the location and sizes of existing and proposed water lines; and any other data relating to utilities and drainage facilities that may be necessary to complete their installation.
- d. The location and results of soil percolation tests if individual sewage disposal systems are proposed.
- e. An acceptable erosion and sedimentation control plan.
- f. An over all grading plan and/or drainage calculations may be required.

#### 4.4.3 Action on Engineering Plan

The Building Official and other officials and agencies concerned shall notify the subdivider of the approval or disapproval of the Engineering Plan. In the case of approval, specific changes, if any, required to be made shall be stated. In the case of disapproval, the grounds for such disapproval shall be stated.

### **Section 4.5 Final Plat**

The purpose of the final plat, together with all the information and attendant items required herein, is to provide an accurate record of street and property lines and other elements being established on the land, and the condition of their use. The final plat shall conform substantially to the preliminary plat as approved.

#### 4.5.1 Submission and Review

The final plat shall be drawn upon tracing cloth, film, mylar, and/or paper on sheets measuring no more than twenty-four (24) by thirty-six (36) inches; and at a scale of one (1) inch equals one hundred (100) feet or other appropriate scale as approved by the subdivision administrator. Where necessary the final plat may consist of several sheets, accompanied by an index sheet showing the entire subdivision. The subdivider shall file with the Building Official five (5) copies of the Final Plat together with the attendant items required herein, with written application for approval at least fifteen (15) days prior to the Planning Commission meeting at which it is to be considered.

#### 4.5.2 Information Required

The Final Plat shall contain the following information:

- a. A diagram to scale showing the general location of the subdivision.
- b. Primary control points approved by the Building Official or County Engineer, as appropriate; or description and ties to such control points; to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
- c. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way; property lines of lots and other sites with accurate dimensions; bearings, tangent distances, radii, central angles, arc lengths, and degrees of all curves; and the location and description of all monuments. All survey data shall be according to the Minimum Technical Standards for Land Surveying in the State of Alabama, October 26, 1990, or latest edition as published by the Alabama Society of Professional Land Surveyors. At least two (2) corners of the subdivision shall be referenced to the State

- Plane Coordinate System if an established and proven point is within one half (½) mile of the subdivision.
- d. Title, scale, north point, and date.
  - e. Name and right-of-way width of each street or other public right-of-way.
  - f. Numbers to identify each block and lot; and the area of each lot.
  - g. The location, dimensions, and purpose of any easements.
  - h. The purpose for which sites other than residential lots may be used.
  - i. Names of owners of record of adjoining land.
  - j. Certification of title showing that the applicant is the owner of the land within the subdivision.
  - k. Statement by the owner dedicating street rights-of-way and any sites for public use.
  - l. Statement by a registered land surveyor certifying that the plat meets the requirements of the Minimum Technical Standards for Land Surveying in the State of Alabama, October 26, 1990, or latest edition, as published by the Alabama Society of Professional Land Surveyors.
  - m. Space for certificate of approval by the Building Official and, if appropriate, the County Engineer.
  - n. Certificate of acceptance by the Town Council of any land, right-of-way, or easements dedicated to the Town.
  - o. Certificate by the Building Official and/or applicable utility managers that the subdivision meets all the requirements for required street and utility improvements.
  - p. Certificate by the County Health Officer when individual sewage disposal and/or water systems are to be installed.
  - q. Existing structures shall be located on the plat and fully dimensioned so that conformance with any applicable regulations can be verified.
  - r. Note prohibiting structures on easements. Access shall not be restricted by ungated fences.

#### 4.5.3 Attendant Items

The Final Plat shall be accompanied by the following items, as appropriate:

- a. A copy of the protective covenants, if any, as they are to be recorded. If the subdivision contains common open space, retention ponds or other amenities for the use of the residents of the subdivision, provisions shall be made for a homeowner or residents association or other means for maintaining the common open space or other amenity.
- b. A statement signed by the Building Official that the subdivider has complied in full with one of the following alternatives:
  1. All streets shown on the plat have been graded and improved; and all sewage, water, and drainage facilities have been installed in accordance with the requirements of these regulations, with the action of the Planning Commission in giving tentative approval to the subdivision, and in accordance with Town specifications.
  2. An engineering estimate of the costs of any required improvements yet to be constructed must be submitted prior to the submission of the performance bond.
  3. A performance bond with commercial surety in an amount equal to one and one-half (1½) times the estimated cost of all improvements, approved as to form by the Town Attorney and with surety satisfactory to the Planning Commission, securing the design and installation of these improvements, utilities, and facilities within the period fixed by the Planning Commission.

4. An irrevocable letter of credit drawn on an approved bank and payable to the Town, in an amount adequate for the completion of all improvements, utilities, and facilities.
5. An assessment petition, approved by the Town Attorney, whereby the Town is placed in an assured position to make these improvements and to install these utilities and facilities at any time and without any cost to the Town.
- c. Receipt of a certificate from a registered land surveyor that permanent monuments of suitable size and material have been placed for each lot corner in the subdivision, and that a satisfactory survey defines such permanent monuments in relation to located section corners or fractional corners of the Survey of Public Lands.
- d. Copies of any and all applicable Federal and State permits required for construction of the development shown on the Final Plat.

**Section 4.6 Recording of Final Plat**

Approval of the Final Plat by the Planning Commission shall be null and void if such Final Plat is not recorded in the office of the Judge of Probate of the applicable county within one hundred eighty (180) days after the date of approval, unless an application for an extension of time is made in writing and is granted by the Planning Commission during this one hundred eighty (180) day period.

**Section 4.7 Copies of Recorded Plat**

The applicant shall file with the Building Official one (1) mylar, five (5) blue line or sepia paper copies, and an electronic copy on a compact disc (CD) in the JPEG/JPG, TIFF, or PDF formats, of the Final Plat as recorded in the Office of the Judge of Probate of the applicable county. In addition, an as-built drawing of the subdivision on compact disc (CD) in a CAD or GIS compatible format shall be filed with the Building Official.

**Section 4.8 Combined Preliminary and Final Plat**

A subdivider may submit a combined request for both Preliminary Plat and Final Plat approval. In such cases all requirements for both Preliminary and Final Plat approval must be met.

**Section 4.9 Street and Utility Maintenance**

No street or utility facility as shown on the Final Plat shall be accepted for maintenance by the Town unless the developer shall fully comply with all requirements imposed by this Section. The requirements for obtaining an acceptance of the dedication of streets and utilities are as follows:

- a. All streets and utilities shall be installed as platted or mapped and in accordance with Town specifications.
- b. Upon completion of such streets and utilities, the Building Official shall conduct inspections to determine compliance with the terms of this Section. If said streets and utilities are in compliance, the Building Official shall issue a Certificate of Approval.
- c. The developer shall submit a deed, in form as approved by the Town Attorney, granting to the public the premises intended for public streets and utilities and assenting to the maintenance of all streets and utilities for a period of one (1) year from the date of acceptance and the dedication thereof by the Town Council.
- d. The Town Council shall acknowledge its acceptance of the dedication of such streets and utilities by a formal resolution recognizing them as dedicated streets and utilities.
- e. Upon expiration of one (1) year from the date of such acceptance by the Town Council, the Town of Shorter shall be responsible for each street and utility that has been accepted by the Town Council.

## **Section 4.10 Private Subdivisions**

### **4.10.1 General**

A private subdivision is one in which road systems and utilities are not dedicated to the public.

Improvements within a proposed private subdivision shall meet regular subdivision standards and the private status shall not be effective until Final Plat recording.

One (1) or more gates may be established after construction to limit access.

The Private status of the subdivision shall be clearly stated on the recorded Final Plat.

A subdivision will be considered as a “Private Subdivision” if the proposed development prevents access or “land locks” adjoining property(s).

### **4.10.2 Maintenance**

As long as the subdivision remains private, the roads, structures, and drainage shall be maintained by the developer and/or property owners. This shall be clearly stated to those who purchase a parcel(s) within the subdivision and shall be stated in writing on each property deed. The procedure for accomplishing this shall be outlined in a letter to the Building Official for record purposes.

### **4.10.3 Conversion**

If a private subdivision is recorded with the Macon County Probate Office and one hundred (100) percent of the property owners at some future date desire to eliminate the private subdivision and substitute in its place a Town maintained subdivision, the owners must petition the Town of Shorter for tentative approval. If the Town gives tentative approval of the petition, the owners shall submit subdivision plan to the Planning Commission including improvements and repairs that may be required according to Shorter’s Subdivision Regulations effective on the date of the petition. It shall be the responsibility of the owners to prepare the revised Final Plat according to the standards set forth in these regulations and to record to the Macon County Probate Office.

## **Section 4.11 Non-Residential Subdivisions and Planned Unit Developments**

A non-residential subdivision shall be subject to all the sketch plan, preliminary plat and final plat content and approval process as outlined in these Regulations for a residential subdivision. The applicant shall display that the proposed street-block-lot parcel pattern of the non-residential subdivision is specifically adapted to its anticipated uses, and considers other uses in the vicinity.

## **Section 4.12 Planned Unit Development**

A Planned Unit Development (PUD) is intended to provide flexible land use and design regulations to allow small-to-large scale neighborhoods or portions thereof to be developed that permit a variety of residential types, containing both individual building sites and common property which are planned and developed as a unit. Planned Unit Developments are intended specifically to encourage innovations in residential development to enable the growing housing demands to be met by greater variety in type, design, and siting of dwellings, and by the conservation and more efficient use of land in such developments. The Planning Commission may allow appropriate commercial and/or office uses as specified by the Town of Shorter Zoning Ordinance, if in the opinion of the Planning Commission the requested commercial/office facilities would significantly enhance the amenities of the development. A Planned Unit Development shall be subject to the sketch plan, preliminary plat

and final plat content and approval process as outlined in these Regulations for a residential subdivision.

**Section 4.13 Small Subdivisions and Resubdivisions**

A subdivision having five (5) lots or less with lots fronting a previously dedicated street, and the platting of said subdivision does not affect any major operation of utility installation, may be subdivided under the final plat procedure at the initial hearing. Certification and requirements pertaining to development plans or construction shall not apply, except for lot drainage plans and Health Department certifications. Applications under this provision shall be filed together with maps and all other matter at least 10 days prior to a regular meeting to the Planning Commission.



**ARTICLE FIVE**  
**GENERAL REQUIREMENTS AND MINIMUM DESIGN STANDARDS**

**Section 5.1 General**

Unless otherwise required herein, all construction of proposed subdivision improvements within the Town of Shorter or its specified jurisdiction shall be in accordance with the Standard Specifications of the State of Alabama Highway Department latest edition. Said Standard Specifications shall be considered a part of these subdivision regulations as though bound herein. Installation of public utilities, including but not limited to water, sewer, power, telephone, television cable, and gas, shall be in accordance with the respective utilities standard specifications. Coordination with each utility shall be the responsibility of the Developer, and installation shall be at the Developer's expense.

**Section 5.2 Streets**

**5.2.1 General**

1. The arrangement, character, extent, location, and grade of all streets shall conform, when reasonable, to a plan with good land planning principles and shall be integrated with all existing and planned streets. Land abutting a proposed subdivision shall not be land-locked by the proposed subdivision.
2. The proposed street system shall be coordinated with the street system of the surrounding area. However, the number of streets converging upon any one point which would tend to promote congestion shall be held to a minimum. Creation of multiple street intersections shall not be permitted. The street pattern shall be in conformity with a plan for the most advantageous development of the entire community.
3. In addition, if in the opinion of the Planning Commission, it is desirable to provide street access to an adjoining property, said street shall extend by dedication to the boundary of such property. A temporary turn-around, as defined in design standards for street cul-de-sac, shall be provided. Local streets shall be so laid out that their use by through traffic in the subdivision will be discouraged.
4. Subdivisions which abut or have included within the proposed area to be subdivided any arterial streets shall provide for the adequate protection of properties, and afford separation of through and local traffic.
5. Intersections of minor subdivision streets with major and arterial streets shall be held to a minimum.

**5.2.2 Street Plan**

1. All streets shall be designed along contour elevations which will result in minimum grades and greatest visibility whenever practicable with consideration given to the anticipated use of the land. Grades of streets shall conform as closely as possible to the original topography.
2. The proposed street layout shall be made according to sound land planning principles for the type of development proposed.
3. Local and collector streets shall be laid out to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.
4. Existing streets and right-of-way which are proposed to be retained shall be incorporated into the street system so as not to cause hazardous conditions.
5. Proposed streets shall be extended to the boundary line of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Building Official and Planning Commission such extension is not necessary or

desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.

6. Where a proposed subdivision has no frontage on an existing public road or public right-of-way, the subdivider must provide and dedicate to the Town a suitable right-of-way for ingress and egress. This connecting road becomes a part of the street system of the proposed subdivision and is subject to all regulations regarding streets.
7. The arrangement of streets shall provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, or for efficient provision of utilities. If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of-way shall be extended to the property line. A temporary T and L shaped turnabout shall be provided on all temporary dead-end streets, with notation on the subdivision plat that land outside the normal street right-of-way shall revert to abutters whenever the street is continued. The Planning Commission may limit the length of temporary dead-end streets in accordance with the design standards of these regulations.
8. When a road does not extend to the boundary of the subdivision and its continuation is not required by the Planning Commission for access to adjoining property, its terminus shall normally not be nearer to such boundary than 50 feet. However, the Planning Commission may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic or utilities. A cul-de-sac turnaround shall be provided at the end of a permanent dead-end street in accordance with the design standards of these regulations. For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall, in general, be limited to 600 feet in length.
9. Streets shall be laid out so as to intersect as nearly as possible at right angles and in no case at an angle of less than 75 degrees. Property lines at street intersections shall be rounded with a radius of twenty (20) feet. The Town will permit comparable cut offs or chords in lieu of rounded corners.
10. Intersections involving more than four (4) basic street legs or approaches shall be prohibited. Merging lanes, deceleration lanes, "Y" intersections, and traffic circles are not included in this prohibition but are considered as being parts of one street leg or approach.
11. Opposing intersections shall be placed opposite each other where practical or placed at a minimum of 125 feet apart, except where the intersected street has separated dual drives without median breaks at either intersection.
12. Minimum curb radius at all intersections shall be at least 15 feet unless a different figure is expressly approved by the Building Official because of special topographical consideration or sound engineering practices.

### 5.2.3 Horizontal and Vertical Alignment

1. Grades of all roads shall comply with accepted engineering practice. Road grades shall not exceed eight (8) percent or be less than a half percent (0.5). The Planning Commission may permit some variation for these grade requirements if such variation would not adversely affect the safety and general welfare of the public. Grades of major collector and arterial streets shall not exceed five (5) percent.
2. Grades approaching intersections shall not exceed three (3) percent grade for a distance of not less than 50 feet from the center line of said intersection.
3. Roads shall be graded to a minimum line of seven (7) feet back of the curb line with a slope of one-half (1/2) inch per foot.

4. All roads shall be crowned in the center and have a minimum one-fourth (1/4) inch per foot of slope.
5. Vertical curves shall be used at all changes of grade exceeding one (1) percent and shall be designed with equal tangents in order to avoid hazardous profiles.
6. Minimum radii of horizontal curves shall not be less than 400 feet on arterial streets, 200 feet on collector streets, and 100 feet on local streets. There shall be a tangent of 100 feet provided between all reverse curves on arterial and collector streets and 50 feet on local streets.
7. Intersections should be planned and located to provide as much sight distance as possible. In achieving a safe, highway design, as a minimum, there should be sufficient sight distance for the driver on the local or collector street to cross an arterial without requiring approaching traffic to reduce speed.
8. Both passing sight and stopping sight distances will be designed in accordance with acceptable engineering standards.

#### 5.2.4 Rights-of-Way

1. Where a subdivision abuts on, or contains, an existing or proposed arterial street or expressway, the Planning Commission may recommend marginal access streets, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with rear service alleys or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
2. Reserve strips controlling access streets shall be prohibited except where their control is given to the Town.
3. The Planning Commission shall determine the classification of Town streets. Minimum widths of rights-of-way are as follows:

<u>Street Classifications</u>	<u>Minimum Right-of-Way Width</u>
Alley	20 feet
Local	60 feet
Collector	60 feet
Arterial or Commercial/Industrial	80 feet
Designated Highways	100 feet
Cul-de-sac	50 feet (radius)

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

- a. The entire right-of-way shall be provided where any part of the subdivision is located on both sides of the existing streets.
- b. When the subdivision is located on only one side of an existing road, one-half (1/2) of the required right-of-way, measured from the center line of the existing roadway, shall be provided. The entire roadway width shall be paved, unless the Planning Commission gives written approval to the contrary.

#### 5.2.5 Pavement and Street Section

1. Streets shall be graded to a minimum line of seven (7) feet back of the curb line with a rise of not less than eight (8) inches or more than fifteen (15) inches from the flow line of the gutter.
2. After the roadway is cleared and graded to subgrade, the subgrade shall be processed and compacted for a minimum depth of six (6) inches at a minimum density of 95

percent standard proctor. Greater depths may be required by the Building Official, depending on existing subgrade conditions and future traffic projections. The total width of compacted subgrade shall extend one (1) foot beyond the back of curb on each side of the pavement.

3. After the sub grade is tested and accepted, a minimum of eight (8) inches of compacted aggregate base material shall be placed at a minimum density of 100 percent standard proctor. The base material shall be in accordance with the Alabama Highway Department (A.H.D.) Specifications, Section 820. The base width shall be at least six (6) inches beyond each back of curb. Testing of the compacted subgrade and the compacted base shall be done by a licensed soils testing laboratory approved by the Building Official. The Developer shall pay for all testing expenses, shall have tests performed as required by the Building Official, and shall provide the Building Official with copies of the test results. No further construction shall be allowed until the subgrade and base are accepted.
4. The accepted, compacted base shall be saturated to its full width with an asphalt tack coat applied at a rate of 0.20-0.25 gallons per square yard and shall be in accordance with A.H.D., Section 405.
5. The asphalt base course shall be a minimum of one and a half (1 ½) inches, compacted thickness of Hot Bituminous Pavement, A.H.D., Section 411, Mix A. The minimum application rate shall be 105 pounds per inch per square yard.
6. The final asphalt layer shall be a minimum of one (1) inch compacted thickness of Bituminous Concrete Wearing Surface, A.H.D., Section 416, Mix A. The application rate shall be 108 pounds per inch per square yard of asphalt.
7. Based upon expected use or other special consideration, the Building Official may require additional thicknesses of base, asphalt base or wearing surface. The developer shall follow the requirements of the Building Official in such cases.
8. The minimum pavement widths back of curb to back of curb for the various classifications of streets shall be as follows; unless specified otherwise on the Major Thoroughfare Plan:

<u>STREET TYPE</u>	<u>MINIMUM PAVEMENT WIDTH</u>
Arterial Street	40 feet
Local Street	27 feet
Residential Collector Street	36 feet
Commercial Collector Street	36 feet
Alley	12 feet
Cul-de-sac (radius)	35 feet

9. The Developer may be allowed to use an alternate paving material, such as portland cement concrete. The developer shall submit the paving design, a typical section, and a formal request to use the design to the Building Official. The alternate pavement shall have at least the design life and capacity as the standard paving structure.
10. The developer shall not be required to pave any major arterial street. Additional right-of-way, pavement width or pavement may be required to promote public safety and convenience, or to ensure adequate access, circulation and parking in high-density residential, commercial or industrial areas, but no additional right-of-way or paving shall be required from a developer in connection with existing streets or highways which meet the above standards. Where a subdivision abuts on or contains an existing street of inadequate right-of-way width, additional right-of-way in conformity with the above standards shall be required for new subdivision. In the

event additional right-of-way is required, the developer shall acquire same for dedication to the Town.

11. Sidewalks, shall be a minimum of four (4) feet wide in residential and seven (7) feet wide in commercial areas. The cross-section for a sidewalk shall be in accordance with the Town's standard details.

## **Section 5.3 Sidewalks**

### **5.3.1 General**

Adequate facilities for pedestrian 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 a commercial or municipal development setting. The Town of Shorter maintains a public sidewalk network, and desires continued expansion of this network commensurate with the growth and development of the Town. Therefore, the Planning Commission may require subdividers to provide sidewalks or other pedestrian facilities within proposed subdivisions.

### **5.3.2 Where Sidewalks Are Required**

1. Where the proposed subdivision contains at least ten (10) lots.
2. Where the lots in the proposed subdivision are five (5) acres or less in size.
3. Where the external boundaries of the proposed subdivision lie within a one (1) mile radius of any public school, park or other major public use facility.
4. Where the external boundaries of the proposed subdivision lie within a one-half (1/2) mile radius of any planned group of commercial or industrial development.
5. Where the proposed subdivision adjoins or is otherwise served by an existing street or highway that provides public sidewalks.
6. Where the proposed subdivision includes a mix of land uses or includes common recreational improvements.
7. Where it is reasonable to expect that the future residents of the proposed subdivision might not have adequate access to personal vehicular transportation modes.

### **5.3.3 Where Other Pedestrian Facilities Are Required**

In lieu of concrete sidewalks, alternative pedestrian facilities may be required to ensure pedestrian access that is more compatible with rural developments. Alternative pedestrian facilities may include walking trails, multi-use trails or pathways. Instances in which alternative pedestrian facilities are required are as follows:

1. Where the proposed subdivision contains five (5) to ten (10) lots.
2. Where the lots in the proposed subdivision are five (5) acres or more in size.
3. Where the external boundaries of the proposed subdivision lie within a one (1) mile radius of any public school, park or other major public use facility.
4. Where the external boundaries of the proposed subdivision lie within a one-half (1/2) mile radius of any planned group of commercial or industrial development.
5. Where the proposed subdivision adjoins or is otherwise served by an existing street or highway that provides public sidewalks.
6. Where the proposed subdivision includes a mix of land uses or includes common recreational improvements.
7. Where it is reasonable to expect that the future residents of the proposed subdivision might not have adequate access to personal vehicular transportation modes.

### **5.3.4 Where Provided**

1. Where required by the Planning Commission, sidewalks or other pedestrian facilities shall be provided along both sides of arterial and collector streets.

2. Where required by the Planning Commission, sidewalks or other pedestrian facilities may be provided along only one side of any minor street within a subdivision.
3. Where required and approved by the Planning Commission, alternative pedestrian facilities may be located on dedicated easements that do not follow existing streets to maintain the rural character of the Town.

#### 5.3.5 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 soil and drainage conditions are adequate to ensure long-term surface stability. Alternative pedestrian facilities may be constructed of asphalt, crushed aggregate or other building material as approved by the Planning Commission. Minimum widths for sidewalks shall be as follows:

1. Four (4) feet for all sidewalks in single family residential subdivisions.
2. Five (5) feet for all sidewalks in multi-family or group housing developments.
3. Eight (8) feet for sidewalks in non-residential development or adjacent to non-residential uses in mixed use developments.
4. A minimum of five (5) feet for all alternative pedestrian facilities or greater widths as required by the Planning Commission depending on the planned volume of residents to be served.

#### 5.3.6 Distance from Right of Way Line

When required by the Planning Commission, sidewalks 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.

#### 5.3.7 Compliance with ADA Requirements

All sidewalks and pedestrian facilities shall be designed in accordance with the applicable requirements of the Americans with Disabilities Act of 1990, as amended.

### **Section 5.4 Storm Drainage and Erosion Control**

#### 5.4.1 General

1. Drainage and grading plan shall be made for each subdivision by the Developer's Engineer, which plan shall take into consideration the ultimate or saturated development of the tributary area in which the proposed subdivision is located. On-site storm water detention measures may be required by the Planning Commission.
2. The storm and sanitary sewer plans shall be worked out prior to the development of the other utility plans. Engineering considerations shall give preferential treatment to these gravity flow improvements, as opposed to other utilities and improvements. Off-premises drainage easements and improvements may be required to handle the run-off of subdivisions into a natural drainage channel.
3. The Planning Commission may require whatever additional engineering information it deems necessary to make a decision on subdivisions and other development which contains an area of questionable drainage. Lakes, ponds, and similar areas will be accepted for 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.
4. The Town of Shorter will not approve development of one site that causes an adverse effect on adjacent property. In some cases, storm water retention or improvement of existing downstream drainage facilities may be required. The applicant is urged to

contact the Building Official for a preliminary discussion on this matter prior to plan submittal.

5. Drainage area and peak flow estimates must be provided for each drainage facility, as well as profiles for all new storm sewers and open ditches, with outlet velocities. Structural capabilities for all new culverts and storm sewer pipes shall be provided.

Any new culvert or storm sewer pipe under the jurisdiction of the Alabama Highway Department or the County Engineering Department shall be approved by that authority. Copies of this approval shall be provided at the time of submittal of the preliminary plat.

Catch basins and drop inlets shall be constructed if deemed necessary by the Building Official.

No street shall shed surface run-off water onto any lot.

Storm drainage facilities shall be designed by a professional engineer, registered in the State of Alabama. The engineer's seal shall be on all drawings.

6. All development in the Town shall be in compliance with all applicable laws, ordinances and regulations.

#### 5.4.2 Design Requirements

1. Storm drainage facilities shall be provided in each subdivision. They shall be designed to carry not less than the storm water from a maximum projected rainfall to occur once in twenty years, with run-off factor of 90 percent for pavements and buildings and a variable runoff factor depending on the topography of the ground for other areas. All drainage facilities and appurtenances shall meet the specifications for street paving and storm sewer as set forth by the Building Official. The Building Official may require a more restrictive design (i.e., 25 or 100 year design) for such facilities as major drainageways. Design calculations shall be based on future probable development of the entire drainage area to be served or developed.
2. Water will not be permitted to run down the street more than 500 feet without proper drainage structures to intercept surface water.
3. If outlet velocities are greater than five (5) feet per second, some type of energy dissipation will be required. If rip-rap is used, the minimum weight shall be 50 pounds per stone.
4. All roadways cross drain pipe shall be a minimum size of 15 inches and all side drainage pipe shall be a minimum size of 15 inches.
5. All off-project drainage, draining onto the subdivision, shall be shown on contour maps showing the areas in acres that the subdivision will have to accommodate.
6. A minimum velocity of two (2) feet per second shall be maintained in all drainageways, and scouring velocities shall be considered in the design of natural swales and ditches.

#### 5.4.3 Drainage Easements

1. Where a subdivision is traversed by an existing or proposed watercourse, drainageway, channel or stream, there shall be provided 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 sufficient to contain the ultimate channel and maintenance way for the tributary area upstream and shall be approved by the Building Official.

2. Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road right-of-way, perpetual unobstructed easements at least 15 feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road.
3. Where required by the Building Official, the Developer shall obtain a Discharge Permit(s) from adjacent property owner(s) on a form prescribed by the Building Official.

#### 5.4.4 Construction Requirements and Erosion Protection

1. The Developer shall have all drainage structures and facilities constructed in accordance with the details and specifications of the Building Official.
2. Before construction of drainage facilities, the Building Official shall be notified no less than 24 hours in advance of any phase of operation to be started.

No drainage structure will be covered up until approval is given by the Building Official.

3. Storm sewers and drainageways shall be installed to the grades and elevations shown on plans which have been reviewed by the Building Official. Such plans shall bear the signature of the Building Official.
4. Wherever possible, storm water shall be conveyed in closed conduit manufactured of materials acceptable to the Building Official. Where open channels are used for drainageways, the channel shall be concrete-lined. No natural-lined channels will be allowed unless specifically approved by the Building Official. Design notes, construction techniques and other considerations shall be submitted to the Building Official for review.
5. An erosion and sedimentation control plan shall be a part of the construction plans and filed with the Town of Shorter prior to the commencement of any land-distributing activity. Determination of the requirement for an erosion and sedimentation control plan shall be made by the Building Official.
6. Whenever there is a conflict between Federal, state or local laws, ordinances, rules and regulations, orders, and decrees, the more restrictive provision shall apply.
7. Erosion and sedimentation control measures, structures, and devices shall be so planned, designed and constructed as to provide control from the calculated peak rates of run-off from a ten-year frequency storm. Run-off rates may be calculated using the procedures in the USDA, Soil Conservation Service's "National Engineering Field Manual for Conservation Practices", or other accepted calculation procedures. Run-off computations shall be based on rainfall data published by the National Weather Service for the area.
8. A combination of storage and controlled release of storm water run-off may be required for highway construction; commercial, industrial, educational, and institutional developments of one acre or more; for multi-family residential developments of five (5) acres or more; and, for single-family developments often (10) acres or more.
9. Detention storage and controlled release will not be required in those instances where the person planning to conduct the activity can demonstrate that the storm water release will not cause an increase in accelerated erosion or sedimentation of the receiving ditch, stream channel, or other drainage facility, taking into consideration any anticipated development or the watershed in question.
10. When the person conducting the land-disturbing activity is also the person conducting the borrow or waste disposal activity, areas from which borrow is obtained shall be considered part of the land-disturbing activity where the borrow

material is being used or from which the waste material originated. When the person conducting the land-disturbing activity is not the person obtaining the borrow and or disposing of the waste, these areas shall be considered a separate land-disturbing activity.

11. Temporary access and haul roads, other than public roads, constructed or used in connection with any land-disturbing activity shall be considered a part of such activity.
12. Land-disturbing activity in connection with construction, in, on, over, or under a lake or natural watercourse shall be planned and conducted in such a manner as to minimize the extent and duration of disturbance of the stream channel. The relation of a stream, where relocation is an essential part of the proposed activity shall be planned and executed so as to minimize changes in stream flow characteristics, except when justification for significant alterations to flow characteristics is provided.
13. The person engaged in or conducting the land-disturbing activity shall be responsible for maintaining all temporary and permanent erosion and sedimentation measures and facilities during the development of a site. The responsibility for maintaining all permanent erosion and sedimentation control measures and facilities, after site development is completed, shall lie with the landowner, until such time adequate vegetative cover and site stabilization is achieved as determined by the Building Official.
14. Persons engaged in planning, installing, and maintaining sedimentation control measures may use generally accepted references on the subject following standard engineering and/or agricultural practices. All plans will be subject to review by the Building Official.
15. Whenever the Building Official determines, that significant sedimentation is occurring as a result of a land-disturbing activity, despite application and maintenance of protective practices, the person conducting the land- disturbing activity or the person responsible for maintenance will be required to take additional protective action.

## **Section 5.5 Water Distribution and Sanitary Sewer**

### **5.5.1 General**

Water and Sanitary Sewer system shall be provided by the Developer in each subdivision if the Planning Commission determines that existing facilities are reasonably accessible. Installation of the facilities shall be in accordance with the specifications and requirements of the appropriate utility provider.

### **5.5.2 Water System**

1. The water distribution system shall be sized based on specifications of the Town of Shorter, and be of suitable size and capacity to accommodate the required placement of a fire hydrant within 1,000 feet of each residence or other structure a residential area, and within 500 feet of each structure within industrial or commercial areas.
2. Water mains and fire hydrants shall be installed as necessary to prevent the future cutting of the pavement of any street, sidewalk or other public improvement.
3. Plans and specifications shall be prepared by a registered engineer licensed in the State of Alabama. Specifications shall be in accordance with the Town of Shorter requirements. Pipe materials, meter and connection types, and brands shall conform to the Town of Shorter criteria or that of the utility provider.

4. Upon completion of the project, the Developer shall furnish the Building Official with two (2) sets of as-built drawings showing lateral locations a water main offsets from a permanent reference datum, which is either the curb line or the front lot line.
5. All costs for installation of the water distribution system and appurtenances shall be borne by the Developer. Where the Developer is required to install larger lines of facilities than necessary to serve his development in order to provide for future development, the difference in costs between installing facilities adequate for the subdivision and the oversize lines shall be negotiated.
6. All service taps shall be made, service line shall be installed to the property line and referenced, and the full number of meters and boxes for the subdivision shall be delivered to the Shorter Town Hall. If building permits are issued before the Developer completes the project, the Developer shall request meters and boxes and install same at his own expense. For the remaining lots, the utility provider shall install meters and boxes for a fee established by said provider as building permits are issued. For any and all lots, no Certificates of Occupancy shall be issued before and until the meter and box are installed and the fee paid.

#### 5.5.3 Sanitary Sewer System

1. Sanitary sewers shall be installed in each subdivision as approved by the Building Official of the Town of Shorter. In the absence of available public sewer lines, septic tanks may be permitted upon approval by the applicable Health Department.
2. Lot size shall not be less than the minimum standard and of satisfactory size for the proper installation of an on-site sewerage disposal system if required by the applicable Health Department. No building permit shall be issued until written approval has been given by the Health Department.

#### 5.5.4 Construction

1. A qualified general contractor shall be employed by the developer to install the water and sewer lines. The installation shall be done under the inspection of the Building Official and utility provider and shall conform exactly to the approved plans and specifications with no exception unless approved by the same. A professional representative may inspect the work at the option of the Town or utility provider.

The developer shall hold the contractor responsible until the completed project has been given final approval and acceptance by the Town Engineer.

2. All manhole castings shall be adjusted to the finished surface of paving and all manholes shall be left free of dirt, asphalt, and other debris.

### **Section 5.6 Easements**

The Developer shall dedicate any and all easements for water and sanitary sewer lines which are installed on private property. Such easements shall be shown on the plat, shall be in the actual location of the installed line, and shall be dedicated for perpetual use by the Town or utility provider.

### **Section 5.7 Other Utilities**

#### 5.7.1 General

The Developer shall be responsible for coordinating with the power, phone, gas, and other utilities to provide service for the subdivision, and shall pay any and all fees, service charges, or other costs levied by the utilities and associated with the installation of same. Street lights maybe required by the Planning Commission.

### 5.7.2 Construction

Installation shall be in accordance with the respective utilities specifications and procedures. Such work shall not conflict with the installation or location of water or sewer lines, paving, sidewalks, or other improvements. The developer shall secure and provide the Building Official with an acceptance or approval statement from each and every utility that installation is satisfactory and complete. Final approval of the subdivision will not be given until all statements are submitted.

### 5.7.3 Easements

Utility easements shall be platted as required.

## **Section 5.8 Inspection**

### 5.8.1 General

All improvements within the subdivision shall be inspected by the Building Official or designated representative. Such inspection shall be to assure conformance with the approved plans and specifications. The Inspector shall not direct or supervise the Developer's personnel. The Developer shall be solely responsible for the correctness and completeness of the work. The improvements shall be in strict accordance with the approved plans and specifications, and no changes shall be made without the written permission of the Building Official. The Developer shall give the Building Official at least forty-eight (48) hours notice before any separate segment of the improvement begins. No underground work shall be covered before the Building Official views and accepts the work.

## **Section 5.9 Streets, Lots, and Blocks**

### 5.9.1 Streets

1. Street names, subdivision names and apartment project names shall be sufficiently different in sound and in spelling from other street names in the Town so as not to cause confusion. The Building Official shall consult the Postmaster before approval is given by the Planning Commission. Proposed streets obviously in alignment with existing and named streets shall bear the names of existing streets.
2. The subdivider shall deposit with the Town at the time of final plat approval the sum of fifty (\$50.00) dollars for each street sign required by the Town.
3. The Town shall install all street signs before issuance of certificates of occupancy for any residences on the streets approved.
4. Applications for all new accesses to streets within the Town shall be made to the Building Official. The proposed location, width, drainage structure, traffic condition, sight distance and surfacing shall be included in the access application.
5. Entrances shall be located at points affording maximum sight distances and minimum grades. Entrances shall not be less than ten (10) feet nor more than twenty (20) feet in width, measured at the right-of-way line. Entrances shall be located so that the curb openings are a minimum of five (5) feet from the nearest edge of a street drainage inlet and fifty (50) feet from the corner radius. More restrictive requirements may be required by the Building Official for commercial and industrial entrances.
6. Commercial and industrial entrances shall not be more than thirty-five (35) feet nor less than twenty-four (24) feet in width measured at the right-of-way line. The radius to increase the opening shall not be less than fifteen (15) but not more than twenty five (25) feet. Larger radius to accommodate truck traffic may be required by the Building Official. The distance between openings shall be a minimum of one hundred fifty (150) feet and the distance from opening to corner radius shall be fifty (50) feet.

### 5.9.2 Lots

1. Lot dimensions shall conform to the requirements of the Zoning Ordinance if within the corporate limits of the Town of Shorter. If the subdivision is not located in the corporate limits all residential lots shall comply with requirements of the applicable Health Department as determined by the availability of particular utilities.
2. Where lots are more than double the minimum required area for the zoning district, the Planning Commission may require that such lots be arranged so as to allow further subdivision and opening of future streets where they would be necessary to serve such potential lots, all in compliance with the Zoning Ordinance and these regulations.
3. Side lot lines shall normally be at right angles to streets, except on curves where they shall be radial.
4. Additional depth may be required on lots which back up to major streets, or other conflicting land uses.
5. Where easements for public utilities, storm or sanitary sewers are contemplated, the lot lines shall be located in such manner as to facilitate the construction of such improvements and maintenance thereof.
6. Lot areas and widths shall meet or exceed minimum zoning and health requirements in the area in which the property is located.
7. Corner lots shall provide at least the same minimum setback on the side as required on the front by the zoning ordinance. Lot lines shall be substantially at right angles to the streets except on curves where they shall be radial. Where the distance between rear lot corners or double-tiered lots would be less than ten (10) feet the radial lines shall be deviated so that the distance between rear lot comers will be a minimum of the ten (10) feet.
8. Double frontage and reverse frontage lots shall be avoided, except where essential to provide separation of residential development from traffic arteries, or to overcome specific disadvantages of topography and orientation.
9. All lots for detached houses shall abut a public street.
10. Where driveway access from an arterial street may be necessary for several adjoining lots, the Planning Commission may require that such lots be served by a combined access drive in order to limit the possible traffic hazard on such street.
11. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on arterial streets.
12. A monument shall be placed at all lot comers, and at all changes of direction of a public right-of-way, including the beginning and end of a curve or radius.
13. Monuments shall be of iron pipe not less than three-fourths (3/4) inches in diameter and 24 inches long, and driven so as to be flush with the finished grade.
14. All markers shall be established on the ground prior to approval of the final plat.
15. All markers shall be verified before issuance of a certificate of occupancy.

### 5.9.3 Blocks

1. Blocks shall not be more than twelve hundred (1200) feet in length. In blocks over eight hundred (800) feet in length the Planning Commission may require one or more public crosswalks with not less than a ten (10) foot right-of-way. Blocks shall be a minimum of four hundred (400) feet in length.
2. Where blocks are over eight hundred (800) feet in length, the Planning Commission may require a pedestrian walkway to traverse the block. The easement shall be a minimum of ten (10) feet in width and the sidewalk shall be a minimum of five (5) feet in width.

**Section 5.10 Street Trees**

Mature street trees (in excess of ten [10] inches diameter breast height [dbh]) are an important visual icon for small, rural communities such as Shorter and an attractive amenity for residential neighborhoods. The planting and retention of street trees considered a duty of the subdivider as well as good business practice. Therefore, the Town of Shorter urges all subdividers to retain as many existing mature trees within or along a proposed subdivision site as is possible. It is further recommended that new trees be planted five (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 to protect above-ground utility lines. If trees are to be planed 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.



**Appendix A**  
**Sample Certificates**



**A-1**  
**SURVEYOR'S CERTIFICATE**

STATE OF ALABAMA            )  
COUNTY OF MACON)

I, \_\_\_\_\_ (name) \_\_\_\_\_, hereby certify that I, or individuals under my supervision, have surveyed the property situated in Macon County, State of Alabama, and described as follows:

(Insert Legal Description)

I also certify that the attached plat map(s) and/or drawing(s) is a true and complete survey showing the subdivision into which the property described is divided giving the length and bearings of the boundaries of each lot and easements and its number and showing the streets, alleys, and public grounds and giving the bearings, length, width and name of the streets, said map(s) and/or drawing(s) further show the relation of land so platted to the Government Survey, and that all monuments and lot corner pins are set as shown.

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

\_\_\_\_\_  
Registered Surveyor

(SEAL, if any)

\_\_\_\_\_  
Registration/License #



For Property Owner(s):

**ACKNOWLEDGEMENT**

STATE OF ALABAMA)  
COUNTY OF MACON)

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

GIVEN under my hand and official seal this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

(COMMENTARY: In any case that the developer and the land owner(s) are not one and the same, then two or more Dedication Certificates are necessary.)

A-3  
UTILITY CERTIFICATES

**CERTIFICATE OF APPROVAL BY THE (insert the name of the appropriate water, sewer, electricity, natural gas, etc. utility provider/company)**

The undersigned, as authorized by the (name of utility company) hereby approve the within plat for the recording of same in the Probate Office of Macon County, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Name and Title)

(COMMENTARY: Each applicable utility shall require a separate certificate.)

**A-4**  
**MACON COUNTY HEALTH DEPARTMENT**  
**CERTIFICATE OF APPROVAL**

The undersigned, as authorized by the Macon County Health Department, State of Alabama, hereby approve the within plat for the recording of same in the Probate Office of Macon County, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Name and Title)

**A-5**  
**BUILDING OFFICIAL**  
**CERTIFICATE OF APPROVAL**

The undersigned, as Building Official of the Town of Shorter, Alabama, hereby approve the within plat for the recording of same in the Probate Office of Macon County, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Building Official  
Town of Shorter, Alabama

**A-6**  
**SHORTER PLANNING COMMISSION**  
**CERTIFICATE OF APPROVAL**

BE IT RESOLVED that the within plat of (subdivision name), Town of Shorter, Macon County, Alabama, is hereby approved by the Planning Commission of the Town of Shorter, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Chair, Planning Commission  
Town of Shorter, Alabama

ATTEST:

\_\_\_\_\_  
Secretary, Planning Commission  
Town of Shorter, Alabama



**Appendix B**  
**Applications and Checklists**



**B-1**  
**APPLICATION FOR SKETCH PLAN APPROVAL**

**Name of Development** \_\_\_\_\_

**General Information:**

Owner \_\_\_\_\_

Address \_\_\_\_\_

Phone: Home \_\_\_\_\_ Work \_\_\_\_\_

Applicant \_\_\_\_\_

Address \_\_\_\_\_

Phone: Home \_\_\_\_\_ Work \_\_\_\_\_

Engineer or Surveyor \_\_\_\_\_

Address \_\_\_\_\_

Phone: Home \_\_\_\_\_ Work \_\_\_\_\_

**Development Data:**

Location \_\_\_\_\_

Existing Zoning \_\_\_\_\_

Proposed Use \_\_\_\_\_

Number of Lots \_\_\_\_\_

Total Acreage \_\_\_\_\_

Minimum Lot Size \_\_\_\_\_

Linear Feet of New Street \_\_\_\_\_

Water Supply: \_\_\_\_\_ Public System \_\_\_\_\_ On Lot System \_\_\_\_\_

Sewerage System: \_\_\_\_\_ Public System \_\_\_\_\_ On Lot System \_\_\_\_\_

## Sketch Plan Checklist

\_\_\_\_\_ Deed

\_\_\_\_\_ Authorization to Act as Applicant

### Three (3) copies of the following must be submitted with application.

The following is a reference checklist and not a comprehensive listing. Refer to Section 3.2.1 of the Shorter Subdivision Regulations for additional or more detailed information.

Name		Location of Natural Features	
	Name for Recording		Water Courses
	Name and Address of Owner(s)		Wetlands
	Registered Engineer / Surveyor Seal		Waters of the United States
<b>Vicinity Map</b>			Wooded Areas
	Scale		Buildings or Structures
	Location of Proposed Subdivision		Other Significant Natural/Built Features
	Relationship to Surrounding Area	<b>Lot Information</b>	
	Adjacent Subdivisions		Lot Lines
<b>Notations</b>			Lot Numbers
	Scale		Acreage of Subdivision
	True North Arrow		Acreage of Existing Public Areas
	Datum		Acreage of Proposed Public Areas
	Benchmarks		Number of Lots
	Bearing Base		Area of Each Lot
	Date	<b>Proposed Infrastructure and Facilities</b>	
<b>Survey Data</b>			Proposed Street Locations
	Dimensions / Bearings of Boundaries		Street Names
	Section and Corporate Lines		Rights of Way Dimensions
	Contours at Five (5) Foot Intervals		Street Dimensions
	100-Year Flood Plain		Alleys
	Any Area Subject to Periodic Inundation		Easements
<b>Existing Infrastructure and Facilities</b>			Preliminary Drainage Plan
	Existing Streets and Bridges		Preliminary Storm water Management
	Existing Railroads		Utility Layouts
	Existing Buildings		Approx Location of Valves and Hydrants
	Existing Sanitary Sewer		Connections to Existing Facilities
	Existing Drainage Facilities		Connections to Existing Drainage System
	Existing Water Mains		Open Spaces
	Any Public Utility Easements		Site Reservations for Public Uses
	Public Utility Easements on Adjoining Land		Site Reservations for Non-Residential Uses
			Any Implementation of Major Street Plan
			Any Implementation of Public Works Plan

**Sketch Plan Tracking System (For Town Use Only)**

Name of Subdivision: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Date of Scheduled Planning Commission Review: \_\_\_\_\_

County: \_\_\_\_\_

Distribution:

- \_\_\_\_\_ Building Official
- \_\_\_\_\_ Water and Sewer Administrator
- \_\_\_\_\_ Police Department
- \_\_\_\_\_ Fire Department
- \_\_\_\_\_ County Health Department
- \_\_\_\_\_ County Engineering

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Action of Planning Commission:

- \_\_\_\_\_ Approved
- \_\_\_\_\_ Disapproved

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**B-2**  
**APPLICATION FOR PRELIMINARY PLAT APPROVAL**

I, \_\_\_\_\_, hereby make application for preliminary plat approval by the Town of Shorter Planning Commission for the subdivision as listed below.

**Signature:** \_\_\_\_\_

**Name of Development** \_\_\_\_\_

Owner \_\_\_\_\_

Address \_\_\_\_\_

Phone: Home \_\_\_\_\_ Work \_\_\_\_\_

Applicant \_\_\_\_\_

Address \_\_\_\_\_

Phone: Home \_\_\_\_\_ Work \_\_\_\_\_

Engineer or Surveyor \_\_\_\_\_

Address \_\_\_\_\_

Phone: Home \_\_\_\_\_ Work \_\_\_\_\_

**Development Data:**

Location \_\_\_\_\_

Existing Zoning \_\_\_\_\_

Proposed Use \_\_\_\_\_

Number of Lots \_\_\_\_\_

Total Acreage \_\_\_\_\_

Minimum Lot Size \_\_\_\_\_

Linear Feet of New Street \_\_\_\_\_

Water Supply: \_\_\_\_\_ Public System \_\_\_\_\_ On Lot System \_\_\_\_\_

Sewerage System: \_\_\_\_\_ Public System \_\_\_\_\_ On Lot System \_\_\_\_\_

**Preliminary Plat Checklist**

\_\_\_\_\_ Deed

\_\_\_\_\_ Authorization to Act as Applicant

\_\_\_\_\_ Names of Adjacent Subdivisions

\_\_\_\_\_ Names and Mailing Addresses of  
Adjoining Land Owners

**Five (5) copies of the following at a scale of one (1) inch = one hundred (100) feet on a sheet no larger than 24 inches by 36 inches must be submitted with application.**

The following is a reference checklist and not a comprehensive listing. Refer to Section 3.3 of the Shorter Subdivision Regulations for additional or more detailed information.

<b>Name</b>		<b>Location of Natural Features</b>	
	Name for Recording		Water Courses
	Name and Address of Owner(s)		Wetlands
	Registered Engineer / Surveyor Seal		Waters of the United States
<b>Vicinity Map</b>			Wooded Areas
	Scale		Buildings or Structures
	Location of Proposed Subdivision		Other Significant Natural/Built Features
	Relationship to Surrounding Area	<b>Lot Information</b>	
	Adjacent Subdivisions		Lot Lines
<b>Notations</b>			Lot Numbers
	Scale		Acreage of Subdivision
	True North Arrow		Acreage of Existing Public Areas
	Datum		Acreage of Proposed Public Areas
	Benchmarks		Number of Lots
	Bearing Base		Area of Each Lot
	Date	<b>Proposed Infrastructure and Facilities</b>	
<b>Survey Data</b>			Proposed Street Locations
	Dimensions / Bearings of Boundaries		Street Names
	Section and Corporate Lines		Rights of Way Dimensions
	Contours at Five (5) Foot Intervals		Street Dimensions
	100-Year Flood Plain		Alleys
	Any Area Subject to Periodic Inundation		Easements
<b>Existing Infrastructure and Facilities</b>			Preliminary Drainage Plan
	Existing Streets and Bridges		Preliminary Storm water Management
	Existing Railroads		Utility Layouts
	Existing Buildings		Approx Location of Valves and Hydrants
	Existing Sanitary Sewer		Connections to Existing Facilities
	Existing Drainage Facilities		Connections to Existing Drainage System
	Existing Water Mains		Open Spaces
	Any Public Utility Easements		Site Reservations for Public Uses
	Public Utility Easements on Adjoining Land		Site Reservations for Non-Residential Uses
			Any Implementation of Major Street Plan
			Any Implementation of Public Works Plan

**Preliminary Plat Tracking System (For Town Use Only)**

Name of Subdivision: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Date of Scheduled Planning Commission Review: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

County: \_\_\_\_\_

Distribution:

- \_\_\_\_\_ Building Official
- \_\_\_\_\_ Water and Sewer Administrator
- \_\_\_\_\_ Police Department
- \_\_\_\_\_ Fire Department
- \_\_\_\_\_ County Health Department
- \_\_\_\_\_ County Engineering

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Action of Planning Commission:

\_\_\_\_\_ Approved

Distribution of Copies: \_\_\_\_\_ Planning Commission  
\_\_\_\_\_ Building Official  
\_\_\_\_\_ Subdivider

\_\_\_\_\_ Approved Conditionally

Distribution of Copies: \_\_\_\_\_ Planning Commission  
\_\_\_\_\_ Building Official  
\_\_\_\_\_ Subdivider

\_\_\_\_\_ Disapproved

Distribution of Copies: \_\_\_\_\_ Planning Commission  
\_\_\_\_\_ Building Official  
\_\_\_\_\_ Subdivider



**B-3**  
**APPLICATION FOR FINAL PLAT APPROVAL**

I, \_\_\_\_\_, hereby make application for final plat approval by the Town of Shorter Planning Commission for the subdivision as listed below.

Signature: \_\_\_\_\_

Name of Development \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Date of Preliminary Plat Approval: \_\_\_\_\_

The final plat must be submitted for approval within 18 months of preliminary plat approval by the Shorter Planning Commission.

Fee: \_\_\_\_\_

**Five (5) copies of the following at a scale of one (1) inch = one hundred (100) feet on a sheet no larger than 24 inches by 36 inches must be submitted with application.**

The following is a reference checklist and not a comprehensive listing. Refer to Section 3.5 of the Shorter Subdivision Regulations for additional or more detailed information.

<b>General Information</b>	
	Name for Recording
	Name and Address of Owner(s)
	Certification of Title of Property
	Subdivision Title, Scale, North Point and Date
	Scale Diagram for General Location
	Covenants, With Maintenance Provisions for Common Spaces or Other Amenities
<b>Surveying and Engineering Information</b>	
	Control Points and Ties
	Tract Boundary Lines
	Right of Way Lines of Streets, Easements, Etc.
	Bearings of Property Lines
	Engineering Data to Locate All Lines including Radii, Angles, Arcs and Degree of All Curves
	Registered Land Surveyor Statement That Plat Meets Minimum Technical Standards for Land Surveying in the State of Alabama, October 1990, or Latest Edition
<b>Lot and Street Information</b>	
	Name and Right of Way of Each Street or Other Public Right of Way
	Numbers to Identify Each Block and Lot
	Area of Each Lot
	Location, Dimensions and Purpose of Any Easement
	Land Use of Non-Residential Lots
	Location and Dimensions of Existing Structures

<b>Certificates, Permits, Statements and Notes</b>	
	Owner's Dedication of Street Rights of Way and Any Other Sites for Public Use
	Certificate of Approval by Building Official (unsigned until approved)
	Certificate of Approval by County Engineer, if necessary (unsigned until approved)
	Certificate of Public Works Director Approval of Streets and Utilities
	Certificate by County Health Officer for Individual Sewage Disposal and/or Installation of Water Systems
	Note Prohibiting Structures on Easements, with Access Not Denied by Ungated Fences
	Certificate From Registered Engineer Verifying Monuments
	Copies of Any and All Applicable Federal and State Permits Required For Construction of the Development Shown on the Final Plat

**In Addition to the Items Previously Listed, A Statement Signed by the Building Official Signifying That the Subdivider Has Complied In Full With One of the Following Alternatives Will Accompany the Final Plat At The Time Of Submission**

	A certificate from the Building Official that all streets shown on the plat have been graded and improved; and all sewage, water and drainage facilities have been installed in accordance with Town specifications
	An engineering estimate of the costs of any required improvements yet to be constructed must be submitted prior to the submission of the performance bond
	A performance bond with commercial surety in an amount equal to one and one-half (1 ½) times the estimated cost of all improvements, approved as to form by the Town Attorney and with surety satisfactory to the Planning Commission, securing the design and installation of these improvements, utilities, and facilities with the period fixed by the Planning Commission.
	An irrevocable letter of credit drawn on an approved bank and payable to the Town, in an amount adequate for the completion of all improvements, utilities, and facilities.
	An assessment petition, approved by the Town Attorney, whereby the Town is placed in an assured position to make these improvements and to install these utilities and facilities at any time and without cost to the Town.

**Final Plat Tracking System (For Town Use Only)**

Name of Subdivision: \_\_\_\_\_

County: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Date of Scheduled Planning Commission Review: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

**Distribution:**

_____ Building Official	_____ Approved	_____ Disapproved
_____ Water and Sewer Administrator	_____ Approved	_____ Disapproved
_____ Police Department	_____ Approved	_____ Disapproved
_____ Fire Department	_____ Approved	_____ Disapproved
_____ County Health Department	_____ Approved	_____ Disapproved
_____ County Engineering	_____ Approved	_____ Disapproved

**Action of Planning Commission:**

\_\_\_\_\_ Approved

\_\_\_\_\_ Approved Conditionally

\_\_\_\_\_ Disapproved

**Receipt of Recorded Plat: \_\_\_\_\_ Date**

Recorded plat must be received within 180 days of final plat approval by the Town of Shorter Planning Commission. One mylar, five blue line or sepia prints, and an electronic copy must be submitted.

**Distribution of Recorded Plat:**

\_\_\_\_\_ Building Official  
\_\_\_\_\_ Water and Sewer Administrator  
\_\_\_\_\_ Police Department  
\_\_\_\_\_ Fire Department  
\_\_\_\_\_ County Health Department  
\_\_\_\_\_ County Engineering



**Appendix C**  
**Fee Schedule**



*Note: Town of Shorter Fee Schedule is to be inserted by the Town of Shorter Town Council upon adoption.*

