

**2006**

***SUBDIVISION  
REGULATIONS***

***CITY OF ATHENS,  
ALABAMA***

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## Athens, AL Subdivision Regulations

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# Athens, AL Subdivision Regulations

## **Article 1. STATEMENT OF POLICY, PURPOSE, AND TITLE**

### **Statement of Policy**

1. Orderly Development. It is hereby declared to be the policy of the Athens Planning Commission to consider the subdivision of land the initial and principal step in carrying out the general purpose of the Comprehensive Plan: to guide and accomplish a coordinated, adjusted and harmonious development of the land within the subdivision jurisdiction which will, in accordance with existing and future needs, best promote the public health, safety, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development.
2. Public Safety and Services. Land to be subdivided should be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace. Land should not be subdivided until or unless adequate provision is made for drainage, water supply, sanitary sewage, fire protection, and access, as well as other improvements required by these regulations; and unless adequate community facilities, including schools, parks, and recreation areas, are available in reasonable proximity to the subdivision.
3. Correlation with Other Development Procedures. A proposed subdivision should be correlated with the Comprehensive Plan and with capital budgets and public improvement programs of the governing body of the City of Athens. It is intended that these regulations shall supplement the provisions and standards contained in the building, housing and related codes, zoning ordinance; and other procedures governing development.

### **Purpose**

These regulations are designed with the purpose to accomplish the following:

- a) Future Growth. To guide the future growth and development of the land within the subdivision jurisdiction in accordance with the Comprehensive Plan.
- b) Health and Safety. To provide for adequate light, air and privacy; to secure safety from fire, flood and other danger; and to prevent the overcrowding of land and undue congestion of population.
- c) Social and Economic Stability. To protect the character and the social and economic stability of all parts of the area within the subdivision jurisdiction.
- d) Land Uses. To protect and conserve the value of land and the value of buildings and improvements on the land; and, through subdivision design, to minimize conflicts among the uses of land and buildings.

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- e) Public Services and Facilities. To encourage residential development where public services and community facilities are available or will be available when the subdivision is ready for occupancy.
- f) Circulation. To provide an efficient relationship between development and the circulation of traffic, having particular regard to the avoidance of congestion; to expedite circulation and the protection of land use values through the separation of local and through traffic; and to make adequate provision for traffic through the proper location and width of streets, including major streets set out in the Comprehensive Master Plan for future construction.
- g) Environment. To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources in order to preserve the integrity, stability and beauty of the community and the value of the land.
- h) Natural Features. To preserve the natural beauty of the land, and to utilize as elements of the urban environment the physiographic features of land and water.
- i) Open Space. To provide open space through efficient design and layout of subdivisions; to encourage the setting aside as permanent open space land that is subject to flooding or has soils unsuited to urban development.
- j) Innovative Design. To encourage innovative subdivision design that will produce attractive, efficient, and convenient arrangements of housing and neighborhood environments affording a choice of lifestyles.

### **Title**

These regulations shall be known as the "Official Subdivision Regulations of the City of Athens, Alabama", and may be so cited.

## **Article 2. AUTHORITY AND JURISDICTION**

### **A. Authority**

Pursuant to the authority granted by Chapter 52, Section 11-52-30 through 11-52-36 of the 1975 Code of Alabama, which provisions are hereby made a part of these regulations, the following regulations are hereby adopted by the Planning Commission for the City of Athens, Alabama. A copy of these regulations has been certified to the Probate Judge of Limestone County, Alabama. These regulations include all lands within the corporate boundaries of the City of Athens, Alabama.

### **B. Subdivision Jurisdiction**

From and after the effective date hereof, these regulations shall govern the subdivision of all land located in the City of Athens, Alabama.

### **C. Scope**

Any owner of land, which lies within the area of jurisdiction, who wishes to divide or resubdivide such land into two (2) or more lots, sites, or divisions, for the purpose, whether immediate or future, of sale or building development, shall submit to the Planning Commission a plat of the subdivision, which shall conform to the minimum requirements set forth in these regulations, for approval.

No subdivider shall proceed with improvements or installation of utilities in a subdivision until such subdivision plat shall have been granted preliminary approval by the Planning Commission.

No subdivider shall proceed with the sale of lots or erection of buildings within a subdivision until such subdivision plat shall have been granted final approval by the Planning Commission and such approval entered in writing on the plat and signed by the Chairman of the Planning Commission, and recorded in the Office of the Probate Judge of Limestone County, Alabama. No building permits shall be issued unless all improvements are complete and accepted by the City or improvements are bonded per the recommendation of the City Engineer. There shall be a defined minimum of street and fire protection available to the structure before a building permit shall be issued. No Certificate of Occupancies shall be issued until the subdivision improvements have been accepted into the City of Athens Maintenance Program by the City Council of Athens, Alabama and a maintenance bond for an amount not to exceed 10% of total project improvements has been issued to the City of Athens for a period of one year from the acceptance by the City Council of Athens.

Upon adoption of these regulations, it is recommended that the Probate Judge of Limestone County decline to receive for record in his office any map or plat or instrument of transfer upon which any lands lying within the corporate limits or subdivision jurisdiction of the

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City of Athens are platted or subdivided by metes and bounds or mapped as streets, alleys, or other public ways. Unless such map, plat, or instrument shall have noted thereon the approval of the City of Athens Planning Commission, the filing or recording of said maps, plats, or instruments shall be null and void.

### **Administration**

The Planning Commission is hereby authorized and directed to administer and coordinate these regulations. Approvals of plats and other data shall be the responsibility of the Planning Commission as prescribed by law. The Administrative Officer is hereby authorized and directed to enforce all provisions of these subdivision regulations.

## **Article 3. DEFINITIONS**

### **A. Purpose**

Certain terms used in these regulations shall have the meanings defined by this Article. In the event that a term is not listed in this Article; or is not defined elsewhere in the Zoning Ordinance of the City of Athens, the Athens City Code, or Sections 11-52-30 through 11-52-36 of the 1975 Code of Alabama, as amended; then the conventional meaning of such term shall apply.

### **B. Interpretation**

The Engineering Services and Community Development Department (ES&CD) of the City of Athens 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 Planning Director's determination may be filed with the Planning Commission. Such appeal must be filed within 15 days of such determination.

### **C. Use of Words**

In the interpretation of these regulations, the provisions and rules of this Section shall be observed and applied, except where the context clearly requires otherwise.

Words used or defined in one tense or form shall include other tenses and derivative forms.

Words in the singular number shall include the plural number; and words in the plural number shall include the singular number.

The masculine gender shall include the feminine; and the feminine gender shall include the masculine.

The word "shall" and "will" are mandatory. The word "may" is permissive.

The word "person" includes an individual, firm, association, organization, partnership, trust, company, or corporation.

In case of any conflict between the text of these regulations and any caption, illustration, figure, or other graphic material, the text shall govern.

### **D. Specific Definitions**

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

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**ADMINISTRATIVE OFFICER.** The person appointed by the Governing Body to enforce all provisions of these regulations.

**ALLEY.** A public way which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

**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 accompanying documents required by these regulations or other regulations for the approval of a subdivision plat or site plan.

**AS-BUILT PLAN(S).** Plans that depict the placement of all monumentation, and all improvements (sidewalks, streets, utilities, etc.) as in fact located in both horizontal and vertical placement and as constructed—rather than the manner in which preliminary plats and plans indicated that they should be placed—because of unforeseen changes that needed to be made during construction.

**BLOCK.** A tract or parcel of land entirely surrounded by streets, streams, railroad right-of-way, parks, or other public spaces, or by a combination thereof.

**BOND.** An instrument of financial security acceptable to the City of Athens.

**BUFFERED AREA.** A reserved area as defined by the City of Athens Zoning Ordinance.

**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 City of Athens Zoning Ordinance and these regulations.

**BUILDING SETBACK.** 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.

**CITY.** The City of Athens, Alabama.

**CITY ATTORNEY.** The licensed attorney designated by the City Council to furnish legal assistance in the administration and enforcement of these regulations.

**CITY CLERK.** The duly designated Clerk of the City of Athens, Alabama.

**CITY COUNCIL.** The City Council of the City of Athens, Alabama.

**CITY ENGINEER.** The duly designated Engineer of the City of Athens, Alabama.

**CITY SPECIFICATIONS & STANDARD DRAWINGS.** All construction specifications and standard drawings which have been adopted by the Governing Body or as required by the Planning Commission and all utility departments.

**COMMON AREA.** Property located within a subdivision of land that is held in common ownership by a property owners association for common use and benefit, or provided for and currently under the developers management, and with the responsibility of common maintenance. Common area is not acceptable where such an association has not been established or provided for.

**COMPREHENSIVE MASTER PLAN.** Any part or element of the Comprehensive Master Plan of the City. This may include, but is not limited to: Community Facilities, Sketch Thoroughfare Plan, Land Development Plan, Capital Improvements Plan, Zoning Ordinance, Subdivision Regulations, etc., and shall be adopted by the Planning Commission and/or the City Council for the guidance of the growth and development of the City of Athens.

**CONSOLIDATION OF LAND.** The consolidation of land is necessary to combine multiple smaller tracts, or partial tracts, into a larger tract of land to eliminate existing property boundaries.

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

**CROSSWALK.** A public right-of-way, ten (10) feet or more in width between property lines, which provides pedestrian access to adjacent properties.

**CUL-DE-SAC.** A local street with only one outlet, and having the closed end terminated by a vehicular turn-around.

**DATE OF SUBMISSION TO THE PLANNING COMMISSION.** Actual date subdivision plat is presented to the Planning Commission.

**DEDICATION.** The transfer of property interests from private to public ownership for a public purpose. The transfer may be of fee-simple interest or of a less than fee interest, including an easement.

**DEED RESTRICTIONS/SUBDIVISION COVENANTS.** Means of assurance or protection that the nature of property, usually within a subdivision, will remain unchanged. These restrictions usually go beyond the subdivision regulations and/or zoning ordinance or a particular municipality and are not enforced by the municipality. They may control the use of land or buildings; the size, value, materials of structures; and may prescribe the nature of a subdivision, or the behavior of persons. Covenants may provide for the maintenance and repair of commonly held property or features, as well as a vehicle for raising money for same. Property-owners or homeowners associations are responsible for carrying out the mandates of these restrictions.

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**DEVELOPER.** The legal or beneficial owner(s) of a lot or parcel or any land proposed for inclusion in a development, including the holder of an option, contract to purchase, or a lease. Each developer must be licensed by the City of Athens for the sale of lots.

**DEVELOPMENT.** The division of a parcel of land into two (2) or more parcels (see also 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 City.

**EASEMENT.** Authorization by a property owner of the use by another and for a specified purpose of any designated part of his property. No easement shall be recognized under the Regulations that has not been created through valid legal instruments and recorded in the Office of the Judge of Probate of Limestone County, except those established by the City through continuous and historic use.

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

**FINAL PLAT APPROVAL.** The approval, by the Planning Commission of the City of Athens, Alabama, of a plat that has been built according to an approved preliminary plat and construction plans and which has received the approval of the various utilities and public works departments of the City of Athens, is deemed substantially complete and suitable for the sale or transfer of lots to the public.

**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, and specifically a lot whose buildable area is either completely or substantially located behind another lot with frontage along a roadway, and whose access is derived from a narrow access strip from a roadway.

**GOVERNING BODY.** The Mayor and the City Council of the City of Athens, Alabama.

**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.

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

**HARDSHIP.** A peculiar, exceptional, and unique circumstances of the property which would cause a property owner unnecessary hardship in using their property in compliance with these regulations. Unnecessary hardship and mere financial loss of a kind which might be common to all property owners in a similar situation is not an unnecessary hardship. Also, a hardship exists when it is not self-created, or when it is not economic in nature. The hardship is only

associated with some feature of the property, the land itself, that would make strict compliance with the subdivision regulations impossible, i.e. some unique topographical or other physical feature of the land.

**HEALTH DEPARTMENT.** The Limestone County Health Center and the State of Alabama Health Department.

**HUNDRED (100) YEAR FLOOD.** Flood created by a 100-year storm event, a storm having a one 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.

**LAYOUT PLAN(S).** A plan, or set of plans, for the division of land that represents the conceptual arrangement of streets, lots, and other appurtenant features that are intended to become part of a subdivision –whether residential or non-residential.

**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 as required by these Regulations for such building, use, or development.

**LOT AREA.** The area contained within the boundary lines of a lot.

**LOT, CORNER.** 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.

**LOT DEPTH.** The distance between the midpoints of the front and rear lot lines.

**LOT, DOUBLE FRONTAGE.** A lot, other than a corner lot, that has frontage on two (2) streets that do not intersect adjacent to the lot, where the streets are typically, but not always, located on opposite sides of the lot from each other.

**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.

**LOT LINE.** A line bounding a lot which divides one lot from another or from a street or any other public or private space.

**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.

**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

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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.

**LOT LINE, SIDE.** Any lot line other than a front or rear lot line.

**LOT OF RECORD.** Any validly recorded lot which complies with all currently applicable laws, ordinances, and regulations. (See also [Nonconforming Lot of Record](#).)

**LOT WIDTH.** The distance between side lot lines measured at the right-of-way.

**MAJOR STREET PLAN.** The component element of the Comprehensive Plan showing the general location of existing and proposed major streets in the City of Athens.

**MONUMENT.** A Permanent object serving to indicate a limit to or mark a boundary.

**NONCONFORMING LOT OF RECORD.** Any lot, validly recorded in the public records of Limestone County, which complied with all applicable laws, ordinances, and regulations in effect on the recording date. (See also [Lot of Record](#).)

**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.** The engineer or land surveyor registered and in good standing with the State Board of Registration of Alabama who is the agent in his professional capacity of the owner of land which is proposed to be subdivided or which is in the process of being subdivided.

**PLANNED UNIT DEVELOPMENT.** Or PUD, is both a type of building development as well as a regulatory process. A PUD is designed groupings 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 City of Athens, Alabama.

**PLATS.** Layout, Preliminary and Final.

**PRELIMINARY PLAN(S).** Engineered construction documents that are supplementary to a Preliminary Plat.

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

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

**PROBATE JUDGE.** The Judge of Probate of Limestone County, Alabama.

**PUBLIC IMPROVEMENT.** Any improvement, facility, or service, together with customary improvements and appurtenances thereto, necessary to provide for public needs such 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.

**PUBLIC OPEN SPACE.** An open space area conveyed or otherwise dedicated to the City or another public body or agency for recreational or conservation purposes for the public at large.

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

**REGISTERED PROFESSIONAL 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.

**RESTRICTIVE COVENANT.** A restriction placed upon the use of real property and contained in a deed or other written instrument in the chain of title or in local ordinances pertaining to land 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 used or intended to be used for passage of the general public, and occupied or intended to be occupied by a street, road, bicycle path, crosswalk, utilities, railroad or similar facility; and dedicated to the governing body in fee simple, or by other legal means such as prescription.

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

**SIDEWALK.** A walkway constructed for use by pedestrians.

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

**STREET.** A dedicated and accepted public right-of-way for vehicular traffic which affords the principal means of access to abutting property.

Streets are classified as follows:

1. **ARTERIAL.** A major street intended mainly to carry through traffic and to connect major activity centers in the City and its planning jurisdiction.
2. **COLLECTOR STREET.** A street designed to carry medium volumes of vehicular traffic, provide access to the major street system, and collect the vehicular traffic from the intersecting minor streets.
3. **MINOR STREET.** A street, the principal purpose of which is to provide vehicular access from properties abutting it to collector streets.
4. **CUL-DE-SAC.** A short street designed to have one end permanently closed, the closed end terminated by a vehicular turn-around.
5. **MARGINAL ACCESS STREET.** A minor (service) street which parallels and is immediately adjacent to a major street or highway, and which provides access to abutting property.

**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 of said land, as herein defined.

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

**SUBDIVISION JURISDICTION.** The territorial jurisdiction of land, including all land located in the corporate limits of the City of Athens.

**SUBDIVISION ADMINISTRATOR.** The official of the City of Athens charged with the responsibility of administering and enforcing these regulations.

**SUBDIVISION REGULATIONS.** The Subdivision Regulations of the City of Athens.

**SUBMISSION OF PLAT.** A plat is considered to be “submitted” to the Planning Commission at the point in time at which the commission holds a public hearing on said subdivision plat.

**THOROUGHFARE PLAN.** The Thoroughfare Plan, prepared as an element of the Comprehensive Master Plan.

**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.

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

**ZONING BOARD OF ADJUSTMENT.** The Zoning Board of Adjustment (ZBA) is an appointed board which sits as an administrative body performing a quasi-judicial function to do three things: (1) to hear appeals from the decisions of zoning officials, (2) to hear special exceptions to the terms of the Zoning Ordinance, and (3) to authorize variances from the Zoning Ordinance. The ZBA lacks the authority to rezone property, either directly or in a defector manner through the granting of “use variances”. The ZBA does not have the authority to deal directly with matters related to the Subdivision Regulations of the City of Athens.

**ZONING ORDINANCE.** The official Zoning Ordinance of the City of Athens, Alabama.

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## **Article 4. PROCEDURE FOR SECURING APPROVAL OF SUBDIVISIONS**

### **A. 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.

### **B. Responsibility**

It is the applicant's responsibility to be aware of all current technical regulations and applicable ordinances of the City of Athens, whether or not they are contained in these regulations or made reference to herein.

### **C. Lot Layout Requirements**

Whenever a subdivision is proposed within the jurisdiction of these regulations, resulting in 25 or more lots at complete build-out, the subdivider or developer shall contact the Engineering Services and Community Development Department (ES&CD) of the City of Athens and submit a Lot Layout Plan in accordance with these regulations. When a subdivision is proposed to be constructed in phases and the entirety of such phases will result in 25 or more lots, a Lot Layout Plan is required. The Engineering Services and Community Development Department (ES&CD) may require consultation with the Engineering Division of Public Works and the City of Athens Utilities Water/Wastewater Department. In this way the developer can obtain the advice and assistance of the Engineering Services and Community Development Department (ES&CD) and other City departments, and facilitate the subsequent preparation and review of the preliminary subdivision plat.

A Lot Layout Plan subdivision will be required for subdivisions with less than 25 lots, when in the opinion of the Director of Engineering Services & Community Development (ES&CD) the anticipated complexity of the design deems one necessary.

The subdivider must present a lot layout containing all information listed below. Seven (7) copies of the Lot Layout shall be submitted to the Engineering Services & Community Development Department (ES&CD). Copies may be distributed to other City departments to obtain comments and suggestions.

- 1) A completed application, a deed and a notarized Authorization to Act as Applicant Form when applicable.
- 2) A vicinity map, to scale, showing the location of the proposed subdivision and its relationship to the surrounding area.
- 3) 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 City of Athens Datum or National Geodetic Survey Sea Level Datum, unless required by the City Engineer

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to submit contours at lesser intervals. In some cases the City Engineer may require spot elevations in sufficient number to provide necessary drainage information.

- 4) 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 of the registered professional responsible for the plat.
- 5) Notations giving the scale of the drawing(s), true north arrow, datum, benchmarks, bearing base, and date.
- 6) 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 City's digital files and similar sources may be used to determine the location of these facilities and structures.
- 7) The names and/or Limestone County Road Numbers, locations, right-of-way widths and other dimensions of proposed streets, alleys, easements, open spaces, and reservations.
- 8) Conceptual plan of the development including lot lines, public areas and gross acreage.
- 9) The location of water courses, 100-year floodplains, potential wetlands, waters of the United States, wooded areas, buildings or structures, and other significant natural and built features on the tract.
- 10) 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.
- 11) 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.
- 12) Conceptual plans of proposed drainage, storm water management, and existing utility structures, and showing feasible connections, to existing utility and drainage systems.
  - a) The Lot Layout Plan is intended to serve as an initial step in the subdivision process. Subsequent meetings may be called between City 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 Lot Layouts of not less than twenty-one (21) days prior to the regular submission date for items to be considered by the Planning Commission.

Upon receiving favorable consideration by the Planning Commission, 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 lot layout; and it is expressly understood that

favorable consideration by the Planning Commission at the lot layout stage of the process shall under no circumstances be construed as preliminary or tentative approval.

#### **D. Preliminary Plat**

- 1) Purpose. 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 Engineering Services and Community Development Department (ES&CD), the City Engineer, and other officials and agencies concerned with the subdivision of land and the improvements placed thereon.
- 2) Filing and Review. The Subdivider shall file with the Engineering Services and Community Development (ES&CD) Director seven (7) copies of the Preliminary Plat and a digital submission of a .pdf (Adobe Portable Document Format) file, together with the Attendant Items required herein, with written application for approval at least twenty-one (21) 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 Engineering Services and Community Development (ES&CD) Director and will be referred for review and report to the City Engineer and other City and/or County officials as appropriate. The review shall take into consideration, in addition to the requirements set out in these regulations, conformance of the subdivision design to the Comprehensive Master Plan and the particular requirements and conditions affecting installation of improvements.
- 3) Information Required. The preliminary plat shall be drawn at a scale of one inch equals one hundred (100) feet, or other appropriate scale as approved by the Administrative Officer; 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 Lot Layout Plan, the plat shall provide names of adjoining subdivisions; and the names and mailing address of the owners of record of the adjoining parcels of land as they appear on the current tax records in the Office of the Tax Assessor of Limestone County.

In those cases where a request for reduced street improvements is being made in accordance with [Article 6-B-2](#) of these regulations, profiles of all proposed streets, and such other information as required by the City Engineer to determine whether or not the proposed development meets the requirements of [Article 6-B-2](#).

The Preliminary Plat shall be prepared by a Professional Land Surveyor. Plat and plans shall show the following information, as applicable.

- a) Name of:
  - i) Subdivision.
  - ii) Subdivider and address.
  - iii) Owner's engineer and address.

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- iv) Adjacent subdivisions.
- v) Adjacent land owners and addresses.
- b) Date, North Point and Scale.
- c) Acreage in total tract.
- d) Boundaries of tract of land being subdivided shown with bearings and distances.
- e) Location, width and purpose of all existing and proposed easements in and adjacent to the proposed subdivision.
- f) Location and dimensions of land to be dedicated or reserved for parks, reservations, open space, or other public use.
- g) Proposed lot lines and approximate dimensions. Lot and block numbers.
- h) Building set back lines shall be shown along all streets.
- i) The location of existing buildings, railroads, transmission lines, and town limit lines.
- j) Any area within or adjacent to the proposed subdivision subject to periodic inundation by storm drainage, overflow, or ponding shall be clearly shown and identified on the plat.
- k) The existing zoning classification of the subdivision. If the proposed subdivision does not lie within the force and effect of the existing zoning ordinance, the preliminary plat shall be accompanied by a plan indicating the proposed use of the lots and a copy of the instrument to be used in establishing restrictions, subdivision and surrounding area.
- l) Sketch vicinity map showing relationship between subdivision and surrounding area, that will be of sufficient size and scale to identify the location and contiguous areas. This map may be notated on a title sheet.
- m) Existing structures shall be located on the plat and fully dimensioned so that conformance with any applicable regulations can be verified.
- n) Street plan shall contain the following information:
  - i) Location of all proposed and existing streets or rights-of-way in or adjacent to the subdivision.
  - ii) Width of existing and proposed rights-of-way.
  - iii) Street names.
  - iv) Plan and profile of all streets, showing natural and finished grades.
  - v) Cross sections of proposed streets at a minimum of 100' stations.

- vi) Curve data for the centerline of each street: Delta, T, and R.
- vii) Location of all required sidewalks and crosswalks.
- o) Storm Drainage Plan shall contain the following information:
  - i) Location of proposed drainage ways, streams, and ponds in the subdivision.
  - ii) Topography at two-foot contour intervals.
  - iii) Location, size and invert elevations of proposed drainage structures including culverts, bridges, pipes, drop inlets and top elevations of head walls, etc., showing details on Drainage Plan, including conduit schedule.
  - iv) Show construction details of typical manholes, connections and other drainage structures proposed.
  - v) Area of land contributing run-off to each drainage structure along with run-off calculations of each area and drainage calculations for each drainage structure and drainage ditch.
  - vi) Pre and Post Drainage development calculations for determination of detention/retention requirements.
  - vii) Location of easements and rights-of-way for drainage ways and maintenance access thereof.
  - viii) Typical cross sections of each drainage way.
  - ix) Direction of waterflow throughout subdivision.
- p) Sanitary Sewer Plan shall contain the following information:
  - i) Location and size of all existing and proposed sewers in the subdivision and tie-points of the subdivision. Location of sewer laterals.
  - ii) Direction of flow of each sewer line.
  - iii) Location of each manhole and other sewage system appurtenances including lift stations, oxidation ponds, treatment plants.
  - iv) Show construction details of typical manholes, connections and other sewage structures proposed.
  - v) Plan and profile of sewage system.
- q) Water Distribution Plan shall contain the following information:

## Athens, AL Subdivision Regulations

- i) Location and size of water distribution system including pipes, valves, fittings, hydrants, high-pressure pumping equipment, etc. All fire protection requirements (related to fire flows, hydrant locations, etc.) shall meet the adopted City of Athens Fire Code.
- r) Electric Distribution Plan shall contain the following information:
  - i) Location of all poles or subsurface facilities as necessary to serve each lot or parcel of land within the subdivision, and where necessary to abutting property, if required by the Athens Utilities Electric Department.
  - ii) Required easements, including anchor easements for guy wires.
  - iii) Any other information as required by the Athens Utilities Electric Department.
- 4) City 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 professional engineer to meet the requirements of the City of Athens, Alabama.
- 5) Notice and Hearing. Preliminary plats shall be considered by the Planning Commission after 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. Adjacent owner information shall be supplied by the developer to the Engineering Services & Community Development Department (ES&CD), who will compile and send out the certified letters, upon payment of a fee by the developers.
- 6) Preliminary Plat Approval. In approving a Preliminary Plat, the Planning Commission has 4 options. They shall:
  - Approve the Preliminary Plat or;
  - Approve the Preliminary Plat with conditions or;
  - Disapprove the Preliminary Plat within 30 days after the submission or;
  - Table the Preliminary Plat for further study (when the Applicant consents to waive the 30 day requirement and to an extension for further study).

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. If the Planning Commission deems it necessary to further study the Preliminary Plat, and the applicant agrees to waive the 30 day requirement, the Planning Commission may table the Preliminary Plat until the next

scheduled meeting for further study and necessary information. Copies of the Preliminary Plat as acted upon by the Planning Commission shall be retained in the Engineering Services and Community Development (ES&CD) office.

- 2) Effect of Approval. Approval of a Preliminary Plat shall not provide the subdivider/developer authority to begin work until he has scheduled and completed a satisfactory Preconstruction Conference with the City Engineer or his designated representative. The Preconstruction Conference is an informal review of the Preliminary Plat and the subdivider/developer's plans and schedules for initiation of work. After this meeting a permit may be obtained from the Engineering Division of the Public Works Department. The permit provides the authority to begin work if applicable State and Federal Permits have also been obtained. The subdivider/developer will notify the City Engineering, Director of ES&CD, the Director of Water/Wastewater, and when appropriate the County Engineer, before actually beginning site work. All construction of the subdivision shall be in accordance with applicable City Codes, regulations and specifications to include the staking of lots in preparation for submission of the Final Plat to the Planning Commission.
  - a) Subdividers/developers are advised that the Preliminary Plat is a tentative expression of approval. It is a guide to the preparation of the Final Plat. No deviations from this tentative approval can be initiated without an application to the Planning Commission for a revised Preliminary Plat. Minor deviations, however, may be approved by letter from the City Engineer if he deems them to be prudent and not significantly affecting design or the published Specifications and Standards of the City.
  - b) The Preliminary Plat is effective for twelve (12) months from the date of its approval. If an application for Final Plat approval is not submitted by this anniversary date then the subdivider/developer shall apply for an extension. Such extension may be granted by the Planning Commission based upon the existing circumstances, but shall not exceed an additional twelve (12) months. This requirement may be modified for Planned Unit Developments (PUD) at the discretion of the Planning Commission.
  - c) At any time after the initial twelve (12) month period following Preliminary Plat Approval, the Planning Commission may advise the developer of new or additional requirements which must be incorporated in his application for a Final Plat. A revised Preliminary Plat may be required.

## **E. Final Plat**

- 1) Purpose. 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.
- 2) Submission. The final plat shall be drawn upon mylar film, on sheets measuring no more than twenty-four (24) by thirty-six (36) inches; and at a scale of one inch equals one hundred (100) feet or other appropriate scale as approved by the City Engineer. Where necessary the final plat may consist of several sheets, accompanied by an index sheet showing the entire

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subdivision. Seven (7) prints shall be submitted to the Engineering Services & Community Development Department (ES&CD).

- 3) Information Required. The final plat shall contain the following information:
- a) A vicinity map to scale showing the general location of the subdivision.
  - b) Primary control points approved by the City Engineer 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 Standards of Practice for Surveying in the State of Alabama, May 7<sup>th</sup>, 2002, 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 (1/2) mile of the subdivision.
  - d) Title, scale, north point and date.
  - e) Name and right of way width of each street or public right of way.
  - f) Numbers to identify each block and lot; and the area of each lot.
  - g) The purpose for which sites other than residential lots may be used.
  - h) Names of owners of record of adjoining land and current zoning information for said land.
  - i) Certification of title showing that the applicant is the owner of the land within the subdivision, or is that individual's attorney-in-fact (attach power of attorney).
  - j) Statement by the owner dedicating street right of way and any sites for public use.
  - k) Statement by a registered land surveyor certifying that the plat meets the requirements of the Minimum Standards of Practice for Surveying in the State of Alabama, May 7<sup>th</sup>, 2002, or latest edition, as published by the Alabama Society of Professional Land Surveyors.
  - l) Space for certificate of approval by the Planning Commission Chairman.
  - m) Certificate of acceptance by the City Council of any land, right of way, or easements dedicated to the City.
  - n) Certificate by the City Engineer that the subdivision meets all the requirements for required street and utility improvements; and if appropriate, the County Engineer.

- o) Certificate by the County Health Officer when individual sewage disposal and/or water systems are to be installed.
  - p) Note prohibiting structures on easements. Access shall not be restricted by gated fences.
  - q) Any clarifying statements or data as required by the Planning Commission, as a condition of the approval.
  - r) The location, dimensions, and purpose of any easements.
- 4) Attendant Items. The Final Plat shall be accompanied by the following items, as appropriate:
- a) A copy of the Restrictive Covenants for the subdivision, if any, as they are to be recorded. Whenever a subdivider intends to include in the subdivision design entrance signs, detention or retention ponds, and/or common areas for landscaping, recreational or security purposes, or other amenities for the benefit of the subdivision residents, the subdivider shall provide for the future maintenance of these areas, facilities, or structures, as they will not be maintained by the City of Athens. The City of Athens expects the subdivider to create a property owners association, which at a minimum shall be responsible for the previously mentioned items. Such maintenance shall be incumbent upon the subdivision residents and if not upon the residents then perpetually upon the developer/subdivider. If the developer/subdivider fails to make adequate provisions for maintenance and also fails to maintain these subdivision areas and structures and it becomes necessary for the City of Athens to assume part or all of the maintenance, then the City shall pursue judgment in a court of competent jurisdiction against the subdivider/developer to recover costs and damages.
  - b) A statement signed by the City Engineer that the subdivider has complied in full with one of the following alternatives:
    - i) 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 City specifications.
    - ii) 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.
    - iii) A performance bond with commercial surety or an Irrevocable Letter of Credit in an amount equal to one hundred and ten (110) percent of the estimated cost of all improvements, or an amount acceptable to the City Engineer, approved as to form by the City 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.
  - c) Receipt of a certificate from a registered land surveyor that permanent monuments of a suitable size and material have been placed for each lot corner in the subdivision, and that

## Athens, AL Subdivision Regulations

a satisfactory survey defines such permanent monuments in relation to located section corners or fractional corners of the Survey of Public Lands.

- d) **Maintenance Bond.** A warranty maintenance bond with a Commercial Surety or an Irrevocable Letter of Credit in an amount equal to ten percent of the total cost of improvements, or an amount acceptable to the City Engineer, approved as to form by the City Attorney and with surety satisfactory to the Planning Commission, for the guarantee of materials and workmanship for a one year period of time from the latter of improvements recommended for acceptance into the City of Athens ownership or the final plat approval. The Maintenance Bond shall not be released until submission of all required documentation (copy of as-builts and recorded Final Plat, etc.). The City Engineer shall not recommend the acceptance and dedications by the City Council until receipt of said documents.

### **Action on Final Plat**

Final approval of the plat will be given upon (1) fulfillment of all conditions attached to, and in conformance with, the Preliminary Plat; and (2) certification of the property installation of improvements and compliance with Articles 4 and 5 of these regulations. The Planning Commission shall act upon the Final Plat within thirty (30) days of its submission, and shall communicate in writing to the subdivider the action taken. **NOTE:** An all weather road surface (base course) and live fire suppression system must be installed and functional before Final Plat Approval is recommended to the Planning Commission.

Failure to take action on the Final Plat within thirty (30) days after the submission to the Planning Commission shall be deemed to be approval of such Final Plat. If the Final Plat is disapproved the grounds for disapproval shall be stated in the minutes of the Planning Commission, and in the resolution setting forth the Planning Commission's action, a copy of which shall be transmitted to the applicant.

Approval of the Final Plat by the Planning Commission shall not be deemed to constitute or affect an acceptance by the City of the dedication of any street or other proposed public ways or lands shown on the Final Plat and located within the corporate limits of the City of Athens. In such cases, acceptance of dedicated lands by the City Council must occur prior to recording the Final Plat.

### **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 Limestone County within three (3) months after the date of approval.

Recording of the Final Plat does not constitute acceptance by the City of streets, public utilities, or lands to be dedicated until formal acceptance of dedication by the City Council of the City of Athens.

## **Copies of Recorded Plat**

The applicant shall file with the Engineering Services and Community Development (ES&CD) Department two (2) copies of the final plat as recorded in the Office of the Probate Judges, Limestone County, Alabama, and an electric copy on a diskette or compact disc (CD) in the .jpeg or .pdf format. In addition, an as-built drawing of the subdivision on diskette or CD in an autocad-compatible format shall be filed with the Engineering Division.

## **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.

## **Alternative Subdivisions**

### 1) Minor Subdivision

- a) Purpose. For the purpose of this section a minor subdivision is a resubdivision involving the creation of not more than four (4) contiguous lots fronting on an existing street, and which requires no new streets or other public improvements; and when in the opinion of the City Engineer no engineering design is required. Except as otherwise specified the resubdivision and the plat thereof shall conform to all the requirements of these regulations.
- b) Submission and Review. Preliminary Plat or Engineering Plans are not required to be submitted for an minor subdivision. However, the subdivider should consult with the City Engineer and Engineering Services and Community Development (ES&CD) Director, and with other appropriate officials, prior to preparation of the final plat.

A Final Plat shall be submitted for a minor subdivision which conforms to all the requirements and provides all the information specified for a Final Plat as described in Sections D through H above.

- c) Notice and Hearing. Preliminary plats shall be considered by the Planning Commission after 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. Adjacent owner information shall be supplied by the developer to the Engineering Services & Community Development Department (ES&CD), who will compile and send out the certified letters, upon payment of a fee by the developers.

### 2) Certificate to Sub-divide

This plat procedure is to be used in the event of minor boundary changes, or to make deeds of correction, or other similar situations of a minor nature. This procedure is not intended to allow subdivision of property into additional lots.

## Athens, AL Subdivision Regulations

- a) The Property Owner shall cause to have drawn up a legal document referred to hereafter as a "Certificate to Subdivide" (see sample certificate, [Appendix D](#)). The Property Owner shall have a land survey, including a written legal description, made of the property in question and the surveyor's certificate shall be attached to and become a part of the Certificate to Subdivide. The Property Owner shall file the original and six copies of the Certificate to Subdivide with the Engineering Services & Community Development Department (ES&CD) at least 21 days prior to the next regularly scheduled meeting, with a request for approval by the Planning Commission.
- b) The Engineering Services & Community Development Department (ES&CD) will review the request as to its conformity with the Subdivision Regulations, the Zoning Ordinance and other land-regulating codes and policies. If the Certificate is found to be in conformity with all requirements, the Engineering Services & Community Development Department (ES&CD) will place the Certificate on the agenda for the next regular meeting of the Planning Commission. If the Certificate to Subdivide is found to not be in conformity with all requirements, it will not be placed on the agenda for the Planning Commission until all requirements are met.
- c) Notice and Hearing. Preliminary plats shall be considered by the Planning Commission after 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. Adjacent owner information shall be supplied by the developer to the Engineering Services & Community Development Department (ES&CD), who will compile and send out the certified letters, upon payment of a fee by the developers.
- d) The Planning Commission will approve, approve on condition, or deny approval of said Certificate to Subdivide. If approved, the Certificate shall be signed and acknowledged by the Chairman, Vice-Chairman, or Secretary of the Planning Commission and notarized. If approved conditionally the conditions and reasons therefore shall be stated, and if necessary the Planning Commission shall require the subdivider to submit a corrected Certificate to Subdivide. If any of the requirements are modified or waived, the reason for such shall be specified. If the Planning Commission should disapprove the Certificate to Subdivide, the reasons for such action shall be stated and, if possible recommendations made on the basis of which the proposed Certificate to Subdivide would be approved.
- e) The Engineering Services & Community Development Department (ES&CD) shall return two (2) original copies of the Certificate to Subdivide to the Property Owner or his representative for recording in the office of the Probate Judge of Limestone County, Alabama. One copy of the recorded document will remain in the Office of the Probate Judge and be entered into their records, and one copy will be returned to the Engineering Services & Community Development Department (ES&CD) for their records.

2) Certificate to Consolidate

This plat procedure is to be used in the event of minor boundary changes, or to make deeds of correction, or other similar situations of a minor nature. This procedure is not intended to allow the consolidation of whole lots or tracts of land within a previously platted subdivision. This procedure would most often be used in conjunction with a Certificate to Subdivide, described separately in this article.

- a) The Property Owner shall cause to have drawn up a legal document referred to hereafter as a "Certificate to Consolidate" (see sample certificate, Appendix D). The Property Owner shall have a land survey, including a written legal description, made of the property in question and the surveyor's certificate shall be attached to and become a part of the Certificate to Consolidate. The property owner shall file the original and six copies of the Certificate to Consolidate with the Engineering Services & Community Development Department (ES&CD) at least 21 days prior to the next regularly scheduled meeting, with a request for approval by the Planning Commission.
- b) The Engineering Services & Community Development Department (ES&CD) will review the request as to its conformity with the Subdivision Regulations, the Zoning Ordinance and other land-regulating codes and policies. If the Certificate to Consolidate is found to be in conformity with all requirements, the Engineering Services & Community Development Department (ES&CD) will place the Certificate to Consolidate on the agenda for the next regular meeting of the Planning Commission. If the Certificate to Consolidate is found to not be in conformity with all requirements, it will not be placed on the agenda for the Planning Commission until all requirements are met.
- c) The Planning Commission will approve, approve on condition, or deny approval of said Certificate to Consolidate. If approved, the Certificate shall be signed and acknowledged by the Chairman, Vice-Chairman, or Secretary of the Planning Commission and notarized. If approved conditionally the conditions and reasons therefore shall be stated, and if necessary the Planning Commission shall require the subdivider to submit a corrected Certificate to Consolidate. If any of the requirements are modified or waived, the reason for such shall be specified. If the Planning Commission should disapprove the Certificate to Consolidate, the reasons for such action shall be stated and, if possible, recommendations made on the basis of which the proposed Certificate to Consolidate would be approved.
- d) The Engineering Services & Community Development Department (ES&CD) shall return two (2) original copies of the Certificate to Consolidate to the Property Owner or his representative for recording in the office of the Probate Judge of Limestone County, Alabama. One copy of the recorded document will remain in the Office of the Probate Judge and be entered into their records, and one copy will be returned to the Engineering Services & Community Development Department (ES&CD) for their records.

2) Non-Residential Subdivision

Non-residential subdivisions shall be reviewed and processed in accordance with appropriate sections of the Zoning Ordinance, and appropriate sections of these regulations, and shall be subject to approval by the Planning Commission.

3) Planned Unit Development

A planned unit development (PUD) is an area of sufficient acreage authorized under the zoning regulations which may include several groupings of lots with each grouping being different in terms of lot sizes and density even though all are within the R-5 (PUD) zone. Groupings of lots into residential areas may, therefore, include areas that would otherwise be zoned as R-1, R-2, R-3, R-4 or combinations thereof or zoning districts created by revisions to the City of Athens Zoning Ordinance. These residential clusters are separated by open land, or land that is dedicated to parks, recreational facilities, nature areas and walkways, etc., which may be considered to be common areas, and all of which are integrated into a neighborhood or community concept. A PUD may also include mixed use commercial areas. Streets and other ways of access may support or connect more than one cluster of lots, i.e. residential and other use areas. Therefore, each cluster of lots within a PUD may be treated as a separate subdivision within the PUD. Applications for PUD's are approved based on the same engineering criteria as other subdivisions and are additionally judged on their overall design effectiveness including esthetic appeal and preservation of the environment. PUD's are approved by the submission of a Master Plan. The Master Plan integrates the various subdivision areas into the overall land mass incorporated within the PUD. It includes infrastructure and utility support for the entire development. Applications are made to the Planning Commission, which recommends them, when appropriate, to the City Council of Athens for approval. Once the initial Master Plan has been approved by the City Council, the Planning Commission has the authority to adjust the design and density within the PUD after conducting any necessary public hearings, if appropriate.

4) Private Subdivisions/Gated Communities.

Private Subdivisions and Gated Communities are designed for limited public access; however, such subdivisions are not entirely exclusive although they may be considered by their residents as a private community. Roadways and alleys within gated communities are not dedicated to the City of Athens and are therefore private even though they must meet city construction standards. Provisions for reasonable and timely access to the gated community must be made for public service organizations such as fire fighters, medical evacuation, law enforcement, mail service, utility repair and maintenance, sanitation (unless privately contracted for), etc. No gating system shall be designed for a subdivision which denies access to the development by the representatives of these public agencies engaged in the lawful conduct of their responsibilities. Such developments shall meet all applicable requirements of this regulation unless exempted herein, and meet all density requirements of the zone in which they are located.

- a) Streets and alleys within gated communities shall be constructed to the same standards as though they were city streets. During construction the streets and alleys are subject to

inspection by the City Engineer who shall ensure they are constructed to city standards and he shall “concur” in their sufficiency prior to Final Plat approval and issuance of the first occupancy certificate within the gated community subdivision.

- b) Private streets and alleys are not subject to bonding. All future maintenance of such streets and alleys shall be performed by the developer of the subdivision and/or the residents. The City of Athens shall not be responsible for such maintenance. At Final Plat approval the developer must demonstrate that (1) adequate procedures have been provided for the access of public service representatives, as previously mentioned, and (2) that adequate notice has been made to prospective residents regarding their future street and alley maintenance responsibilities. Resident maintenance responsibilities may be made known through Property Owners Association Rules and Regulations and deed covenants.

#### 5) Experimental Subdivisions

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

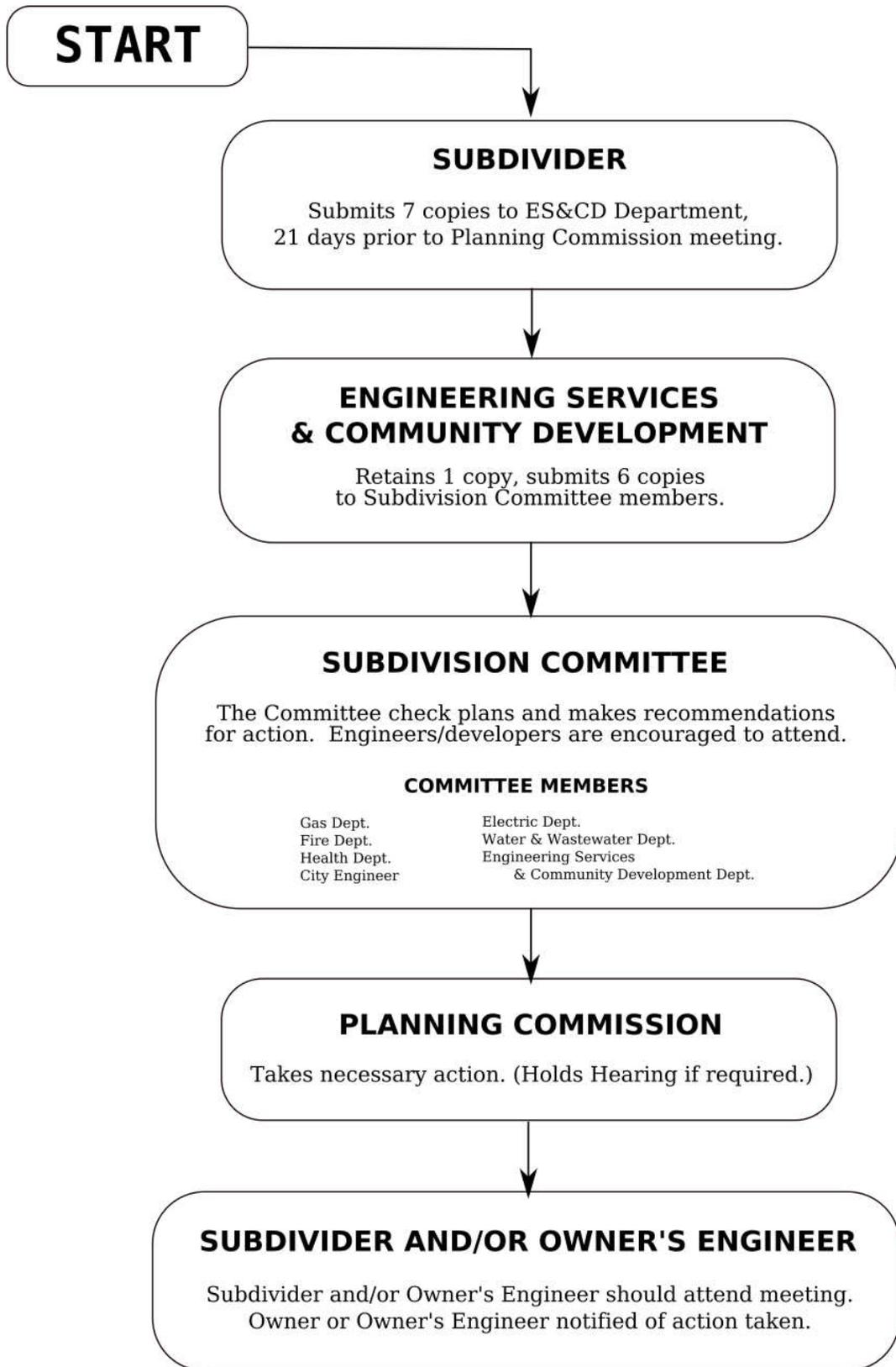
- a) The use of unusual materials in constructing required improvements.
- b) A new or untried design concept in the area which appears promising.

Special attention may be given to experimental subdivisions which are related to low cost housing design in an effort to provide housing for lower income families. The Planning Commission shall require the subdivider to provide a written proposal stating the nature of the experiment, and cost-benefit study following the implementation of same.

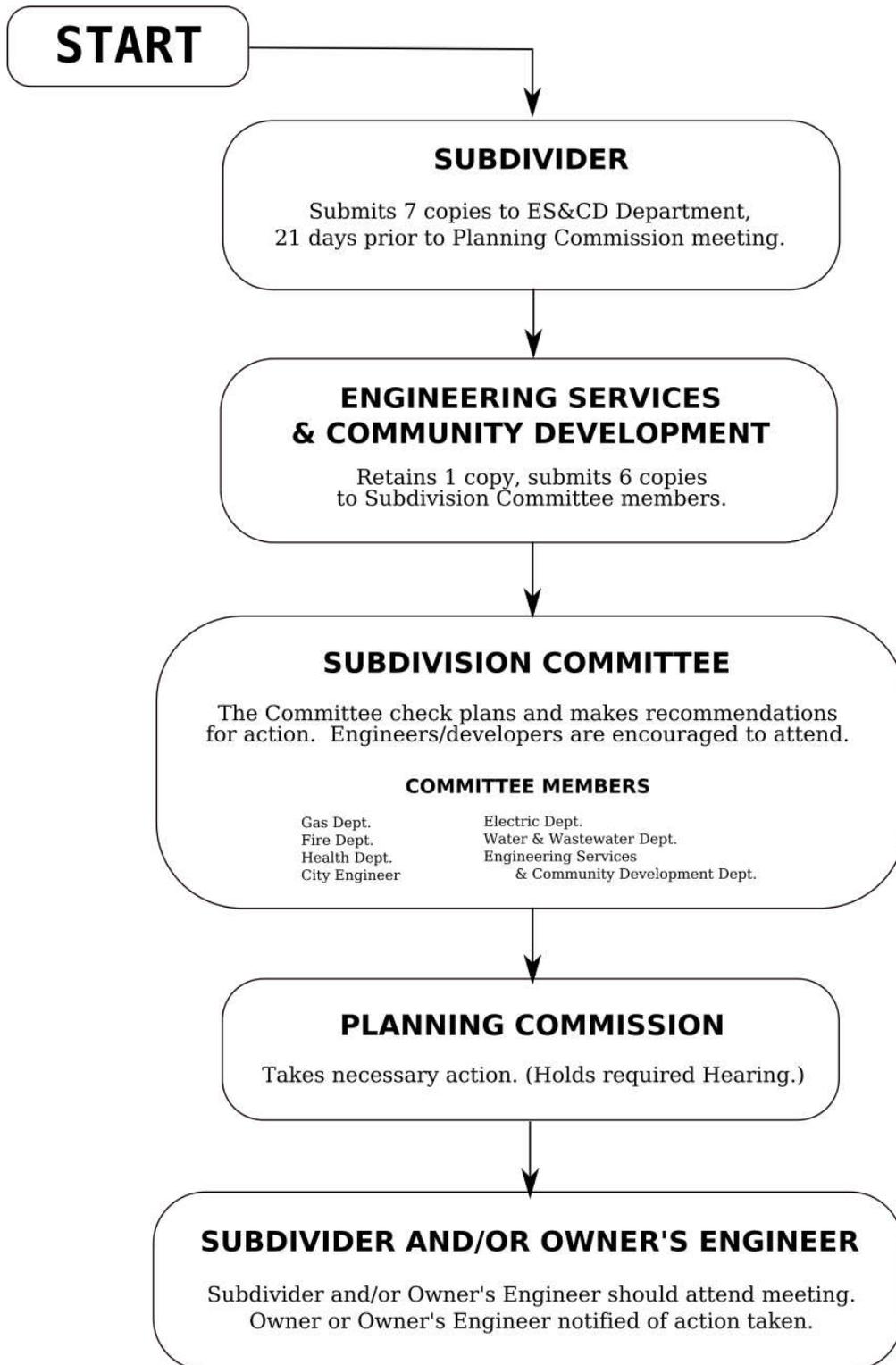
#### **CONDITIONS:**

In granting variances, modifications, and approval for experimental subdivisions, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied, modified, or approved. These may include, without being limited to: personal, surety, performance, or maintenance bonds; irrevocable letters of credit; affidavits; covenants; or other legal instrument.

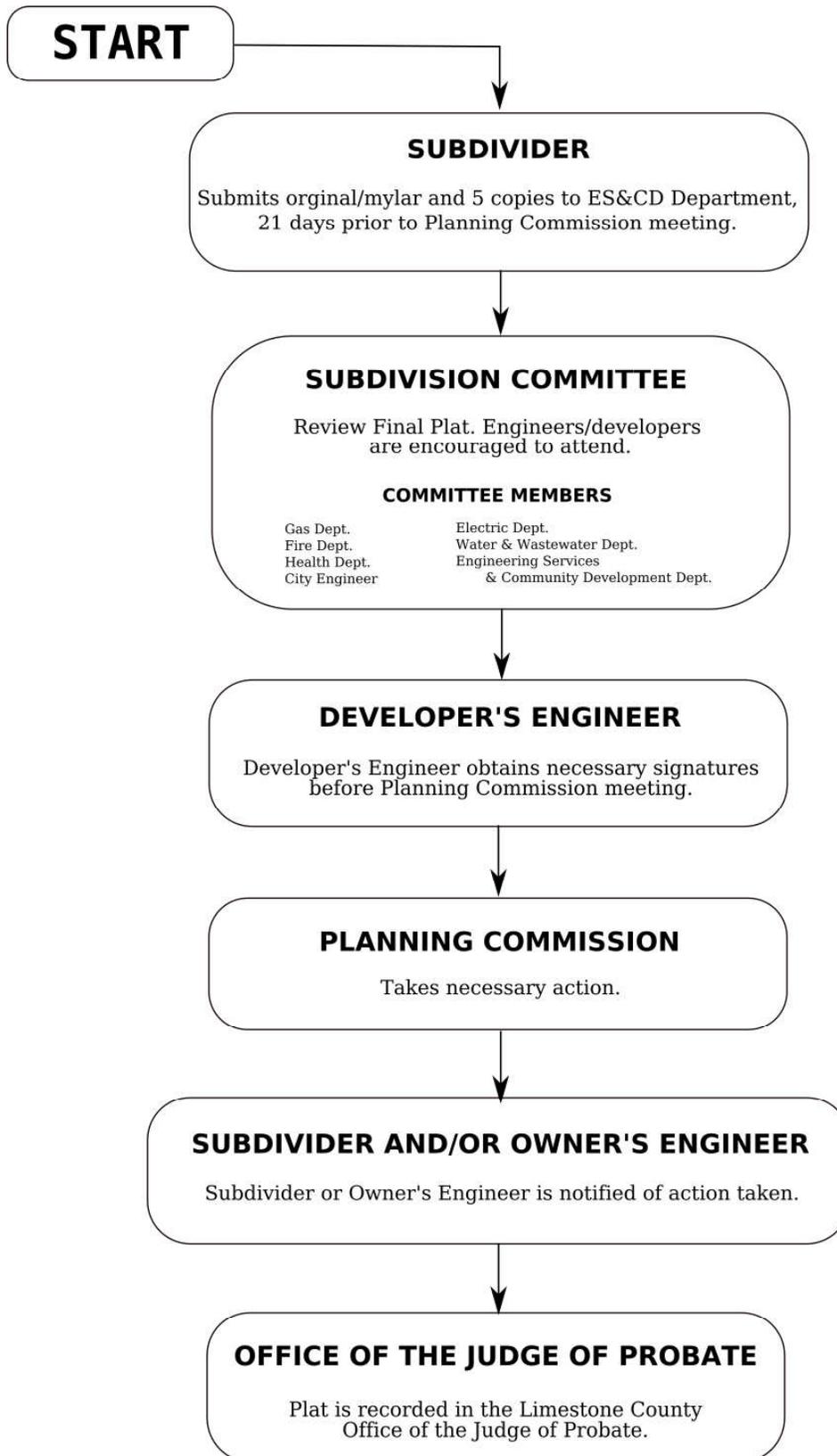
**Steps in Obtaining Layout Plan Approval**



**Steps in Obtaining Preliminary Approval**



**Steps in Obtaining Final Approval**



## Article 5. DESIGN STANDARDS

### A. General Requirements

- 1) Conformance to Regulations. All subdivisions shall conform to all applicable Federal, State and Local regulations, including the City of Athens Specifications and Standard Drawings, and/or Alabama Department of Transportation (ALDOT) as required.
- 2) Land Subject to Flooding. Land within the hundred-year floodplain shall be clearly marked on all subdivision plats. Such areas shall not be developed in any way which reduces the floodplain's capacity to store and convey stormwater.
- 3) Natural Features. Consideration shall be given to the natural scenic features of the land, such as streams. The design of the subdivision should protect and utilize such natural scenic features.
- 4) Trees. Because of their value in soil conservation, reduction in heat-island effect, health, and community appearance, it is the desire of the City of Athens to promote the planting of trees wherever feasible. It is recommended that the developers take this into consideration by including street trees, and common areas within their development where trees may be planted. Toward that end, the following guidelines should be followed:
  - a) No tree shall be planted in the right of way where it may impede site distance or defined open utility easements, or within 40 feet of the intersecting property lines at a street intersection.
  - b) Trees shall not be placed in any location where they may damage or impede access to buried utility lines, sidewalks or streets.
  - c) Grand trees shall be preserved wherever possible.
- 5) Names. The name of the subdivision and new street names shall not duplicate nor closely approximate phonetically the name of any other subdivision or street in Limestone County. Street names shall be subject to approval by the Planning Commission, after written verification of non-duplication by the E-911 Office.
- 6) Waivers for Conservation Subdivisions. The Commission may consider waivers from these standards for conservation subdivisions which are designed and built in such a way that the impact of development upon the natural environment is substantially minimized.
- 7) Mail Routes, Mail Boxes and Postal Service Rules. The United States Postal Services (USPS) has rules governing mail routes and the location of postal delivery facilities (including individual mail boxes). The subdivider/developer should contact the local postmaster as soon as possible to determine how these requirements will affect each subdivision, so that adequate provisions for postal/mail service is accomplished.

## **B. Streets and Circulation**

- 1) Street Layout. The street layout of a subdivision shall provide for the continuation and connection of streets between adjacent properties whenever such continuation and connection is necessary for the convenient movement and circulation of traffic, effective police and fire protection, access by public service vehicles, and efficient provision of utilities; and in accordance with the policies of the Comprehensive Plan of future adopted guidelines which shall address access management or traffic management policies.

Existing streets that abut a subdivision shall be continued, and the continuation shall be at least as wide as the existing streets unless a reduction in width is approved by the Planning Commission. The subdivision street layout shall also provide stub-outs for the future continuation into unsubdivided lands adjoining a sufficient number of streets to meet the purposes stated above.

If the adjacent property is undeveloped, the right-of-way of a street to be continued shall be extended to the property line. A temporary turnaround, (circular, T or L shaped) shall be provided, with a notation on the subdivision plat that land outside the normal right-of-way shall revert to the abutting properties whenever the street is continued and connected to the adjacent property. The Planning Commission may limit the length of such temporary dead-end streets in accordance with the design standards of these regulations.

Stub-out streets are intended to allow continuity in street patterns and connectivity among residential and nonresidential districts. In determining the number and location of such stub-outs, the Commission shall take into account the terrain and natural features of the adjoining undeveloped property, and the potential streets system as presented in the City's Major Street Plan.

Stub-out streets shall be built to the same standards as the rest of the streets in the subdivision and be extended to the property line with the adjoining vacant land. In addition, a permanent monument shall be installed at the property line indicating that the stub-out will be connected to any development on the adjoining property, and easements and utilities extended as necessary, at some time in the future. If the Planning Commission requires that the stub-out be provided with a temporary turnaround, such turnaround shall comply with [Article 5-C-7](#).

- 2) Street Classification. The streets in a subdivision shall be classified according to their function, and shall conform to the criteria set out in the Major Street Map. These criteria define major streets and local streets. Major streets consist of arterials and collectors. All other streets are local streets or alleys.
- 3) Major Streets. Wherever a subdivision abuts or contains a major street, as shown on the Major Street Plan, such major street shall be platted in the general location and of the width called for by the Major Street Plan; and, to the extent that the right-of-way for such major street is embraced within such subdivision, shall be dedicated for public use.
- 4) Restriction of Access. Where a subdivision abuts or contains an existing or proposed major street, the Planning Commission may prohibit direct access, require marginal access streets,

or specify such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

- 5) Arterial Streets. Arterial streets shall be provided to convey traffic between collector streets and important generators of traffic, such as schools and shopping centers.
- 6) Collector Streets. Collector streets shall be provided to collect traffic from local streets and feed it into major streets or to important generators of traffic, such as schools and shopping centers.

Where deemed necessary and appropriate by the City Engineer the developer shall design collector streets with the objective of discouraging speeding traffic and/or install traffic calming devices on any collector street. The location and design of traffic calming devices shall be determined by the City Engineer.

- 7) Local Minor Streets. Local streets shall, whenever possible, be arranged to provide an inter-connected network of low traffic volume streets that provide access to individual building lots, between neighborhoods and subdivisions, but may also provide alternative routes for collector or arterial streets if emergency circumstances necessitate.
- 8) Alleyways. Alleyways are permitted as low volume access ways for service to commercial or residential structures.

Four-way intersections are encouraged; however, street intersections with centerline offsets are permitted and shall be not less than one hundred twenty-five (125) feet.

### **C. Street and Sidewalk Design**

- 1) Minimum Street Widths. Minimum right-of-way (ROW) widths, measured from lot line to lot line; and minimum street width, measured from back-of-curb to back-of-curb (b/c) to back-of-curb and sidewalks, shall be as follows in the Table Street and Sidewalk Configurations.

| <b><u>Street and Sidewalk Configurations</u></b>   |                         |                       |            |                          |
|--|-------------------------|-----------------------|------------|--------------------------|
| <b>Classification</b>  | <b>B/C to B/C Width</b> | <b>Pavement Width</b> | <b>ROW</b> | <b>Sidewalk Location</b> |
| Cul-de-sac   | 26 @radius              | 24 @radius            | 50         | 1 side*                  |
| Local/Minor  | 28                      | 24                    | 50         | 1 side*                  |
| Collector - 2 lane   | 35                      | 31                    | 60         | 1 side                   |
| Collector - 3 lane   | 38                      | 34                    | 60         | both sides               |
| Collector @ Intersections  | 40                      | 36                    | 60         | both sides               |
| Arterial**   | 52                      | 48                    | 80         | both sides               |
| <p>*City Engineer shall determine location of sidewalk. A Developer can choose to delay the sidewalk construction by supplying an irrevocable letter of credit or a bond in the amount of the cost to construct the sidewalks plus 20%. If sidewalks have not been constructed within three years of the acceptance of the project by the City Engineer, then the letter of credit or bond will be used by the City to build the sidewalks.</p> <p>**When a local or minor street parallels a new or existing arterial street, as a service/frontage road, a twenty (20) foot landscaped area shall be installed in such a manner that visibility shall not be impaired.</p> <p>*** Refer to Street Detail for Alley Section</p> |                         |                       |            |                          |

- 2) If the lots are two (2) acres or more in area, with a minimum street frontage of two hundred (200) feet, the pavement width may be reduced in accordance with [Article 6-B-2](#) of these regulations. In no case shall a right-of-way be less than fifty (50) feet in width.
- 3) Frontage on Improved Road. No subdivision shall be approved unless the area to be subdivided shall have frontage on, and access from:
  - a) An existing State, County or City dedicated, improved and maintained street or road.
  - b) Such State, County or City road must be suitably improved to provide adequate and safe access to the subdivision. Such factors as, for example but without limitation, the predevelopment and post- development traffic count and the effect of the subdivision on traffic flow and site distance shall be considered in determining the appropriate level of improvement. All improvements must be constructed prior to approval of the final plat or be secured by an improvement guarantee required under these Subdivision Regulations.

- 4) Additional Width on Existing Streets. Subdivisions that adjoin existing streets shall dedicate additional right-of-way as necessary to meet the minimum standards specified in [Article 5-C-1](#).
- a) When any part of the subdivision is on both sides of the existing street the entire additional right of way shall be provided.
  - b) When the subdivision is located only on one side of an existing street, one half of the required right of way, measured from the center line of the existing right of way, shall be provided.
  - c) In rolling or hilly terrain, construction easements may be required to ensure that appropriate front and back slopes are developed.
- 5) Street Grades. In general streets shall be designed to conform to the topographical conditions of the site and to provide adequate surface drainage. The maximum grade for streets shall be as follows:

| <b>Type of Street</b> | <b>Maximum Grade</b> |
|-----------------------|----------------------|
| Minor Arterial        | 8 percent            |
| Collector             | 12 percent           |
| Local                 | 15 percent           |

Street grades shall be a minimum of three-fourth (3/4) percent. The maximum street grade from the center line intersection of two streets shall be five (5) percent for a minimum distance of one hundred (100) feet.

- 6) Vertical Curves. Every change in grade of a street shall be connected by a vertical curve constructed in accordance with the current standards established by the American Association of State Highway and Transportation Officials. Such standards will be made available by the City Engineer. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one (1) inch equals one hundred (100) feet horizontally and one (1) inch equals ten (10) feet vertically shall be required.

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- 7) Horizontal Curves. The minimum radius of curvature of streets on the center line shall be as follows:

|  |           |
|--|-----------|
| Arterial   | 550 feet* |
| Collector  | 350 feet* |
| Local/Cul-de-Sac   | 150 feet  |
| *Super elevation where in the opinion of the City Engineer the radius warrants it. |           |

- a) A tangent of at least one hundred (100) feet in length shall be introduced between curves on all streets.
- b) Those geometrics dealing with vehicular safety shall be developed in accordance with the current edition of AASHTO (American Association of State Highway and Transportation Officials) geometric design policy for streets and highways which will include radius of curvature, length of vertical curve, and all applicable sight distances. Exceptions to AASHTO 20 m.p.h. design.
- c) Minimum Stopping District: Minimum Curve Radius: and Minimum Sight Distance

Those geometrics dealing with vehicular safety shall be developed in accordance with the current edition of AASHTO (American Association of State Highway and Transportation Officials) geometric design policy for streets and highways which will include radius of curvature, length of vertical curve, and all applicable sight distances.

- 8) Intersections. Street intersections shall be at right angles, or as close to right angles as possible. Where, for topographic or other reasons acceptable to the Planning Commission, an intersection cannot be at right angles, such intersection shall be so designed to ensure safety; shall be as close to right angles as possible; and in no case shall be less than seventy-five (75) degrees. Traffic islands placed at or near intersections may be permitted as long as they are placed no closer than twenty-five (25) feet to the intersecting edge of pavement and have additional width of street and right of way to accommodate fourteen (14) foot travel ways on each side of the island.
  - a) Property line radii at street intersections shall not be less than twenty (20) feet, and where the angle of street intersection is less than ninety (90) degrees, the Planning Commission may require a greater curb radius. To permit the construction of a curb having a desirable radius without curtailing the sidewalks at a street corner to less than normal width, the property line at such street corner shall be reduced or otherwise set back sufficiently to permit such construction.
  - b) Street jogs with centerline offsets of less than one hundred and twenty five (125) feet shall not be permitted.

- c) Roundabouts shall be designed in accordance with the standards established by the AASHTO.
- 9) Cul-de-sac Streets. A cul-de-sac street shall have a maximum length of seven hundred (700) feet, measured from the center line of the street from which the cul-de-sac takes access to the center of the turnaround at the end of the cul-de-sac; except that where there are no more than twenty (20) lots and the net density does not exceed two (2) lots per acre a maximum length of one thousand (1,000) feet shall be allowed. All cul-de-sac streets shall be provided at the closed end with a turnaround with a minimum right-of-way radius of fifty (50) feet, and a minimum driving surface radius of forty (40) feet. Any sidewalk on a cul-de-sac street may terminate at the beginning of the radius of the turnaround. Such termination shall culminate in a handicap ramp.
- 10) Dead-end Streets. Streets designed to be extended at a future date shall provide a paved turnaround approved by the City Engineer at the end of the street if such street extends more than four hundred (400) feet beyond a street intersection. Such streets shall not exceed six hundred (600) feet in length unless they are to meet requirements as set forth in [Article 5-C-7](#).
- 11) Reserve Strips. Reserve strips controlling access to streets, alleys, and public grounds shall NOT be permitted by subdivider/developer unless their control is placed with the appropriate governing body under conditions approved by the Planning Commission.
- 12) Easements. Except where alleys are provided for the purpose, easements with a minimum width of twenty (20) feet—ten (10) feet on each side of rear lot lines and five feet (5) side lot lines—shall be provided for utilities and sewers (sanitary and storm) as needed and as determined by the City Engineer. No irrigation or landscaping shall be permitted in designated open easements.
- 13) Driveway Curb Cuts. Turnouts, whether commercial or residential, shall be a minimum of ten (10) feet wide and a maximum of fifty (50) feet wide. All driveway curb cuts shall be constructed in accordance with standards approved by the City Engineer. Corner and double frontage lots shall take access from the minor streets unless otherwise approved by the City Engineer. Where narrow street widths are allowed, the City Engineer will require wider driveway radii to avoid lane encroachment by entering or exiting vehicles.
- 14) Alleys. Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall have a five (5) foot minimum cut off at all acute angle intersections.
- Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities at the dead-end, as determined by the Planning Commission.
- 15) Bikeways and Greenways. In any subdivision that includes a portion of a planned bikeway and/or greenway, the developer shall place such portion within a public right-of-way. In addition, unless deemed unnecessary by the Planning Commission, the developer shall also provide a right-of-way that makes available adequate public access to such bikeway or greenway.

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- 16) Buffer Area. Developers are encouraged to include buffer areas within their residential subdivision designs whenever these will accomplish the masking or separation of lower density residential areas from such higher density areas whether or not this would be required by the applicable Zoning Ordinance.

### D. Blocks

- 1) Size and Shape of Blocks. The lengths, widths and shapes of blocks shall be determined with consideration of the limitations and opportunities of topography; the provision of building sites suitable to the intended uses; and the need for convenient access, circulation, control of, and safety from street traffic. In general, block lengths shall not exceed 1,400 feet; except where site conditions make longer or shorter blocks necessary or desirable in the opinion of the Planning Commission.
- 2) Block Width. Blocks shall be wide enough to provide a minimum of two tiers of lots of minimum depth, except where abutting upon major streets, limited access streets, or railroads, or situations make this requirement impracticable in the opinion of the Planning Commission.

Where the proposed subdivision is adjacent to or contains a major street, the long dimensions of the blocks should, wherever feasible be parallel, or approximately parallel, to the major street.

- 3) Blocks for Commercial or Industrial Use. Blocks intended for commercial or industrial use shall be designed specifically for such use, with consideration of off-street loading and unloading, and off-street parking facilities, and access thereto.

### E. Lots

- 1) Size and Shape. The size, shape, and orientation of lots shall be determined with consideration of the need for convenient access, circulation, control of, and safety from street traffic. Lot dimensions shall be determined by the requirements of [Article 4](#) of the City of Athens Zoning Ordinance. In cases where lot lines are not parallel and the lot fronts on a curved right-of-way, minimum width at road frontage shall be thirty-seven and one-half (37.5) feet. Lots fronting upon a cul-de-sac shall have a minimum width at road frontage of thirty-five (35) feet. The minimum lot width at the front building line (front yard setback line) shall be no less than the minimum as specified in the Zoning Ordinance for the zone in which the property lies.
- 2) Minimum Lot Area. The minimum lot size property within the City Limits shall be set by the Zoning Ordinance.
- 3) Lot to Abut on a Street. Every lot shall abut upon a dedicated public street that meets the minimum standards for a public street/roadway as delineated in this regulation.
- 4) Property lines at corners. Where necessary by reason of curb radii, property lines at street intersection corners shall be arcs having radii of at least twenty (20) feet, or shall be chords of such arcs.

- 5) Side Lines of Lots. Side lines of lots are intended to be at right angles or radial to the street line, unless deemed impractical by the Planning Commission.
- 6) Double Frontage Lots. Double frontage lots will be permitted only where necessary to provide separation of residential development from major streets or to overcome specific disadvantages of topography and orientation. A buffer strip at least 10 feet wide and across which there shall be no right of access shall be provided along the line of lots abutting such major street or disadvantageous use. No structures shall be erected within the required buffer strip except for necessary public utility improvements.
- 7) Flag Lots. [Flag lots](#), as defined in Article 3, shall be permitted subject to the following conditions:
  - a) Except as provided in this paragraph, flag lots accessing arterial or collector roads shall be prohibited. A nonconforming lot of record having no frontage on any public right-of-way may be established as a flag lot connecting to an arterial or collector if:
    - i) No other lot is rendered nonconforming by size and/or width through loss of property to create a flag lot access strip;
    - ii) No hazardous situation is created due to traffic volumes, curves or changes in elevation in the road;
    - iii) All other requirements of this Section are met; and
    - iv) In the opinion of the Planning Commission, there is no alternative which is in greater harmony with the intent of these Regulations.
  - b) Flag lot “stems” or access strips shall be at least 35 feet in width as measured at the road frontage. The land area within the access strip shall not count toward any required minimum lot size.
  - c) The Engineering Services & Community Development (ES&CD) Director shall identify the front, side, and rear lot lines of a flag lot for determining yard requirements, allowable locations of accessory structures, and other purposes.

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## Article 6. IMPROVEMENTS REQUIRED

### A. General Requirements

- 1) General. Streets, utilities, and other improvements shall be installed in each subdivision in accordance with the standards and requirements specified, or referred to, herein. Improvements required by these Regulations shall be made in accordance with the specifications, and under the supervision of, the City Engineer. As appropriate, such specification shall also include the requirements of the City of Athens Utilities or other appropriate authorities.
- 2) Construction Plans. It shall be the responsibility of the subdivider to have a complete set of construction plans prepared by a professional engineer registered in the State of Alabama. Such plans shall include profiles, cross-sections, specifications, and other supporting data for the hereinafter required public improvements. No construction activity of any kind, including grading, clearing, removal of trees, grubbing, installation of improvements, and buildings, shall begin on any land subject to these Regulations until a preliminary plat has been approved by the Planning Commission, all required Alabama Department of Environmental Management (ADEM) and/or Corp of Engineers (COE) permits and clearances have been obtained, construction plans and erosion control plans have been approved, and a Construction Permit issued. Construction plan approval shall not be construed as permission to clear cut trees from the property.
- 3) All improvements required under these Regulations shall be constructed in accordance with City of Athens construction specifications and under the supervision of the City Engineer or other duly authorized agent appointed by the City Council. Agreement shall be reached between the subdivider and the City Engineer in providing for the inspection of the various public improvements as they are being constructed.

Upon completion but before acceptance by the City Council of Athens, an “as built” set of plans and a copy of the Final Plat as recorded in the Probate Judge’s Office of Limestone County, Alabama, shall be supplied to the City Engineer. These plans shall meet the following standards:

- a) All as-built shall be on minimum 24” x 36” paper.
- b) An electronic copy on a diskette or CD, in a format compatible with City software, must be submitted along with the required Mylar(s). Each utility line feature, such as water valves, sanitary sewer manholes, storm water manholes, sewer lines, water lines, fire hydrants, etc. must be located in a separate layer/level.
- c) All flood zone information shall be included.
- d) All digital coordinates must conform to the Alabama West State Plane (0102) Coordinate system referenced to the NAD83 Datum. All measurements must be recorded in US survey feet (Northing & Easting).

## **B. Required Improvements**

- 1) Streets. All local and collector streets within a subdivision shall be provided with a paved roadway by the developer. The construction of streets to arterial standards shall be a shared responsibility of the developer and the City. The developer will only be responsible for construction of the standard local or collector street.
- 2) Curb and Gutter. The requirements for curb and gutter may be waived for local streets if the gradient of the street does not exceed five (5) percent, the street serves lots which have a minimum area of two (2) acres, and the traffic potential is less than 1500 Average Daily Traffic (ADT). Where roadways are allowed to be constructed without curb and gutter, the following requirements must be met:
  - a) The roadway pavement shall be a minimum of 22 feet in width.
  - b) Graded shoulders of at least six (6) feet width shall be provided on each side.
  - c) All driveway turnouts shall be paved and sloped away from the roadway.
  - d) If necessary, as recommended by the City Engineer and approved by the Planning Commission, additional right-of-way may be required.
  - e) If considered appropriate, and recommended by the City Engineer and approved by the Planning Commission, a street consisting of a twenty-four (24) foot wide paved roadway with a two (2) foot valley curb on each side may be installed in lieu of items A through C above.

Note: As a minimum all construction materials, equipment, and procedures shall be in accord with the current edition of the State of Alabama Department of Transportation (ALDOT) specifications for highways and bridges.

- 3) Water Supply. As required by the rules/regulations/specifications of the City of Athens Utilities Water Department.
- 4) Sanitary Sewage. As required by the rules/regulations/specifications of the City of Athens Utilities Wastewater Department.
- 5) Storm Sewers and Drainage.
  - a) General requirements:
    - i) All developments shall be provided with adequate storm drainage facilities. Any areas subject to periodic flooding shall not be approved unless the developer makes the necessary provisions to minimize flooding.

- ii) All development in the City of Athens shall be in compliance with the FEMA flood hazard regulations. The applicant shall contact the City Engineer for a preliminary discussion on this matter prior to plan submittal.
  - iii) An “as-constructed” storm sewer drawing on reproducible media signed and sealed by the professional engineer and an electronic media (CAD format acceptable by the city) copy shall be submitted to the City Engineer.
  - iv) There will be no diversions of drainage without written permission from the City Engineer.
- b) Drainage easements:
- i) Where a development is traversed by an existing or proposed water course, drainage way, 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 drainage way. 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.
  - ii) The minimum drainage easement width shall be fifteen (15) feet.
- c) Storm sewers and drainage structures:
- i) Drainage facilities shall be designed for a ten (10) year rainfall event, except for major drainage ways which shall be designed for a one hundred (100) year rainfall event. (A major drainage way is defined as having a contributing watershed area of fifty (50) acres or more).
  - ii) The development of one (1) site shall not cause an adverse effect on adjacent or downstream property. The Planning Commission may require off-site easements and improvements by the applicant to tie into an existing sewer or drainageways. In some cases, storm water detention or off-site improvement of existing downstream drainage facilities may be recommended by the City Engineer and required by the Planning Commission.
  - iii) Open Channels with a slope of less than one (1) percent shall have a rigid bottom or approved equal acceptable with the City Engineer.
  - iv) The City Engineer may require whatever additional engineering information is deemed necessary to make a decision on a development which contains an area of questionable drainage.

## Athens, AL Subdivision Regulations

- v) Storm drainage facilities shall be designed by a practicing professional engineer in the State of Alabama. The engineer's seal shall be on all drawings.
  - vi) No storm sewers shall be within ten (10) feet of any proposed building.
  - vii) Any new culvert or storm sewer pipe under the jurisdiction of the Alabama Department of Transportation must be approved by that authority. Copies of the approvals shall be provided to City Engineer at the time of submittal.
  - viii) Storm sewer pipe shall be reinforced concrete pipe, Class III (minimum), and shall not be less than fifteen (15) inches in diameter. All pipes shall be designed for the use and depth contemplated. Additional strength pipe may be required by the City Engineer. NOTE: RCP shall be required in all city right of ways.
- d) Stormwater drainage plans:
- i) All design drawings prepared for the stormwater drainage plan shall include:
    - (1) A minimum 2' contour map showing the existing and proposed storm pipe size, locations and the areas to be drained including all off-site stormwater draining onto the development (area in acres);
    - (2) Building pad and existing and proposed finished floor and street elevations if required;
    - (3) Location and design of any existing and proposed facilities for storage or for conveyance of run-off into indicated drainage channels, including depressions, basins, channels, culverts, ponds, storm drains and drop inlets;
    - (4) Calculations of existing and increased run-off resulting from the proposed improvements and a statement of the proposed effects on the existing drainage system and adjacent property. Drainage area and peak flow calculations must be provided for each drainage facility, as well as profiles for all new storm sewers with outlet velocities;
    - (5) Structural capabilities and requirements for all new storm sewer pipe.
- e) Stormwater facilities construction:
- i) All storm inlets shall be Alabama Department of Transportation, Type "S" inlets.
  - ii) Storm sewer pipe bedding, backfill and installation shall be per **City of Athens Standard Drawings**.

- iii) Storm sewer pipe joints shall be properly sealed to prevent soil infiltration.
  - iv) Storm sewer manholes less than ten (10) feet tall may be reinforced concrete poured in place, reinforced concrete, or of brick construction having a minimum diameter of forty-eight (48) inches. Storm sewer manholes over ten (10) feet tall shall be poured-in-place reinforced concrete only, and shall have a minimum diameter of forty-eight (48) inches. Manholes over sixteen (16) feet tall will require special approval from the Engineering Department
  - v) Castings on manholes and steps in manholes and inlets will conform to City of Athens specifications and be subject to the City Engineers approval.
  - vi) All inlet bottoms and tops will line up and be square to the gutters in the street.
  - vii) All manholes will be stacked and lined up vertically. The top elevation of precast manholes may be adjusted with brick not to exceed sixteen (16) inches.
  - viii) All steps in inlets and manholes shall line up vertically.
- f) Stormwater detention facilities:
- i) Stormwater detention facilities, where deemed necessary by the Engineering Department, shall meet the minimum design requirements set forth in this section.
  - ii) Detention facilities shall be designed for a twenty-five (25) year, twenty-four (24) hour rainfall, minimum. Rainfall amounts shall be based on the latest available information.
  - iii) Each detention facility shall provide for an emergency spillway designed to convey the one hundred (100) year rainfall event.
  - iv) The minimum information submitted for a detention pond design shall be as follows:
    - (1) Existing drainage area and peak flow to the facility.
    - (2) Proposed drainage area and peak flow to the facility.
    - (3) Inflow hydrograph.
    - (4) Outflow hydrograph.
    - (5) Storage elevation plot.
    - (6) Required storage volume, in acre-feet or cubic feet.
    - (7) One-hundred (100) year peak rainfall flow to the emergency spillway.
    - (8) Statement of methodology used for detention facility design.

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- g) Requirements for wet weather detention facilities are as follows:
    - i) Maximum water depth in pond for design storm - four (4) feet.
    - ii) Maximum water depth in pond for emergency spillway use - five (5) feet.
    - iii) Minimum (cut and fill section) dam width - five (5) feet.
    - iv) Maximum side slope steepness – three to one (3:1).
    - v) Maximum water surface elevation in reservoir shall be two (2) feet (or greater) below lowest floor elevation of adjacent structure(s).
    - vi) Provide for low flow ditch in reservoir.
    - vii) Sides shall be grassed or paved.
    - viii) Overflow sections, such as emergency spillways, shall be sodded or paved.
  - h) Requirements for permanent ponds used as detention shall be as follows:
    - i) Maximum water surface elevation shall be two (2) feet (or greater) below lowest floor elevation of adjacent structure(s) or as per FEMA requirements.
    - ii) Maximum fluctuation between permanent pond level to maximum pond level shall be three (3) feet.
    - iii) Geotechnical stability analysis of impoundment structure shall be furnished.
  - i) Detention pond calculations shall be determined by a professional engineer registered in Alabama. Calculations and drawings shall be sealed.
  - j) Maintenance requirements for detention facilities are as follows:
    - i) Property owner(s) or his designated representative(s) shall submit a covenant setting forth their obligations to maintain the detention facility. Such covenant shall be approved by the City Engineer and the City Attorney before being recorded. A certificate of occupancy shall not be issued until the covenant has been recorded. Such covenant shall run with the property until the detention facility is no longer required. Release of the covenant shall occur only after approval of the City Engineer City Attorney, and the City Council.
    - ii) The Building Official shall enforce the provisions of the maintenance restrictions, and shall have the power and authority to cause the facility to be properly maintained. Under such condition, the City of Athens shall have the right to place a lien on the property until the City's obligation has been terminated.
- 2) Monuments. Monuments shall be installed according to the latest edition of the Minimum Technical Standards for Land Surveying in the State of Alabama and shall be set at all street

corners and at all points where the street lines intersect the exterior boundaries of the subdivision. The monuments and lot corners shall be in place prior to final plat approval.

- 3) Street Name Markers. Street name markers shall be placed at the corners of all street intersections inside the corporate limits of the City. Said markers shall be of a standard design in current use, approved by the City Engineer, and placed at locations the City Engineer or another duly authorized agent of the City may direct. Street names shall be verified and approved by the E-911 office and a letter to that effect shall be provided with the Final Plat submission.
- 4) Utility Easements. Easements shall be provided for public utilities, and shall be at least twenty (20) feet wide, ten (10) feet on each side of the property lines of rear lot lines; shall be at least ten (10) feet wide along front lot lines; and shall be at least ten (10) feet wide, five (5) feet on each side of the property lines on side lot lines. The width of easements shall be increased, or they shall be extended, where necessary, to provide space for utility pole bracing or other construction. Utility easements can be combined with drainage easements when recommended by the City Engineer and approved by the Planning Commission.
- 5) Drainage Easements. Easements for water courses, drainage ways or streams shall conform substantially with the lines of such water course and shall have such further width for construction, maintenance, or both, as will be adequate for the purpose. Drainage easements can be combined with utility easements when recommended by the City Engineer and approved by the Planning Commission.
- 6) Erosion Control. An erosion and sediment control plan (ESCP) shall be submitted in the construction plans to the City Engineer. Erosion and sediment control measures shall be installed and inspected prior to work beginning. Measures shall be maintained throughout the development and be the responsibility of the developer.

## **B. Dedications**

- 1) Streets and Alleys. The rights-of-way for existing and new streets, including that part of major streets shown on the Major Street Plan, which is embraced within the subdivision, and the rights-of-way for public alleys shall be platted to the minimum widths called for by these regulations and dedicated for public use. This requirement equally applies to any streets and alleys considered private.
- 2) Major Streets. The rights-of-way for existing and for new major streets shown on the Major Street Plan which are embraced in whole or in part by the subdivision shall, to the extent of that part which is embraced by the subdivision, be platted to the minimum widths called for by these regulations or by the Major Street Plan, and dedicated.
- 3) Easements. Easements for utilities, drainage, or other purpose shall be provided as required herein; and shall be dedicated with the right of access.
- 4) Open Space. Whenever a subdivision includes open space, either as a part of the overall design or in conformance with the provisions of the Zoning Ordinance, such open space shall be platted and dedicated for public use, unless its ownership and future maintenance is

## Athens, AL Subdivision Regulations

otherwise arranged for by the covenants of the subdivision. The City of Athens is not obligated to accept such dedications which have not been previously coordinated, agreed to, and included within the approved design.

**Article 7. CONSTRUCTION ACCEPTANCE AND ISSUANCE OF PERMITS AND  
GUARANTEE AGAINST FAULTY MATERIAL & WORKMANSHIP**

**A. NOTICE TO CONTRACTORS, DEVELOPERS, OWNERS AND ENGINEERS  
REGARDING CONSTRUCTION ACCEPTANCE AND ISSUANCE OF PERMITS  
FOR INFRASTRUCTURE IMPROVEMENTS.**

Construction acceptance and issuance of permits for infrastructure improvements in the City of Athens, Alabama.

A construction permit shall be received from the City of Athens Street Department before construction begins on any project for which the City of Athens will accept the infrastructure improvements. A pre-construction conference will be required on all projects unless waived by the City Engineer.

The following inspections shall be required during the construction phases and must be recommended by the Engineer of record before the overall acceptance of the project. All required ALDOT and ADEM permits must be submitted with the application for construction permit.

- 1) Erosion control setup.
- 2) Trench backfill in public areas, i.e. right of way and easements.
- 3) Sub grade of roadway.
- 4) Inlet and junction box construction before tops and lids are poured.
- 5) Base inspection – first lift before pouring curb and gutter.
- 6) Base inspection before binder placed. NOTE: Sewer and water in place and tested before final wearing course placed.

The attached should be followed for closeout of improvements:

## CITY OF ATHENS

### SUBDIVISION ACCEPTANCE CHECKLIST

|  | YES   | NO    | COMMENTS |           |
|--|-------|-------|----------|-----------|
| 1. Final Inspection                                    | _____ | _____ | _____    |           |
| 2. Date of Final Inspection                            | _____ | _____ | _____    |           |
| 3. Punch List  | _____ | _____ | _____    |           |
| 4. Punch List Items Complete                           | _____ | _____ | _____    | Date_____ |
| 5. Re-inspection to insure Punch List<br>is complete   | _____ | _____ | _____    | Date_____ |
| 6. Sanitary Sewer<br>Testing Complete                  | _____ | _____ | _____    |           |
| TVI Complete   | _____ | _____ | _____    |           |
| Location of Services on CD                             | _____ | _____ | _____    |           |
| Location of Services on "As-Builts"                    | _____ | _____ | _____    |           |
| 7. Acceptance Letter                                   | _____ | _____ | _____    |           |
| 8. As-Built Drawings (digital & hardcopy)              | _____ | _____ | _____    |           |
| 9. Traffic Signs placed and approved                   | _____ | _____ | _____    |           |
| 10. Public Works recommend for<br>Acceptance           | _____ | _____ | _____    |           |
| 12. Planning recommend for Acceptance                  | _____ | _____ | _____    |           |
| 13. Copies of ACTIVE Letters of Credit                 | _____ | _____ | _____    |           |
| 14. 3 copies of Final Plat                             | _____ | _____ | _____    |           |
| 15. Copy of Maintenance Agreements<br>(if applicable)  | _____ | _____ | _____    |           |
| 16. Maintenance Bond Amount approved<br>by Engineering | _____ | _____ | _____    |           |

**Water Requirements**

- 1.) Testing Complete
- 2.) Final Inspection
- 3.) Punch List Complete
- 4.) Location of Services (Digital)
- 5.) Location of Services (“As Built”)

Sanitary Sewer Service

- 1) Testing Complete
- 2) TVI Inspection
- 3) Final Inspection
- 4) Punch List Complete
- 5) Location of Services (Digital)
- 6) Location of Services (“As Built”)

Date of Acceptance \_\_\_\_\_

Maintenance Bond Information

Bank \_\_\_\_\_ Letter of Credit # \_\_\_\_\_

Amount Expiration Date \_\_\_\_\_

**Sample: Letter of Acceptance**

City of Athens Engineer  
Public Works  
City of Athens  
P.O. Box 1089  
Athens , AL 35611

RE: Beautiful Place Subdivision, Letter of Acceptance

Dear Mr. Engineer:

This letter is to certify that the streets, sidewalks, curbs and gutters, storm drainage structures and appurtenances, and sanitary sewer structures and appurtenances, are located within dedicated right-of-ways and/or platted easements. All subdivision monuments have been correctly placed, and to the best of my knowledge all of the above improvements have been constructed in accordance with the approved plans and specifications which conform to the current Subdivision Regulations of the City of Athens.

It is understood that there is a twelve (12) month maintenance and guarantee bond that covers all of the above named improvements and that said guarantee begins at the date of acceptance as shown below. The twelve (12) month maintenance and guarantee bond is posted with the City of Athens in the form of a guarantee of performance in a manner acceptable to the City Engineer, (i.e. a corporate surety bond, issued by a bonding company approved by the City of Athens, an Irrevocable Letter of Credit from an acceptable bank, or a cash bond, etc.) for an amount approved by the City Engineer. The developer understands that he is responsible for any discrepancies found in the subdivision improvements which are a result of defective design, workmanship, or materials for the twelve (12) month maintenance and guarantee period.

All sidewalks are not complete at this time but are covered by a Performance Bond dated \_\_\_\_\_ for the amount of \_\_\_\_\_, with an expiration date of \_\_\_\_\_. The developer understands that he has until the expiration date of this Performance Bond to install the sidewalks, and that if they are not completed at the end of that period, that City may invoke the Performance Bond to build the sidewalks. It is requested that the above improvements located within Beautiful Place Subdivision be accepted into the City of Athens Maintenance Program.

\_\_\_\_\_  
John Somebody, PE      Date

Reg. Professional Engineer No.

\_\_\_\_\_  
Gene Smith, RLS      Date

Reg. Professional Land Surveyor, No.

**NOTE: It is understood that each project is unique and that the above statements are for illustration only. Actual letters should conform to this format but are expected to address the unique conditions of the subject application/project.**

## **B. Acceptance of Streets and Utilities for Maintenance**

Final approval of street improvements shall be granted and streets accepted for maintenance by the city, only in accordance with the following provisions.

The Subdivider shall post with the city a guarantee of performance in a manner acceptable to the City Engineer, (i.e. a corporate surety bond, issued by a bonding company acceptable to the City of Athens, an Irrevocable Letter of Credit from an acceptable bank, or a cash bond, etc.) in an amount equal to ten (10) percent of the street and utility improvement costs for the street for which acceptance is sought. Said bond will guarantee the city that said street and utilities have been installed in a workmanlike manner and in accordance with required specifications and standards. That same is free from defects caused by faulty materials or defective workmanship and free from sink-holes or other settling, and that said street and utilities will remain in acceptable condition based on an inspection by the City Engineer and the applicable Utility Inspector, for a period of at least one year. Said guaranty bond shall be effective for a period of one (1) year. If at any time during the one year period the street or utilities is found to have settled or be otherwise unacceptable, said defective street or utilities shall be repaired as designed by the City Engineer and the applicable Utility Inspector, at the cost of the Subdivider, and upon his failure or refusal to do so within 90 days after demand is made upon him by the governing body, then the city shall use said bond to make such repairs as are reasonably necessary, and if the cost of the repairs exceed the amount of the bond, the Subdivider shall be liable for said excess and the city may take such steps as necessary to recover the addition costs from the Subdivider.

If after the one year guarantee period, the inspection of said street and utilities finds them in satisfactory condition, the City Engineer may recommend to the governing body that it accept these streets and utilities as public property and take over their perpetual maintenance.

## **Article 8. ADMINISTRATION**

### **A. General Provisions**

These Subdivision Regulations shall be administered by the Athens Planning Commission. The Engineering Services and Community Development (ES&CD) Director of the City of Athens shall be the official responsible for their administration.

### **B. Penalties**

As prescribed in Section 33, Title 11, Code of Alabama, 1975, as amended, whoever being the owner or agent of the owner of any land located within a subdivision, transfers or sells or agrees to sell any land by reference to or exhibition of or by other use of a plat of a subdivision, before such plat has been approved by the Planning Commission and recorded in the records of the Office of the Judge of Probate of Limestone County, shall forfeit and pay a penalty of 100 dollars for each lot or parcel so transferred or sold or agreed or negotiated to be sold; and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided. The City of Athens may enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction or may recover the same penalty by a civil action in any court of competent jurisdiction.

Any person violating any of the provisions of these Regulations shall, upon conviction, be punished by a fine of not more than \$500, or by imprisonment in the City jail for not more than six (6) months, or by both such fine and imprisonment, and also assessed court costs for each offense. Each day such violation continues, shall constitute a separate offense.

It shall be the duty of the Engineering Services and Community Development (ES&CD) Director of the City of Athens to enforce the provision of these Regulations, and to bring to the attention of the Athens Planning Commission any violations of, or lack of compliance with, these Regulations.

### **C. Application Fees**

A schedule of application fees for all approvals and public hearings required under these regulations shall be established by separate resolution. This fee schedule shall be computed so as to recover all costs incurred by the City in reviewing and processing subdivision-related requests, and shall be revised as necessary by the City Council.

After filing an application with the Planning Commission for review, if the applicant, engineer, and/or owner requests withdrawal of the subdivision application at any time before the application is acted on by the Planning Commission, and if said application is withdrawn from consideration before being acted on by the Planning Commission, any subsequent requests by the applicant, engineer, and/or owner for review of the same or similar application will be treated as a new application; therefore, the fee schedule as set out above will apply as if it were a new

application; provided, however, that the foregoing shall not apply to withdrawal requests made by the Planning Commission.

Each person engaged in the business of developing, subdividing, and selling lots to builders or others shall pay a license based on his gross annual receipts as follows:

|                      |  |
|----------------------|--|
| \$50,000.000 or less | \$150.00   |
| Over \$50,000.00     | \$150.00 plus 1/10 of 1 percent over \$50,000.00 |

#### **D. Amendments**

These regulations may from time to time be amended by the Athens Planning Commission. Such amendments shall be published as provided by law for the publication of ordinances. Before the adoption of any amendment, the Planning Commission shall hold at least one public hearing thereon, notice of time and place of which shall be given by publication in a newspaper of general circulation in the City. The adoption of any such amendment shall be by resolution of the Planning Commission carried by the affirmative votes of not less than five (5) members of the Planning Commission. An attested copy of the amendment shall be certified to the City Council and to the Probate Judge of Limestone County, Alabama.

#### **E. Requirements Held Minimum**

In their interpretation and application, the provisions of these regulations shall be held to be minimum requirements for the promotion of the public health, safety, and general welfare. More stringent provision may be required if it is demonstrated that different standards are necessary to promote the public health, safety, and welfare.

#### **F. Modifications**

In cases where the strict application of any of these regulations would result in peculiar and practical difficulties or exceptional and undue hardship, the Planning Commission may modify the application of the regulations to relieve such difficulty or hardship. The difficulty or hardship must be inherent in the exceptional topographic or other extraordinary or exceptional characteristics of the tract proposed to be subdivided and shall not be the result of actions of the Subdivider. No modification shall be made that will produce a conflict with the Comprehensive Master Plan or with the intent and purposes of these regulations, and any modification shall be the minimum modification that will make possible the reasonable subdivision of the land.

Applications for any waiver shall be submitted in writing by the developer at the time the preliminary plat is filed for consideration by the Planning Commission. The application shall state in full the grounds upon which the waiver is being requested and present the facts upon which the petitioner is relying; and shall be supplemented with such maps, plans, and other data which may assist the Planning Commission in consideration of the request.

No waiver shall be granted unless the Planning Commission shall find that due to special circumstances or conditions, the strict application of these regulations would deprive the applicant of reasonable use of the land.

### G. Conflicting Provisions

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

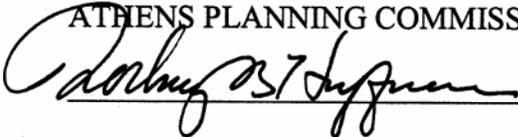
### H. Severability

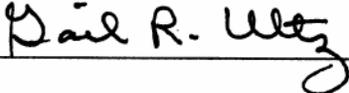
The requirements and provision of these regulations are severable. Should any provision, section, or article be held by a court of competent jurisdiction to be invalid or unconstitutional, the decision of such court shall not affect the validity of these regulations as a whole or any part or section thereof other than the part or section so declared to be unconstitutional or invalid.

### I. Effective Date and Repeal

These regulations shall take effect upon their adoption and publication as required by law. Upon adoption of these regulations according to law, the Revised Subdivision Regulations of the City of Athens, Alabama, adopted July 15, 1976, as amended, are hereby repealed to the extent necessary to give these regulations full force and effect.

ADOPTED THIS THE 12th DAY OF DECEMBER, 2006.

ATHENS PLANNING COMMISSION  
 , Chairman

ATTEST:  , Secretary

**J. Certification of City Clerk**

STATE OF ALABAMA    )

LIMESTONE COUNTY    )

I, John Hamilton, City Clerk of the City of Athens, do hereby certify that the above and foregoing “**Adoption of the 2006 Subdivision Regulations of the City of Athens, Alabama**” was published in the *Athens News Courier* on the 26<sup>th</sup> day of November 2006.

Witness my hand and seal of office this 11<sup>th</sup> day of January, 2007



  
\_\_\_\_\_  
John Hamilton, City Clerk

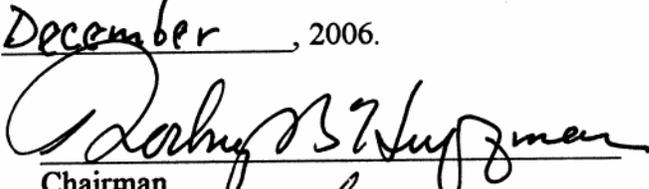
**K. Certification by Planning Commission of the City of Athens, Alabama**

STATE OF ALABAMA    )

LIMESTONE COUNTY    )

We, the members of the Planning Commission of the City of Athens, Alabama, do hereby certify to the Probate Court of Limestone County, Alabama that the above and foregoing is a true and correct copy of the 2006 Subdivision Regulations of the City of Athens, Alabama, duly adopted by the Planning Commission of the City of Athens, Alabama, on the 12<sup>th</sup> day of December, 2006.

Witness our hands this 12<sup>th</sup> day of December, 2006.

  
Chairman

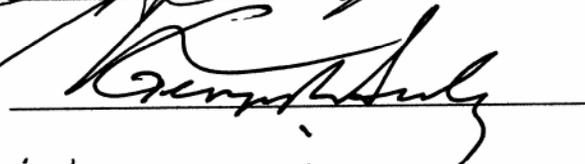




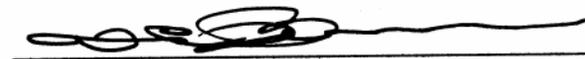












## **APPENDICES**

### **Appendix A APPLICATIONS FOR PLAT APPROVAL**

File No. \_\_\_\_\_

## LAYOUT APPROVAL APPLICATION (Part 1 of 2)

(PUBLIC HEARING REQUIRED)

Planning Commission for the City of Athens, Alabama: I request your assistance in the planning of the following proposed subdivision.

NAME OF SUBDIVISION: \_\_\_\_\_

DESCRIPTION OF PROPERTY:

Nearest street intersection: \_\_\_\_\_

Lot \_\_\_\_\_ Block \_\_\_\_\_

Plat Drawings attached:

\_\_\_\_\_

ZONING:

Present zoning: \_\_\_\_\_ DISTRICT

Required zoning \_\_\_\_\_ DISTRICT

If zoning change is required, give status of change:

\_\_\_\_\_

SUPPORTING DATA:

Existing use of land: \_\_\_\_\_

Proposed use of land \_\_\_\_\_

OTHER INFORMATION (Optional)

Name, title, full address and phone number of:

Property owners: \_\_\_\_\_

Subdivision designer: \_\_\_\_\_

Requested by: \_\_\_\_\_

**CERTIFICATE OF OWNERSHIP TITLE**

I, (land owner), the owner of the lands embraced in said plat, hereby join in this certificate as required by law for the purpose of giving full force and effect to the platting of said lands embraced in said plat as contemplated and required by law.

In witness whereof, said (owner's land surveyor), surveyor, and (land owner) owner, have caused these presents to be duly executed and hereunto set our hand and affix our seals this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

LAND OWNER

\_\_\_\_\_

LAND SURVEYOR

\*A written "Title Opinion" certified to by a licensed attorney that all names shown on the plat include all owners as of the date of signing and that the owners of the property are one and the same as those signing the plat.

(iii) A notary's acknowledgement of the certificates referred to in (i) and (ii) above.

STATE OF ALABAMA,

\_\_\_\_\_ COUNTY,

I, (name of notary public), notary public in and for said county of said state, hereby certify that (owner's land surveyor) whose name is signed to the foregoing certificate and who is known to me, acknowledged before me on this day, that being informed of the contents of said certificate he has executed the same voluntarily on the day the same bears date.

\*

\*\*

\_\_\_\_\_

Athens, AL Subdivision Regulations

Notary Public

\*(For Non-Corporate Ownership)

And I further certify that (land owner/owners), whose name/names are signed to the foregoing certificate who are known to me, acknowledged before me on this day that being informed of the contents of the foregoing certificate, they, as such land owners, executed the same voluntarily.

\*\* (For Corporate Ownership)

And I further certify that (land owner), (title), (corporation) and (land owner), (title), (corporation), whose name(s) are signed to the foregoing certificate and who are known to me, acknowledged before me on this date that being informed of the contents of the foregoing certificate, they, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation.

In witness whereof, I hereunto set my hand and seal, this the \_\_\_\_\_ day of 20\_\_\_\_\_.

\_\_\_\_\_

Notary Public

## LAYOUT APPROVAL APPLICATION (Part 2 of 2)

### General Subdivision Information

A. Existing Covenants:  Yes  No (If "Yes" attach one copy)

B. Land Characteristics (i.e. flat, wooded, some swamp):

\_\_\_\_\_

\_\_\_\_\_

C. Available community facilities and utilities:

1. Public schools (name)

Elementary School \_\_\_\_\_

Jr. High School \_\_\_\_\_

Sr. High School \_\_\_\_\_

2. Athens Fire Protection:  Yes  No \_\_\_miles to fire station #\_\_\_\_\_

3. Electric

Athens  Other \_\_\_\_\_

(Name)

4. Sanitary Sewer  Yes  No

Athens  Other \_\_\_\_\_

(Name)

5. Water system  Yes  No

Athens  Other \_\_\_\_\_

(Name)

6. Gas System  Yes  No

Athens  Other \_\_\_\_\_

(Name)

D. Number of residential lots: \_\_\_\_\_

E. Typical lot width: \_\_\_\_\_

depth: \_\_\_\_\_

area: \_\_\_\_\_

F. Are there any assessments against said property?  Yes  No

If yes, how much? \$\_\_\_\_\_

**PRELIMINARY PLAN APPROVAL APPLICATION**

**(PUBLIC HEARING REQUIRED)**

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

Planning Commission for the City of Athens, Alabama

Gentlemen:

I hereby petition the City of Athens to pass preliminary approval of the following plan:

NAME OF SUBDIVISION:

\_\_\_\_\_

DESCRIPTION OF PROPERTY:

Nearest street intersection: \_\_\_\_\_

Lot \_\_\_\_\_ Block \_\_\_\_\_ Plat \_\_\_\_\_

Drawings attached: \_\_\_\_\_

ZONING:

Present zoning: \_\_\_\_\_ District

Required zoning: \_\_\_\_\_ District

If zoning change is required give status of change: \_\_\_\_\_

SUPPORTING DATA:

Was this plan given Layout approval? \_\_\_\_\_ Yes \_\_\_\_\_ No

Existing use of land? \_\_\_\_\_

Proposed use of land? \_\_\_\_\_

OTHER INFORMATION:

Name, title, full address and phone number of:

Property owners \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Athens, AL Subdivision Regulations

Owners Engineer: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Petitioner for approval \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I certify the above information is correct, and that all requirements as contained in the Athens, Alabama Subdivision have been met.

\_\_\_\_\_

**CERTIFICATE OF OWNERSHIP TITLE**

I, (land owner), the owner of the lands embraced in said plat, hereby join in this certificate as required by law for the purpose of giving full force and effect to the platting of said lands embraced in said plat as contemplated and required by law.

In witness whereof, said (owner's land surveyor), surveyor, and (land owner) owner, have caused these presents to be duly executed and hereunto set our hand and affix our seals this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

LAND OWNER

\_\_\_\_\_

LAND SURVEYOR

\*A written "Title Opinion" certified to by a licensed attorney that all names shown on the plat include all owners as of the date of signing and that the owners of the property are one and the same as those signing the plat.

(iii) A notary's acknowledgement of the certificates referred to in (i) and (ii) above.

STATE OF ALABAMA,  
\_\_\_\_\_ COUNTY,

I, (name of notary public), notary public in and for said county of said state, hereby certify that (owner's land surveyor) whose name is signed to the foregoing certificate and who is known to me, acknowledged before me on this day, that being informed of the contents of said certificate he has executed the same voluntarily on the day the same bears date.

\*

\*\*

\_\_\_\_\_

Notary Public

\*(For Non-Corporate Ownership)

And I further certify that (land owner/owners), whose name/names are signed to the foregoing certificate who are known to me, acknowledged before me on this day that being informed of the contents of the foregoing certificate, they, as such land owners, executed the same voluntarily.

\*\* (For Corporate Ownership)

And I further certify that (land owner), (title), (corporation) and (land owner), (title), (corporation), whose name(s) are signed to the foregoing certificate and who are known to me, acknowledged before me on this date that being informed of the contents of the foregoing certificate, they, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation.

In witness whereof, I hereunto set my hand and seal, this the \_\_\_\_\_ day of 20\_\_\_\_\_.

---

Notary Public

## FINAL PLAT APPROVAL APPLICATION

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

Planning Commission for the City of Athens, Alabama

Gentlemen:

I hereby petition the City of Athens to pass final approval of the following plat.

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

\_\_\_\_\_

Date of preliminary approval of Planning Commission;

\_\_\_\_\_

I hereby certify that all changes as agreed upon in the preliminary plan approval have been so made and that all requirements of the Athens, Alabama Subdivision Regulations have been met.

\_\_\_\_\_

ENGINEER OF RECORD

\_\_\_\_\_

OWNER OF PROPERTY

## **Appendix B      PLAT APPROVAL CHECKLISTS**

## SUBDIVISION PLAN CHECKLIST

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

Location \_\_\_\_\_

Zoning District \_\_\_\_\_

Requested Approvals

Layout\*\* \_\_\_\_\_ Preliminary\*\* \_\_\_\_\_ Final \_\_\_\_\_

\*\*Requires Public Hearing

Owner

Name \_\_\_\_\_

Company \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

Agent

Name \_\_\_\_\_

Company \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

Engineer

Name \_\_\_\_\_

Company \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

Date submitted: \_\_\_\_\_

---

**Layout Plan Requirements (Reevaluate for every approval)**

\_\_\_\_\_ Seven(7) copies of print supplied.

\_\_\_\_\_ Date, north point, scale.

\_\_\_\_\_ Acreage Subdivided.

\_\_\_\_\_ Vicinity Map.

\_\_\_\_\_ Copy of deed to property.

- \_\_\_\_\_ Notarized Authorization to Act as Applicant form (if applicable).
- \_\_\_\_\_ Location of existing physical features on the property and adjoining properties.
- \_\_\_\_\_ Names of adjacent subdivisions. Names and addresses of record owners of adjoining land.
- \_\_\_\_\_ Names, locations, widths, dimensions of proposed streets, alleys, easements, parks, and other open spaces, reservations. Lot lines and building lines.
- \_\_\_\_\_ Lot and block numbers.
- \_\_\_\_\_ Conforms to general requirements and minimum standards of design.
- \_\_\_\_\_ One copy of LAYOUT PLAN and retained by Planning Commission.

### **Preliminary Plan Requirements**

- \_\_\_\_\_ Plan and Profile sheets showing details of drainage structures, sanitary sewers where applicable, etc.
- \_\_\_\_\_ Contour Map (2" contour interval and horizontal scale of not over 100' per inch.) (This may be shown on drainage plan.)
- \_\_\_\_\_ Drainage Plan, in accordance with data contained in Minimum Street Construction Standards.
- \_\_\_\_\_ Layouts of Utilities Sewer, Water, Gas, Electricity, etc. (Sewers may be shown on Street Plan and Profile sheets where applicable.)
- \_\_\_\_\_ Percolation data as approved by the State Health Department if septic tanks are to be used.
- \_\_\_\_\_ Conforms to general requirements and minimum standards of design.
- \_\_\_\_\_ One copy of PRELIMINARY PLAT retained by Planning Commission.

### **Final Plan Requirements**

- \_\_\_\_\_ Original submitted.
- \_\_\_\_\_ Plat submitted within one year of preliminary approval.
- \_\_\_\_\_ Scale not less than 1" = 100' and on sheets 24" by 36".
- \_\_\_\_\_ Conforms to preliminary plan as approved.
- \_\_\_\_\_ Primary control points and "ties" to same.
- \_\_\_\_\_ Tract boundary lines and vicinity map.
- \_\_\_\_\_ Right-of-way lines of streets, easements, and other rights-of-way.
- \_\_\_\_\_ Bearings of property lines and engineering data to locate all lines including radii, angles, arcs, central angles of all curves.
- \_\_\_\_\_ Name and right-of-way width of each street or other right-of-way.
- \_\_\_\_\_ Location, dimensions and purposes of any easements.
- \_\_\_\_\_ Number to identify each lot or site and block numbers.
- \_\_\_\_\_ Purpose for which sites other than residential lots are dedicated or reserved.

## Athens, AL Subdivision Regulations

- \_\_\_\_\_ Minimum building setback on all lots and other sites.
- \_\_\_\_\_ Location and description of monuments.
- \_\_\_\_\_ Names of record owners of adjoining unplatted land.
- \_\_\_\_\_ Reference to recorded subdivision plats of adjoining platted land by record name, date, and number.
- \_\_\_\_\_ Certification by Surveyor or engineer as to accuracy of survey and plat.
- \_\_\_\_\_ Certification of title showing that applicant is the land owner.
- \_\_\_\_\_ Statement by owner dedicating streets, easements or rights-of-way and any sites for public use.
- \_\_\_\_\_ Title, scale, north point, and date.
- \_\_\_\_\_ Certificate for approval by the Planning Commission.
- \_\_\_\_\_ Certificate for recording by the Probate Judge.
- \_\_\_\_\_ Streets graded and improved to standards required.
- \_\_\_\_\_ Storm drains installed in accordance with approved drainage plan.
- \_\_\_\_\_ Certificate of approval of appropriate utility departments.
- \_\_\_\_\_ Certificate or letter of approval for sewage and/or water supply methods by the State Health Department or City of Athens Water/Wastewater Department.
- \_\_\_\_\_ Certificate from the City Engineer that all improvements have been installed and approved or a performance guarantee has been posted to assure the completion of the required improvements.
- \_\_\_\_\_ Two prints retained by Engineering Services & Community Development Department (ES&CD)
- \_\_\_\_\_ One print transmitted to E-911 Department
- \_\_\_\_\_ One print transmitted to Water/Wastewater Manager.
- \_\_\_\_\_ Received As-Built Plans, per [Article 6-A](#).

**Approval List**

Layout Approved (date) \_\_\_\_\_ to proceed to PRELIMINARY PLAT.

Preliminary Approved (date) \_\_\_\_\_ to proceed to FINAL PLAT.

(Final) Approved for Recording: (date) \_\_\_\_\_

\_\_\_\_\_ Approval subject to the following modifications:

---

---

Variances granted:

---

\_\_\_\_\_ Approval subject to the following modifications:

---

---

Variances granted:

---

Disapproved: \_\_\_\_\_ PLAT                      Date: \_\_\_\_\_

For the following reasons:

---

Disapproved: \_\_\_\_\_ PLAT                      Date: \_\_\_\_\_

For the following reasons:

---

Disapproved: \_\_\_\_\_ PLAT                      Date: \_\_\_\_\_

For the following reasons:

---

---

Signed \_\_\_\_\_

Secretary of Planning Commission

## **Appendix C      CERTIFICATES**

Example of (A)

**SURVEYOR'S CERTIFICATE AND DESCRIPTION OF LAND  
PLATTED**

STATE OF ALABAMA )

COUNTY OF LIMESTONE )

I, (name of surveyor), a Professional Engineer-Surveyor of Athens, Alabama, hereby certify that I have surveyed the property of the (name of company or proprietor), a (corporation or proprietor), situated in the City of Athens, Limestone County, Alabama and that I also hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards and Practices for Surveying in the State of Alabama to the best of my knowledge, information and belief. Said property is described as follows:

(Insert Legal Description)

And that the plat or map contained hereon is a true and correct map showing the subdivision into which the property described is divided giving the length and bearings of the boundaries of each lot and its number and showing the streets, alleys and public grounds and giving the bearings, length, width, and name of the streets, said map further shows the relation of the land so platted to the Government Survey, and that permanent monuments have been placed at points marked thus (0) as hereon shown.

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

\_\_\_\_\_

(Name of Surveyor)

Registration # \_\_\_\_\_

Example of (B)

**DEDICATION**

I/We (Land Owner or Developer, address), as proprietor (s), have caused the land embraced in the within plat to be surveyed, laid out and platted to be known as (Subdivision Name), a part of (Section Call Out), City of Athens, Limestone County, Alabama, and that the (Streets, Drives, Alleys, etc.) as shown on said plat are hereby dedicated to the use of the public.

Signed and sealed in the presence of:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Property Owner

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Property Owner

In any case that the developer and the land owner are not one and the same, two or more Dedication Certificates may appear on the plat in order to allow for the owner's signature to be fixed to said Plat. In which case one of the following notary's acknowledgements must appear for each Dedication Certificate (See example C-1 and C-2).

Example of (C-1)

**ACKNOWLEDGEMENT**

STATE OF ALABAMA     )

COUNTY OF LIMESTONE   )

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

GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_

---

NOTARY PUBLIC

Example of (C-2)

**ACKNOWLEDGEMENT**

STATE OF ALABAMA        )

COUNTY OF LIMESTONE )

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

GIVEN under my hand and official seal this

\_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

Example of (D)

**CERTIFICATE OF APPROVAL BY THE ELECTRIC DEPARTMENT**

The undersigned, as authorized by the Electric Department of the City of Athens, Alabama, hereby approved the within plat for the recording of same in the Probate Office of Limestone County, Alabama, this \_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_.

---

Electric Department, City of Athens, Alabama

Example of (E)

**CERTIFICATE OF APPROVAL BY THE  
WATER/WASTEWATER DEPARTMENT**

The undersigned, as authorized by the Sewer Department of the City of Athens, Alabama, hereby approved the within plat for the recording of the same in the Probate Office of Limestone County, Alabama, this the \_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_.

---

Water/Wastewater Department, City of Athens, Alabama

Example of (F)

**CERTIFICATE OF APPROVAL BY THE GAS DEPARTMENT**

The undersigned, as authorized by the Water and Gas Department of the City of Athens, Alabama, hereby approved the within plat for the recording of same in the Probate Office of Limestone County, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_.

---

Gas Department, City of Athens, Alabama

Example of (G)

**CERTIFICATE OF APPROVAL BY THE CITY ENGINEER**

The undersigned, as City Engineer of the City of Athens, Alabama, hereby approved the within plat for the recording of same in the Probate Office of Limestone County, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_.

---

City Engineer, City of Athens, Alabama

Example of (H)

**CERTIFICATE OF APPROVAL BY THE PLANNING  
COMMISSION**

The within plat of (Subdivision Name), Limestone County, Alabama, is hereby approved by the Planning Commission of the City of Athens, Alabama, subject to recordation of same in the office of the Judge of Probate, Limestone County, Alabama, within 90 days from date, or the herein approval shall be void and of no effect.

This \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

PLANNING COMMISSION FOR THE CITY OF ATHENS, ALABAMA

---

CHAIRMAN

Athens, AL Subdivision Regulations

Example of (I)

CERTIFICATE OF APPROVAL BY THE LIMESTONE COUNTY HEALTH DEPARTMENT

The lot(s) on this plat are subject to approval or deletion by the Limestone County Health Department. The approvals may contain certain conditions pertaining to the onsite wastewater treatment system(s) that could restrict the use of the lot(s) or obligate owners to special maintenance and reporting requirements. These conditions are on file with the said Health Department and are made a part of this plat as if set out hereon. The undersigned, as authorized by the Limestone County Health Department, Alabama, hereby approved the within plat for the recording of same in the Probate Office of Limestone County, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

---

Health Officer, Limestone County, Alabama

Example of (J)

OFFICE OF THE JUDGE OF PROBATE

STATE OF ALABAMA )

\_\_\_\_\_ COUNTY )

I hereby certify that this Plat or Map was filed in this office for record this the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_o'clock \_\_\_\_\_ M. AND recorded in Book\_\_\_\_\_of Plats and Maps, Page \_\_\_\_\_.

---

Judge of Probate

**Appendix D      CERTIFICATE TO SUBDIVIDE &  
CERTIFICATE TO CONSOLIDATE**

**SAMPLE**

**CERTIFICATE TO SUBDIVIDE**

STATE OF ALABAMA )

LIMESTONE COUNTY )

KNOW ALL MEN BY THESE PRESENTS THAT;

The Athens City Planning Commission does hereby certify that it has received a request from (NAME OF PROPERTY OWNER'S), the owners of the following described real estate, situated in Limestone County, Alabama, to-wit:

(DESCRIPTION INSERTED HERE)

for permission to convey, hold, sell, purchase, or otherwise treat said property in two units or parcels as follows, to-wit:

(DESCRIPTION INSERTED HERE)

(EACH UNIT)

It is further certified that the Athens City Planning Commission has determined that the conveyance, holding, selling, purchasing, leasing and other-wise treating the said property in two units or parcels as aforesaid is in harmony and conformity with the general requirements

and minimum standards of design for the subdivision of land as contained in the Subdivision Regulations of the City of Athens, and the such above described units may be conveyed without destroying the intent of said regulations, and in conformity with the general requirements and minimum standards, as aforesaid, and the said Planning Commission does hereby authorize and approve the conveyance by deed, lease, mortgage, or other form of conveyance of said above described units by said owner and by any other person having an interest therein or being a successor in title thereto; provided, however, that neither of said units as herein above particularly described and designated may hereafter be conveyed without further approval of this Planning Commission, except in the footages and frontages as herein approved for the conveyance of said two units and as complete units as hereinabove described.

IN WITNESS WHEREOF, the Athens City Planning Commission has caused this certificate to be issued and executed by its Chairman on this the \_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_.

ATHENS CITY PLANNING COMMISSION

By: \_\_\_\_\_

Its Chairman

STATE OF ALABAMA )

COUNTY OF LIMESTONE )

I, \_\_\_\_\_, a Notary Public in and for said County in said State hereby certify that \_\_\_\_\_, whose name as Chairman of the Athens City Planning Commission is signed to the foregoing certificate and who is known to me,

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acknowledged before me on this day that being informed of the contents of the certificate, he, in his capacity as Chairman of the Athens City Planning Commission executed the same voluntarily for and as the act of said Planning Commission and with full authority.

Given under my hand and the seal of my office, this the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

---

NOTARY PUBLIC

**SAMPLE**

**CERTIFICATE TO CONSOLIDATE**

STATE OF ALABAMA )

LIMESTONE COUNTY )

KNOW ALL MEN BY THESE PRESENTS THAT;

The Athens City Planning Commission does hereby certify that it has received a request from (NAME OF PROPERTY OWNER'S), the owners of the following described real estate, situated in Limestone County, Alabama, to-wit:

(DESCRIPTION INSERTED HERE)

for permission to convey, hold, sell, purchase, or otherwise treat said property in one units or parcel as follows, to-wit:

COMBINED TRACT

(DESCRIPTION INSERTED HERE)

It is further certified that the Athens City Planning Commission has determined that the conveyance, holding, selling, purchasing, leasing and other-wise treating the said property in one unit or parcel as aforesaid is in harmony and conformity with the general

Athens, AL Subdivision Regulations

requirements and minimum standards of design for the subdivision of land as contained in the Subdivision Regulations of the City of Athens, and the such above described unit may be conveyed without destroying the intent of said regulations, and is in conformity with the general requirements and minimum standards, as aforesaid, and the said Planning Commission does hereby authorize and approve the conveyance by deed, lease, mortgage, or other form of conveyance of said above described unit by said owner and by any other person having an interest therein or being a successor in title thereto; provided, however, that neither of said unit as herein above particularly described and designated may hereafter be conveyed without further approval of this Planning Commission, except in the footages and frontages as herein approved for the conveyance of said unit and as a complete unit as hereinabove described.

IN WITNESS WHEREOF, the Athens City Planning Commission has caused this certificate to be issued and executed by its Chairman on this the \_\_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_.

ATHENS CITY PLANNING COMMISSION

By: \_\_\_\_\_

Its Chairman

STATE OF ALABAMA        )

COUNTY OF LIMESTONE )

I, \_\_\_\_\_, a Notary Public in and for said County in said State hereby certify that \_\_\_\_\_, whose name as Chairman of the Athens City Planning Commission is signed to the foregoing certificate and who is known to me, acknowledged before me on this day that being informed of the contents of the certificate, he, in his capacity as Chairman of the Athens City Planning Commission executed the same voluntarily for and as the act of said Planning Commission and with full authority.

Given under my hand and the seal of my office, this the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

---

NOTARY PUBLIC

**Appendix E      SUBDIVISION STATUS SHEET**

**SUBDIVISION STATUS SHEET**

Subdivision Name \_\_\_\_\_

Owner's Engineer \_\_\_\_\_ Phone: \_\_\_\_\_

**LAY OUT APPROVAL**

1. Application submitted on \_\_\_\_\_

2. Subdivision Committee Comments

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

3. Public Hearing set for (if required) \_\_\_\_\_

Newspaper informed \_\_\_\_\_

Owners of adjoining property notified \_\_\_\_\_

Action taken: \_\_\_\_\_

4. Owner's Engineer notified of comments \_\_\_\_\_

**PRELIMINARY APPROVAL**

1. Application submitted on \_\_\_\_\_

2. Subdivision Committee comments made

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

3. Public Hearing set for \_\_\_\_\_

4. Planning Commission meeting set for \_\_\_\_\_

Action taken: \_\_\_\_\_

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5. Owner's Engineer notified of action \_\_\_\_\_

**FINAL APPROVAL**

1. Application submitted \_\_\_\_\_

2. Subdivision Committee comments made  
\_\_\_\_\_  
\_\_\_\_\_

3. Planning Commission meeting set for \_\_\_\_\_

Action taken: \_\_\_\_\_  
\_\_\_\_\_

4. Owner's Engineer notified of action \_\_\_\_\_

5. Date Final Plat recorded \_\_\_\_\_

**CERTIFICATE TO SUBDIVIDE STATUS SHEET**

**FINAL APPROVAL**

1. Application submitted \_\_\_\_\_

2. Subdivision Committee comments made  
\_\_\_\_\_  
\_\_\_\_\_

3. Public Hearing set for \_\_\_\_\_

4. Planning Commission meeting set for \_\_\_\_\_

Action taken: \_\_\_\_\_  
\_\_\_\_\_

5. Owner's Engineer notified of action \_\_\_\_\_

6. Date Final Plat recorded \_\_\_\_\_