

TALLAPOOSA COUNTY SUBDIVISION
AND
LAND DEVELOPMENT REGULATIONS

Adopted November 13, 2023

Resolution 2024-11-1SR

FOREWORD

A subdivision is defined as the development and division of a lot, tract, or parcel of land into **two (2) or more lots, plats, sites**, or otherwise for the purpose of establishing or creating a subdivision through the **sale, lease, or building development of the lot or lots**. Further explanation of the definition and any exemptions from these subdivision regulations can be found in Section 2-1-62 of these regulations.

Any individual who plans to develop and/ or divide a parcel of land in the County should consult with the County Engineer early in the planning phase of the development to assure compliance with these regulations.

EFFECTIVE DATE

These Subdivision Regulations shall take effect and be in force from and after the date of adoption.

ADOPTED THIS THE 13 DAY OF November 2023

COUNTY COMMISSION FOR THE COUNTY OF TALLAPOOSA, ALABAMA

BY: Steve Robinson
CHAIRMAN

RESOLUTION 2024-11-1SR

COUNTY OF TALLAPOOSA

By Resolution 2024-11-1SR of the Tallapoosa County Commission and pursuant to the powers and jurisdiction granted by Code of Alabama 1975, § 11-24-1 et seq., the Tallapoosa County Commission does hereby set a policy to exercise the power and authority to review, approve, and disapprove plats for all subdivisions within the subdivision jurisdiction of Tallapoosa County, Alabama. The Tallapoosa County Commission further does hereby exercise the authority to inspect any development within its subdivision jurisdiction to ensure that there are no violations of its rules and regulations, to charge fees for said inspection as set out in Section 1-3 of these regulations and authorized under Code of Alabama 1975, § 11-24-3, and to enforce these regulations as provided in Section 1-4 and authorized in Code of Alabama 1975, § 11-24-3.


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 Subdivision regulations previously in place in Tallapoosa County are hereby repealed and rescinded.

These regulations shall be in effect and shall apply to the development of any subdivision within the subdivision jurisdiction of Tallapoosa County as defined in Section 2-1-62 from and after thirty (30) days from the date of the County's filing a certified copy of these regulations with the Probate Judge. No street or road shall be accepted and maintained by the County, nor shall any utilities or county services be extended to the subdivision, unless and until the requirements set forth in these regulations have been complied with and the subdivision has been given final approval by Tallapoosa County.

These regulations are not intended to govern the acceptance of roads, bridges and streets for maintenance by the County Commission. The County Commission holds complete authority to deny acceptance of any road, bridge or subdivision for maintenance by the County without reason.

Done at the regular session of the County Commission of Tallapoosa County, this the 13 of November, 2023.

TALLAPOOSA COUNTY COMMISSION County Governing Body


Commissioner, Thomas L. Coley, Jr.


Commissioner, Steve Robinson


Commissioner, John McKelvey


Commissioner, Emma Jean Thweatt


Commissioner, George Carleton, Jr.

SEAL:

ATTEST:


Blake Beck
County Administrator

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ARTICLE I

PURPOSE AND POLICY

- 1-1 PURPOSE AND POLICY**
- 1-2 TITLE**
- 1-3 FEES**
- 1-4 ENFORCEMENT AND VIOLATIONS**
- 1-5 AMENDMENTS**

SECTION 1-1 PURPOSE AND POLICY

The subdivision regulations set out herein have been adopted pursuant to authority granted by Code of Alabama 1975, § 11-24-1(b) to establish procedures and standards for the design and development of proposed subdivisions or additions to existing subdivisions within the subdivision jurisdiction of Tallapoosa County, Alabama. These regulations shall be applicable to the development of any subdivision within the county's subdivision jurisdiction, and shall include, at a minimum, the minimum size of lots, the planning and construction of all public streets and roads, drainage structures, and proper placement of public utilities to be located in a subdivision. Additionally, unless waived by the Tallapoosa County Commission, these regulations shall also apply to the county's plat approval for developments within the territorial jurisdiction of a municipal planning commission; provided, however, that in such instance, the County's approval shall be limited to the approval required in Code of Alabama 1975, § 11-52-30(b) regarding approval of plats, and shall not include enforcement. No final plat within Tallapoosa County, including developments within the police jurisdiction of a municipality, will be approved or signed by the County Engineer until all required improvements to access roads, either County or State routes, have been completed to the County Engineer's and ALDOT's (when applicable) satisfaction.

By Resolution of the Tallapoosa County Commission, adopted on the 9th day of January, 2023, and pursuant to the powers and jurisdiction granted by Code of Alabama 1975, § 11-24-1 et seq., the Tallapoosa County Commission does hereby set a policy to exercise the power and authority to review, approve, and disapprove plats for all subdivisions within the subdivision jurisdiction of Tallapoosa County, Alabama. The Tallapoosa County Commission further does hereby exercise the authority to inspect any development within its subdivision jurisdiction to ensure that there are no violations of its rules and regulations, to charge fees for said inspection as set out in Section 1-3 of these regulations and authorized under Code of Alabama 1975, § 11-24-3, and to enforce these regulations as provided in Section 1-4 and authorized in Code of Alabama 1975, § 11-24-3.

Subdivision bylaws, covenants, and deed restrictions may be imposed upon the lots within the subdivision by the Subdivider when the Final Plat is recorded. Once any such subdivision bylaws, covenants, and deed restrictions have been recorded, they can be administered only by the Subdivider, the homeowner's association of the subdivision, or the owners of land within the

subdivision, as may be applicable, and they may be enforced only by private legal action through a court of competent jurisdiction. The Tallapoosa County Commission or the County Engineer is in no way liable for and assumes no responsibility to approve, enforce, amend, or administer any duly adopted or recorded subdivision bylaws, covenants, and deed restrictions. Furthermore, advanced knowledge by the County Engineer of the Tallapoosa County Commission prior to Final Plat approval that any such bylaws, covenants, and deed restrictions will be imposed by the Subdivider shall in no way constitute implied authority or responsibility to approve, enforce, amend, or administer any subsequent adopted or recorded restrictive covenants or bylaws. Finally, no such authority shall be implied by the granting of the Final Plat approval for any subdivision within which special bylaws, covenants, or deed restrictions have been or will be imposed.

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

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

These regulations shall be in effect and shall apply to the development of any subdivision either new or existing within the subdivision jurisdiction of Tallapoosa County as defined in Section 2-1-60 from and after thirty (30) days from the date of the County's filing a certified copy of these regulations with the Probate Judge. No street or road shall be accepted and maintained by the County, nor shall any utilities or county services be extended to the subdivision, unless and until the requirements set forth in these regulations have been complied with and the subdivision has been given final approval by Tallapoosa County.

It is not the purpose of these regulations to govern the acceptance of roads or streets for maintenance by the County Commission. The County Commission holds complete authority to deny acceptance of any road, bridge or subdivision for maintenance by the County without reason.

SECTION 1-2 TITLE

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

SECTION 1-3 FEES

Tallapoosa County has established the following schedule of fees, as authorized under Code of Alabama 1975 Section 11-24-3, to cover costs associated with the inspection and review of subdivision developments. The total fee is dependent on the type of subdivision (as defined in Section 2-1-61) and is a **guide** as to the charges that will be incurred by the developer. The developer is responsible for **all** charges, including inspection and testing, incurred by the county during the subdivision approval process. The fee schedule is as follows:

- (1) Minor Subdivision Fee: \$ 500 plus \$ 25 per lot/ site in the development; or
- (2) Major Subdivision Fee: \$ 500 plus \$ 50 per lot/ site plus \$ 0.25/ linear foot on new road to be constructed.

**** Fees are waived for all new subdivisions and Administrative Plats. However, FEES APPLY TO ALL REVISIONS TO THE APPROVED PLAT THAT REQUIRE CHANGES TO GEOMETRIC DESIGN, LOT LINES, LOT SIZES, ETC submitted within 1 year of approved final plat.**

SECTION 1-4 ENFORCEMENT AND VIOLATIONS

Pursuant to authority granted under Code of Alabama 1975, § 11-24-3(d), the Tallapoosa County Commission shall enforce the provisions of these regulations by the issuance of citations issued by the County Engineer appointed by the Tallapoosa County Commission to enforce these regulations. Acting under authority granted in Code of Alabama 1975, § 11-24-3(d) and § 40-12-10, the County Engineer may issue a citation for the failure to properly obtain the permit to develop required under Section 3-6 and/or for any other violations of these regulations or of Code of Alabama 1975, § 11-24-1 *et seq.*

As authorized by Code of Alabama 1975, § 11-24-3(a), the fine for noncompliance of any provisions of these regulations shall be \$1000 per lot that has been sold, offered for sale, transferred, or leased. A separate citation shall be issued for each violation.

All fines shall be paid to the office of the judge of probate within thirty (30) days of the issuance of a citation by the County Engineer, and all fines shall be doubled upon the failure to remit the fine within thirty (30) days of the issuance of the citation.

In addition to the issuance of citations for violation of these regulations, the Tallapoosa County Commission retains the right to seek an injunction against any developer or owner who fails to comply with these regulations as provided in Code of Alabama 1975, § 11-24-3(b), and may bring

action against a developer or owner to compel compliance with these regulations in the event that work on the subdivision has been completed in violation of these regulations and the requirements of Code of Alabama 1975, § 11-24-1 et seq.

SECTION 1-6 AMENDMENTS

The Tallapoosa County Commission may adopt amendments to these regulations. Procedures to adopt amendments are detailed in Section 10-4.

ARTICLE II

DEFINITIONS

SECTION 2- 1 DEFINITION OF TERMS

- 2-1-1 **ACCESS:** Deeded portion of property or lot that provides travel way to a city, county, or state road. All access must have fifty (50) foot minimum width from the city, county, or state road to the building site. [Parcels excluded in Section 2-1-62(d) must have a minimum of sixty (60) foot access along with any lot in a subdivision of land covered by these regulations which has the ability to be further divided to provide additional building sites/ lots.]
- 2-1-2 **ADMINISTRATIVE PLAT:** See Section 3-2.
- 2-1-3 **ADT (AVERAGE DAILY TRAFFIC):** Total volume of vehicles during a given time period, in whole days, as measured during a non-holiday weekday.
- 2-1-4 **ALLEY:** A public right-of-way primarily designed to serve as a secondary access to the side or rear of those properties whose principal frontage is on some other street.
- 2-1-5 **APPLICANT:** The owner of land proposed to be subdivided or a person designated in writing by the legal owner as his or her representative.
- 2-1-6 **APPLICATION ASSEMBLY:** The packet of materials that the developer is required to submit with his or her application for proposed plat approval.
- 2-1-7 **ARTERIAL:** A term used to describe a road or street whose primary purpose is to connect areas that produce a large amount of trip generation. These routes have a dual function to move traffic and to provide access to land uses, particularly the high trip-generating commercial activities. In terms of counties, major and minor collector routes, as classified by the Federal Highway Administration, may require treatment as this type of route even though they are termed collector roads.
- 2-1-8 **BLOCK:** A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad right-of-way, shorelines of waterways or other boundary lines.
- 2-1-9 **BUILDING:** Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind, and includes any structure.
- 2-1-10 **BUILDING SETBACK LINE:** A line parallel to the property over which no structure may be erected.

- 2-1-11 **COLLECTOR:** A route whose primary function is to collect traffic from an area and move it to the arterial street system while also providing substantial service to abutting land use, and which typically does not have extensive continuity.
- 2-1-12 **CONSTRUCTION PLANS:** Plans detailing the design and requirements for the construction of public improvements. These plans shall detail such items as the location of all existing and proposed roads, plan and profiles of all roads, curve data, hydraulic data, etc. (See Section 4-2 for complete list of items required.)
- 2-1-13 **CORNER LOT:** A lot which occupies the interior angle at the intersection of street lines.
- 2-1-14 **COUNTY:** The County of Tallapoosa County, Alabama.
- 2-1-15 **COUNTY ADMINISTRATOR:** The duly designated Administrator or Clerk of Tallapoosa County, Alabama.
- 2-1-16 **COUNTY COMMISSION:** The County Commission of the County of Tallapoosa County, Alabama.
- 2-1-17 **COUNTY ENGINEER:** The duly designated Engineer of the County of Tallapoosa County, Alabama.
- 2-1-18 **COUNTY SPECIFICATIONS:** All construction specifications which are included in these regulations and any special specifications required by the County Engineer or other state or local entity based upon the particular development.
- 2-1-19 **CUL-DE-SAC:** A minor street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.
- 2-1-20 **DAY:** A calendar day.
- 2-1-21 **DEDICATION:** The transfer of property from private to public ownership.
- 2-1-22 **DEVELOPER:** The owner of land proposed to be subdivided or a person designated in writing by the legal owner as his or her representative.
- 2-1-23 **DEVELOPMENT:** The design work of lot layout, the construction of drainage structures, the construction of buildings or public use areas, the planning and construction of public streets and public roads, and the placement of utilities, and any other applicable construction or improvement required or included in a certain subdivision project.
- 2-1-24 **DEPTH OF LOT:** The mean horizontal distance between the front and rear lot lines.
- 2-1-25 **DOUBLE FRONT LOT:** A lot having frontage on two (2) non-intersecting streets as distinguished from a corner lot.

- 2-1-26 **EASEMENT:** A grant by the property owner of use, by the public, a corporation, or person(s) of a strip of land for specified purposes or as created by operation of law.
- 2-1-27 **EXPRESSWAY OR FREEWAY:** Facilities that accommodate a high volume of traffic through the prohibiting of ingress and egress except at controlled intervals. Freeways involve complete control of access while expressways permit at grade intersections at infrequent intervals. The expressway or freeway has only one function - to carry traffic.
- 2-1-28 **ENGINEERING PLAN:** A post construction record giving details of construction and locations of improvements as they were built or installed.
- 2-1-29 **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 Tallapoosa County, Alabama.
- 2-1-30 **FLOODPROOFING:** Any combination of structural or nonstructural additions, changes, or adjustments which reduce or eliminate flood damage to real property, or improved real property, water supply and sanitary sewer facilities, electrical systems, and structures and their contents.
- 2-1-31 **FLOODWAY:** The stream channel and the portion of the adjacent floodplain which must be reserved solely for the passage of flood-waters in order to prevent an increase in upstream flood heights of more than one (1) foot above the predevelopment conditions. For the purpose of these regulations, floodways shall be defined and governed by the County's Flood Damage Prevention Ordinance.
- 2-1-32 **LAND SUBJECT TO FLOODING:** For the purpose of these regulations, land subject to flooding shall be defined in the County's Flood Damage Prevention Ordinance.
- 2-1-33 **FLOOD, ONE HUNDRED (100) YEAR:** A flood that has, on the average, a one percent chance of being equaled or exceeded in any given year.
- 2-1-34 **FLOOD, TEN (10) YEAR:** A flood that has, on average, been equaled or exceeded at a frequency of once every ten (10) years.
- 2-1-35 **FLOOD, TWENTY-FIVE YEAR:** A flood that has on average been equaled or exceeded at a frequency of once every twenty-five (25) years.
- 2-1-36 **HARDSHIP:** An unusual situation on the part of an individual property owner which will not permit the full utilization of property. A hardship exists only when it is not self-created.
- 2-1-37 **HEALTH DEPARTMENT:** Alabama State Department of Public Health or Tallapoosa County Health Department.

- 2-1-38 **IMMEDIATE FAMILY MEMBER:** As defined in *Black's Law Dictionary*, a person's parents, spouse, children, and siblings.
- 2-1-39 **LICENSED ENGINEER:** An engineer properly licensed and registered in the State of Alabama in good standing with the Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- 2-1-40 **LICENSE INSPECTOR:** The person or persons appointed by the County Commission to enforce the county's subdivision regulations pursuant to Code of Alabama 1975, § 11-24-3, utilizing the authority granted to a license inspector under Code of Alabama 1975, § 40-12-10.
- 2-1-41 **LICENSED LAND SURVEYOR:** A land surveyor properly licensed and registered in the State of Alabama in good standing with the Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- 2-1-42 **LOT:** A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership, lease or rental, or for building development.
- 2-1-43 **MARGINAL ACCESS:** A service road or other treatment used to provide adequate protection of properties in cases where an arterial runs through or near a subdivided area.
- 2-1-44 **MAJOR SUBDIVISION:** See Section 2-1-61(a), Subdivision Categories.
- 2-1-45 **MINOR ROAD OR STREET:** A route used to connect collector roads in a road system and service only the residents of that road.
- 2-1-46 **MINOR SUBDIVISION:** See Section 2-1-61(b), Subdivision Categories.
- 2-1-47 **MONUMENT:** A permanent object serving to indicate a limit or to mark a boundary.
- 2-1-48 **OWNER:** Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.
- 2-1-49 **OWNER' S ENGINEER:** The licensed engineer who is the agent of the owner or developer of land which is proposed to be subdivided or which is in the process of being subdivided.
- 2-1-50 **PERMANENT REFERENCE POINTS:** As defined by the Minimum Technical Standards set out and required by the Alabama Society of Professional Land Surveyors.

- 2-1-51 **PERMIT FEE:** The fee assessed to obtain the permit to develop required in Section 1-50.
- 2-1-52 **PERMIT TO DEVELOP:** An instrument issued by the County Engineer following the approval of a proposed plat by the County Commission and which authorizes the developer to proceed with the development of the subdivision.
- 2-1-53 **PRE-SALE AGREEMENT:** An agreement between a developer and a prospective purchaser evidencing interest in purchasing a lot within a subdivision development in the event the proposed subdivision plan is approved by the county pursuant to Code of Alabama 1975, § 11-24-1 et seq. and these regulations. A pre-sale agreement is not a contract to purchase and shall clearly state that no final sale of the property shall take place until and unless the developer fulfills the requirements set out in Code of Alabama 1975, § 11-24-2.
- 2-1-54 **PROPOSED PLAT:** A plan for a subdivision of land which is submitted for approval to develop the subdivision as required in Section 3 of these subdivision regulations and Code of Alabama 1975, § 11-24-2.
- 2-1-55 **PROBATE JUDGE:** The Judge of Probate of Tallapoosa County, Alabama.
- 2-1-56 **RESUBDIVISION:** A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.
- 2-1-57 **ROAD OR STREET:** A public right-of-way for vehicular traffic that affords the principal means of access to abutting property.
1. **CITY ROAD:** Public road maintained by the city.
 2. **COUNTY ROAD:** Public road which has been accepted into the county road system through construction by the county, dedication and formal acceptance by the County Commission, or prescription and is maintained by the county. A road which has been dedicated to the public and is used by the public is not a county road, unless it has been accepted into the county road system through construction, acceptance or prescription as set out herein.
 3. **PUBLIC ROAD:** A street or road that has been constructed for public use, established by statutory proceedings, or dedicated for public use. A public road may or may not be a county road.
 4. **PRIVATE ROAD:** Road which has not been dedicated to the public and is not owned or maintained by the city, county, or state whether or not it has public access.

5. STATE ROAD: Public road owned or maintained by the state of Alabama.

2-1-58 SETBACKS: A setback is synonymous to "building setback line". See Section 2-1-9.

2-1-59 SINGLE TIER LOT: A lot which backs upon a street, a railroad, a physical barrier, or a residential or non-residential use, and to which access from the rear of the lot is usually prohibited.

2-1-60 SKETCH PLAN: Drawing submitted prior to the preparation of the Proposed Plat (or Final Plat in cases of minor subdivisions) to enable the applicant to save time and expense in reaching general agreement with the County Engineer as to the form of the plat and the objectives of these regulations.

2-1-61 SUBDIVIDER: Any person who (1) having an interest in land, causes it, directly or indirectly, to be divided into a subdivision or who (2), directly or indirectly, sells, leases, or develops, or offers to sell, lease, or develop, or advertises for sale, lease, or development, any interest, lot, parcel, site, unit, or plat in a subdivision, or who (3) is employed by or directly or indirectly controlled by, or under direct, or indirect common control with any of the foregoing.

2-1-62 SUBDIVISION: As defined in Code of Alabama 1975, § 11-24-1(a)(4), the development and division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites, or otherwise for the purpose of establishing or creating a subdivision through the sale, lease, or building development of the lot or lots.

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

- a. The construction or development of roads or buildings on private property to be used for agricultural purposes. See, Code of Alabama 1975, § 11-24-1(a)(4);
- b. The public acquisition by purchase or donation of strips of land for the widening or opening of streets;
- c. Property divided between immediate family members as provided in Code of Alabama 1975, § 11-24-2(d);
- d. The division of land into parcels greater than five (5) acres wherein all of the following criteria are met and shown on a plat to be filed in the judge of probate with a certificate on the plat stating that all criteria are met (*see Appendix I, Example M*):
 - (i) frontage on existing roads of each parcel is at least 60 feet,
 - (ii) the extension of public utilities is not required, and

(iii) in the opinion of the developer's licensed engineer or surveyor, there will be no additional storm water runoff created.

- e. Parcels which qualify for exemptions from subdivision criteria and rules and regulations imposed by the State Board of Health pursuant to Code of Alabama 1975, § 22-26-7 provided they also meet all of the criteria set out in (d)(i), (ii), and (iii) above;

2-1-63 SUBDIVISION CATEGORIES:

- a. SUBDIVISION, MAJOR: All subdivisions not classified as a minor subdivision.
- b. SUBDIVISION, MINOR: Any subdivision with parcels or lots five (5) [(see section 2-1-60(d)] acres or less fronting on an existing county road that does not involve any new street (or road) or the extension of public facilities, does not require the creation of any public improvements, and does not, in the opinion of the developer's licensed engineer with the concurrence of the County Engineer, create any additional storm water runoff.
- c. SUBDIVISION, ADMINISTRATIVE: A division of one lot from a larger parcel of which the original parcel has been under the ownership of the developer (or subdivider) for a minimum of 2 consecutive years immediately prior to the date of the proposed division. The developer shall be required to submit a survey detailing the proposed division along with a vesting deed to the County Engineer for his approval prior to filing of such deed or survey. This type of development shall be exempt from the approval process required in Article III of these regulations. The submitted survey shall meet the minimum technical standards of the State of Alabama and include a certification as shown in Appendix I for Administrative Subdivisions. Under some circumstances, the County Engineer may determine that an Administrative Subdivision may require additional information and as such be treated as a Major or Minor Subdivision. **NOTE: This section shall not apply to existing platted subdivisions.**

2-1-64 SUBDIVISION JURISDICTION: All areas outside the corporate limits of any municipality in Tallapoosa County, except areas within the territorial jurisdiction of a municipal planning commission presently organized and functional or which shall become organized and functional within six months of the date Tallapoosa County first assumes such jurisdiction by publishing and adopting notice of these regulations (*this will be the date that the county first adopted subdivision regulations so will not be the date of the amendment*).

2-1-65 SURETY: Any bond, certificate of deposit, irrevocable letter of credit, cashier check, or other acceptable guarantee as approved by the County Commission or their authorized

agent.

- 2-1-66 **TERRITORIAL JURISDICTION OF MUNICIPAL PLANNING COMMISSION:** As provided in Code of Alabama 1975, § 11-52-30(a), all land located in the municipality and all land lying within five miles of the corporate limits of the municipality and not located in any other municipality. In the case of any such nonmunicipal land lying within five miles of more than one municipality having a planning commission, the jurisdiction shall terminate at a boundary line equidistant from the respective corporate limits of such municipalities.
- 2-1-67 **VARIANCE:** Permission to depart from the literal requirements of these subdivision regulations by virtue of unique hardship due to special circumstances regarding property to be developed. A waiver of the strictest letter of the regulations upon substantial compliance without sacrificing the spirit and purpose of the regulations.
- 2-1-68 **WATERCOURSE:** Any depression serving to give direction to a flow of water, having a bed and defined banks. The definition shall also include other generally or specifically designated areas where flooding may occur. The flow of water need not be on a continuous basis, but may be intermittent resulting from the surface runoff of precipitation.
- 2-1-69 **WIDTH OF LOT:** The mean horizontal distance between the two side lot lines.

ARTICLE III

APPROVAL OF SUBDIVISION PLATS

- 3-1 APPROVAL OF SUBDIVISION PLATS**
- 3-2 ADMINISTRATIVE PLATS**
- 3-3 SKETCH PLAN**
- 3-4 PROPOSED PLAT SUBMISSION**
- 3-5 REVIEW BY COUNTY ENGINEER**
- 3-6 PERMIT TO DEVELOP**
- 3-7 CONSTRUCTION OF MAJOR SUBDIVISION**
- 3-8 FINAL PLAT APPROVAL**

SECTION 3-1 APPROVAL OF SUBDIVISION PLATS

This section details the general steps necessary to achieve approval of a subdivision in Tallapoosa County. No lots within a proposed subdivision may be offered to the public for sale, transfer, or lease before the proposed plat approval has been granted and a permit to develop has been obtained as set out in Section 3-6. **No lots shall be sold until the final plat is approved and recorded. Approval of plats, preliminary or final, does not exempt the Developer from any responsibilities towards ADEM, adjacent property owners, Covenants, Restrictions, Etc.**

It shall be a violation of these regulations and Code of Alabama 1975, § 11-24-1 et seq. for the developer to file or have filed any plat, deed, property description, or document of property transfer without full compliance with these regulations and Code of Alabama 1975, § 11-24-2.

A flow chart is included in Appendix IV further outlining this process.

SECTION 3-1.1 PRE-SALE AGREEMENTS

Any pre-sale agreements entered into between the developer and a prospective buyer pursuant to authorization granted under this section shall clearly state that any final sale of property shall not take place until and unless the developer has fulfilled all the requirements of Code of Alabama 1975, § 11-24-2.

SECTION 3-2 ADMINISTRATIVE PLAT APPROVAL

Under circumstances where one or more lots or properties in an existing platted subdivision are being subdivided, altered or joined, Administrative Plats (or Replats) may be considered and approved by the County Engineer and Revenue Commissioner without an approval or vote of the County Commission after ensuring all regulations have been satisfied. The developer and surveyor shall be responsible for ensuring the new plat (or replat) is subject to all declaration of covenants, conditions and restrictions of any applicable Home Owner Associations and/or Subdivision. The County's approval of a Subdivision or Administrative Plat is not subject to restrictive covenants. Private parties are responsible for enforcing such covenants. Such Plat Approval shall require all endorsements and certificates listed in Section 4-1(17) with the exception of the Certificate of Approval by the County Commission (Sample Certificates can be found in Appendix I). Note: For minor lot line changes, the County Engineer, at the County Engineer's discretion, may not require endorsements from Utility Companies and the 911 Board.

The developer shall certify that notice of revisions to plats has been sent to all adjacent property owners. The names and addresses of the owners of land immediately adjoining the tract of land being revised, as the names appear on the plats in the tax assessor's office and as their addresses appear in the directory or tax records of the County, shall be listed on the plat.

The determination of whether an Administrative Plat approval is warranted relies completely on the discretion of the County Engineer. The County Engineer may elect to seek County Commission approval even if all circumstances allowing Administrative Replat are met.

SECTION 3-3 SKETCH PLAN

Whenever the subdivision of a tract of land is proposed within the jurisdiction of these regulations, the developer, or subdivider, is urged to consult early and informally with the County Engineer. The subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity along with the proposed layout and development of the subdivision. The purpose of this sketch plan review is to afford the subdivider an opportunity to avail himself of the advice and assistance of the County Engineer in order to facilitate the subsequent preparations and approval of plans. Additionally, a Notice of Intent should be submitted to the Health Department at this stage (CEP-3 part 1).

SECTION 3-4 PROPOSED PRELIMINARY PLAT SUBMISSION

Proposed preliminary plat shall be clearly labeled Proposed Preliminary Plat.

Following sketch plan review or in the event the subdivider does not submit a sketch plan for review, the subdivider shall submit a **complete** Application Assembly to the county engineer for review of the proposed plat. The Proposed Plat Application Assembly shall include each of the following:

- (1) A letter stating that the proposed plat is being submitted for review. This letter shall state the developer's intent as to the final ownership of any new roads (private or public) included on the proposed plat, if applicable. In the event the Developer / Subdivider elects to construct a private subdivision, under no circumstance shall Tallapoosa County be required to accept the subdivision as public.
- (2) Application for Proposed Plat Review (Appendix II);
- (3) Two (2) Copies of the Proposed plat prepared in accordance with the requirements detailed in Section 4-1 of these regulations;
- (4) Two (2) Copies of Construction Plans for all required improvements prepared in accordance with the requirements detailed in Section 4-2 of these regulations (Major Subdivisions only) (11x17 plans preferred);
- (5) Proof (copy of submission letter) that soils are under review by the Alabama Department of Public Health.
- (6) Any variances requested accompanied by detailed supporting documentation;
- (7) The names and addresses of each adjoining landowner and utility entitled to notice pursuant to Code of Alabama 1975, §11-24-2(b); and
- (8) Copy of most recent vesting deed or deeds which certifies the status of the title.
- (9) Conceptual/Permit Approval from ALDOT if traffic onto State routes is affected by the proposed development.
- (10) Preliminary Plat Checklist (Appendix IV)

Failure to submit a complete Proposed Plat Application Assembly initially shall delay the consideration of such plat for approval by the County Engineer.

SECTION 3-5 REVIEW BY COUNTY ENGINEER

The County Engineer shall require a minimum of thirty (30) day period to review the submitted Application Assembly and ensure its compliance with these regulations. In the event the Application Assembly does not meet these regulations, the County Engineer shall notify the developer that it is deficient. No further action will be taken by the County Engineer until and unless the developer shall correct the deficiencies and resubmit the corrections to the County Engineer for his approval.

If upon completion of the review the County Engineer determines that the Application Assembly complies with these regulations, he or she shall notify the developer in writing to that effect. The Developer shall then send proper notice of the County Engineer's approval to each of the adjoining landowners and the affected utilities submitted by the developer. **The Developer is responsible for coordination with adjacent property owners and utilities.**

SECTION 3-6 PERMIT TO DEVELOP

Following the approval of the Proposed Plat by the County Engineer, the County Engineer shall issue a Permit to Develop for the Proposed Plat. The Permit to Develop allows the developer to proceed with construction of the development in compliance with these regulations. Once the developer has obtained the Permit to Develop, he or she may offer lots in the proposed subdivision for sale, transfer, or lease. However, no sale, transfer, or lease may be completed and no plat, deed, property description, or document of property transfer shall be filed or recorded until after the final plat has been signed and recorded in the office of the Probate Judge under the provisions of Code of Alabama 1975, § 11-24-2(c).

SECTION 3-7 CONSTRUCTION OF MAJOR SUBDIVISION

Once the permit to develop has been issued, the developer of a major subdivision may proceed with construction of the proposed subdivision in accordance with these regulations. The developer should refer to Article V for detailed requirements pertaining to construction. The developer of a minor subdivision shall proceed in accordance with the requirements set out in Section 3-8 of these regulations.

The developer shall have one (1) year from the date of issuance of the permit to develop to begin substantial work on the proposed development. If work does not begin within the one (1) year time frame, the proposed plat must be resubmitted to the County Engineer and County Commission for approval as if the plat had never been submitted.

If any changes in the development plans of the approved proposed plat are required for any reason, the developer shall submit the proposed changes to the County Engineer prior to construction or implementation of the proposed changes. Approval of the County Engineer shall be required before any changes are constructed. Any changes or deviations from the approved

proposed plans prior to the County Engineer's approval shall be in violation of these regulations and shall be subject to removal or correction at the expense of the developer.

Changes to the proposed subdivision construction plans that do not change the overall layout of the subdivision may be reviewed and approved by the County Engineer without the requirement of the proposed plat having to be resubmitted for approval by the County Commission. Any changes that do change the overall layout of the subdivision (lot lines, lot sizes, roadway geometry, etc.) shall require the proposed plat to be resubmitted for approval by the County Commission. Fees as outlined in Section 1-3 apply to replats of this nature.

SECTION 3-8 FINAL PLAT APPROVAL

Once the developer has met all requirements of these regulations, he or she shall submit the final plat to the county engineer for signature verifying the subdivision meets these regulations. A final plat shall be submitted to the County Engineer for approval of the proposed subdivision as follows:

- (1) Once infrastructure construction is complete for a major subdivision.
- (2) Immediately following approval of the proposed plat for minor subdivisions.

At the point that the final plat is submitted for approval, the developer shall comply with each of the following:

- (1) A final as-built set of plans;
 - (2) Two (2) copies of the Final Plat as approved by the County Engineer.
 - (3) A letter from the Health Department certifying the compliance of the subdivision with their regulations (CEP-3 part 3).
 - (4) Letter certifying that all affected utility companies have approved the development.
- In the event that existing streets that serve as access to the new development are damaged as a result of construction activities, the Developer will be responsible for the cost of repairs to the existing roadway. Approval of the final plat will not be granted until such repairs have been made (or paid for by the Developer).

No final plat will be approved until all work is complete. In certain circumstances, a bond may be issued for permanent grassing and the final wearing surface (see section 4-3).

No final plat within Tallapoosa County, including developments within the police jurisdiction of a municipality, will be approved or signed by the County Engineer until all required improvements to access roads, either County or State routes, have been completed to the County Engineer's and ALDOT's satisfaction.

After the final plat has been signed by the County Engineer, the Developer shall file for record or received for filing in the office of the judge of probate.

Once the final plat has been signed by ALL parties including the County Commission and recorded pursuant to these regulations and Code of Alabama 1975, § 11-24-2(c), the developer may proceed with the actual sale, transfer, or lease of any lots, sites, etc. No building development shall take place until the final plat has been recorded in the office of the Judge of Probate pursuant to these regulations and Code of Alabama 1975, § 11-24-2(c).

See Section 4-3 for additional details about final plats.

ARTICLE IV

PLAT AND PLAN REQUIREMENTS

4-1 PROPOSED PLAT REQUIREMENTS

4-2 CONSTRUCTION PLAN REQUIREMENTS

4-3 FINAL PLAT REQUIREMENTS

SECTION 4-1 PROPOSED PRELIMINARY PLAT REQUIREMENTS

The Proposed Plat shall be prepared by a licensed land surveyor and shall be clearly and legibly drawn at a convenient scale of not less than one (1) inch equals one hundred (100) feet, and the sheets shall be numbered in sequence if more than one (1) sheet is used. The sheet size shall be of such size as is acceptable for filing in the Office of the Probate Judge. All subdivision plats (including Administrative Plats) shall be on 24"x36" Mylar. The Proposed Plat shall include the following:

- (1) Name and addresses of owners of record;
- (2) Proposed name of subdivision, date, north point, scale and location;
- (3) Name and seal of licensed land surveyor;
- (4) Vicinity map showing location of the subdivision;
- (5) Legal Description with exact boundaries of the tract of land being subdivided, shown with metes and bounds;
- (6) Sufficient data to determine readily and reproduce on the ground the location, bearing, and length of every street line, lot line, boundary line, and block line, whether straight or curved, including the radius, central angle, point of tangency, tangent distance, and arcs and chords; the relation of the land so platted to the Government Survey of Tallapoosa County; and "Point of beginning" as referred to in the written description;
- (7) Names and addresses of the owners of land immediately adjoining the tract of land being subdivided, as the names appear on the plats in the County Tax Assessor or Revenue Commissioner's office;
- (8) Wooded areas, marshes, and any other conditions affecting the site;
- (9) The location of existing streets, buildings, water courses, railroads, transmission

lines, drainage structures, public utilities, jurisdiction lines, and any public utility easements on and adjacent to the tract being subdivided;

- (10) The names and locations of adjoining subdivisions and streets, with reference to recorded plats by record name;
- (11) Proposed rights-of-way or easements including locations, widths, purposes, and street numbers;
- (12) Proposed lot lines with bearings and distances and lot and block numbers;
- (13) Proposed parks, school sites, or other public open spaces, if any;
- (14) Size of required drains for each lot;
- (15) Site data, which includes:
 - a. Acreage in total tract;
 - b. Smallest lot size;
 - c. Total number of lots;
 - d. Linear feet in streets;
- (16) Any area within or adjacent to the proposed subdivision subject to inundation by the 100-year flood projections as defined by the County Flood Damage Prevention Ordinance;
- (17) The following endorsements and certificates shall be submitted with and placed on the Proposed Plat (see Appendix I for sample certificates):
 - a. Licensed Land Surveyor's Certificate and Description of Land Platted;
 - b. Licensed Engineer's Certificate of Engineering Design and Construction (if applicable);
 - c. Dedication by owner;
 - d. A notary's Acknowledgment of the Dedication Certificate referred to in "c";
 - e. A Certificate of Approval by the appropriate electric utility distributor;
 - f. A Certificate of Approval by the appropriate water and sewer utility;
 - g. A Certificate of Approval by the Tallapoosa County Health Department (if septic tanks and/or wells are necessary);

- h. Certificate of approval by the 911 Board;
- i. A Certificate of Approval by the County Engineer of Tallapoosa County;
- j. Certificate of Approval by the Tallapoosa County Commission (not required for Administrative Plats (see 3-2);
- k. Certificate of approval by the Probate Judge;
- l. Certificate of Exclusion from the Tallapoosa County and Land Development Regulations (only applicable when property to be subdivided meets criteria for exclusions per 2-1-62(d)).

(18) Note: A traffic study may be required at the discretion of the County Engineer if the proposed development may cause significant increased traffic flow to existing County and State right of way. If the event that traffic is impacted along ALDOT right of way, ALDOT approval of the proposed concept shall be required prior to authorization to proceed with development.

SECTION 4-2 CONSTRUCTION PLAN REQUIREMENTS

At the time of submission of a Major Subdivision Proposed Preliminary Plat, the applicant shall also submit Construction Plans for all required improvements as part of the Proposed Plat Application Assembly required under Section 3-3. All plans shall meet the minimum standards of design and general requirements for the construction of public improvements as set forth in these regulations. Construction Plans shall be drawn at a scale of not less than one (1) inch equals fifty (50) feet, and map sheets shall be of the same size as the Proposed Plat. Construction Plans shall be prepared by a licensed engineer. The following construction plans shall be included:

- (1) Street plan containing all of the following information:
 - a. Location of all proposed and existing streets or rights-of-way in or adjacent to the subdivision;
 - b. Width of existing and proposed rights-of-way and easements;
 - c. Road numbers/names;
 - d. Plan and profile of all proposed streets, showing natural and finished grades drawn to a scale of not less than one (1) inch equals one hundred (100) feet horizontal and one (1) inch equals ten (10) feet vertical;

- e. Cross sections of proposed streets at a minimum of 100' stations or as required by the County Engineer;
 - f. Curve data for the centerline of each street: Delta, Tangent, and Radius;
 - g. Location of all required sidewalks and crosswalks;
 - h. Location of all proposed utilities.
 - i. Size and location of side drains required for each lot.
- (2) Storm Drainage Plan containing all of the following information:
- a. Location of proposed drainage ways, streams, and ponds in the subdivision;
 - b. Topography at suitable contour intervals to show existing proposed drainage but not to exceed maximum contour interval of five (5) feet on lots 0 acres to 3 acres. On lots larger than three (3) acres, contours may be waived provided that three (3) drainage courses are located and easements shown.
 - c. Location, size, and invert elevations of proposed drainage structures including culverts, bridges, pipes, drop inlets, and top elevations of head walls, etc., showing details on Drainage Plan, including conduit schedule;
 - d. Construction details of typical manholes, connections, and other drainage structures proposed;
 - e. Area of land contributing run-off to each drainage structure along with run-off calculations and applicable coefficients depending on method used [i.e. Rational method: runoff coefficient (C), rainfall intensity (I), catchment area (A), and the discharge at the structure (Q)].
 - f. Location of easements and rights-of-way for drainage ways and maintenance access thereof;
 - g. Typical cross-sections of each drainage way;
 - h. Direction of water flow throughout subdivision and compatibility with existing drainage.
 - i. Size of driveway pipes;
- (3) Sanitary Sewer Plan, if applicable, containing the location of all existing and proposed sewers, location of sewer laterals, location of each manhole and other

sewage system appurtenances including lift stations, oxidation ponds, and treatment plants, and the plan and profile of the sewage system. Construction details of typical manholes, connections, and other proposed sewage structures should also be shown.

- (4) Water Distribution Plan containing the location and size of water distribution system including pipes, valves, fittings, hydrants, high-pressure pumping equipment, etc.
- (5) Electric Distribution Plan containing the location of all poles or subsurface facilities as necessary to serve each lot or parcel of land within the subdivision.
- (6) Gas Distribution Plan, if applicable, containing the location of all above ground and subsurface facilities as necessary to serve each lot or parcel of land in the subdivision.
- (7) A copy of letter submitting the proposed plat and construction plans to the appropriate electrical and telephone companies for their assessment as to whether they will be able to supply their services.

SECTION 4-3 FINAL PLAT REQUIREMENTS

The final plat shall be identical to the proposed plat.

The final plat shall be presented to the County Engineer at least twenty-one (21) calendar days prior to the regularly scheduled meeting of the Tallapoosa County Commission.

The final plat shall be accompanied by the original copy of the Surety in a form satisfactory to the County Attorney and in the amount satisfactory to the County Engineer to ensure a stand of grass and maintenance for one year (\$1.50/sq ft of grass). Additionally, a bond in the amount of 150% of the cost of the wearing surface shall be required when placement of the wearing surface is to be delayed.

Signing of Plat:

- A. The Chairman of the County Commission shall endorse the Final Plat after approval by the County Commission and upon receipt of appropriate surety and all the conditions pertaining to the plat have been satisfied.
- B. When installation of improvements is required, the Chairman of the County Commission shall endorse approval on the final plat after all conditions have been satisfied and all improvements satisfactorily completed and approved by the County Engineer.

The final plat shall be prepared by a registered land surveyor and shall be clearly and legibly drawn at a convenient scale of not less than one (1) inch equals one hundred (100) feet. The final plat, as

submitted for approval, shall be prepared in black ink on permanent mylar reproducible. The sheet size shall be of such size as is acceptable for filing in the Office of Probate Judge, but shall not exceed twenty-four by thirty-six (24x36) inches.

See Section 3-8 for additional details about final plats.

ARTICLE V

DEVELOPMENT STANDARDS

- 5-1 MINIMUM STANDARDS**
- 5-2 GENERAL REQUIREMENTS**
- 5-3 ROAD OR STREET PLAN**
- 5-4 DESIGN STANDARDS**
- 5-5 BLOCKS**
- 5-6 LOTS**
- 5-7 GROUP HOUSING DEVELOPMENTS**
- 5-8 BRIDGES**

SECTION 5-1 MINIMUM STANDARDS

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

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

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

SECTION 5-2 GENERAL REQUIREMENTS

5-2-1 CHARACTER OF THE LAND

Development of any land within the floodplain shall be governed by the Tallapoosa County Flood Damage Prevention Ordinance. This ordinance shall supplement these regulations to govern floodplain/ floodway issues.

5-2-2 SUBDIVISION NAME

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

5-2-3 WATERBODIES AND WATERCOURSES

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

SECTION 5-3 ROAD OR STREET PLAN

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

5-3-1 CONTINUATION OF ADJOINING ROAD SYSTEM

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

5-3-2 MARGINAL ACCESS ROADS

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

5-3-3 ADDITIONAL WIDTH ON EXISTING ROADS:

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

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

In an existing subdivision, a replat of the existing subdivision may be approved through the administrative plat process (Section 3-2) without acquiring additional access right of way in circumstances where the following criteria are met:

- The revised plat reduces or does not increase the number of parcels/lots;
- The revised plat improves or does not change the existing access to County or State Right of Way;
- The revised plat does not alter or change the original intent of the subdivision;
- The revised plat results in a maximum number of five (5) parcels/lots.

5-3-4 ROAD NUMBERS/ NAMES

Proposed streets, which are obviously in alignment with others existing and named, shall bear the assignment name of the existing streets. In no case shall the names of proposed streets duplicate or be phonetically similar to existing street names, irrespective of the use of the suffix, street, avenue, boulevard, drive, place, court, etc. Street names are subject to the approval of the County Commission.

5-3-5 VACATING A ROAD OR EASEMENT

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

5-3-6 FRONTAGE ON IMPROVED ROADS

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

- (1) an existing state, county or city road or
- (2) public or private road shown upon an approved plat recorded in the Tallapoosa County Probate Judge's office.

A subdivision shall have dedicated right of way from the beginning to the end of the development. Any such street or highway must be suitably improved with the width and right-of-way required by these subdivision regulations or be secured by an improvement guarantee required under these subdivision regulations.

In the event that existing roadways are inadequate in width or buildup to handle increased traffic as a result of proposed development, improvements to the existing access roadway may be required at the expense of the Developer. The determination of the extent and cost of improvements shall be at the discretion of the County Engineer.

5-3-7 TOPOGRAPHY AND ARRANGEMENT

- (1) All proposed roads shall be properly integrated with the existing system of roads.
- (2) All arterials shall be properly related to special traffic generators such as industries, business districts, schools, churches, and shopping centers; to population densities, and to the pattern of existing and proposed land uses.
- (3) Minor roads as defined in Section 2-1-45 shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.
- (4) The rigid rectangular gridiron street pattern need not necessarily be adhered to, and the use of curvilinear streets, cul-de-sacs, or U-shaped roads shall be encouraged where such use will result in a more desirable layout.
- (5) Proposed roads shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the County Engineer, such extension is not necessary or desirable for the coordination of the layout of the subdivision or with the existing layout of the most advantageous future development of adjacent tracts.
- (6) In business and industrial developments, the roads and other access ways shall be

planned in connection with the grouping of buildings, location of rail and port facilities, and the provision of alleys, truck loading and maneuvering area, and walks and parking areas so as to minimize conflict of movement among the various types of traffic, including pedestrian.

- (7) The applicant shall dedicate, either in fee or by drainage or conservation easement, land on either sides or existing water courses, to a distance to be determined by the County Engineer.
- (8) Low-lying lands along water courses subject to flooding or overflowing during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural drainage state.

5-3-8 ACCESS TO ARTERIALS

Where a subdivision borders on or contains an existing or proposed arterial, the County Commission may require that access to such arterial be limited by one of the following means:

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

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

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

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

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

- (1) In residential districts, a buffer strip at least 50 feet in depth in addition to the normal depth of the lot required in the district shall be provided adjacent to the railroad right-of-

way, arterial, or expressway. This strip shall be part of the platted lots and shall be designated on the plat with the statement, "This strip is reserved for screening. The placement of structures hereon is prohibited";

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

5-3-11 CUL-DE-SACS

Dead end roads shall be provided with a turnaround having a roadway diameter of at least seventy (70) feet and a right-of-way diameter of at least eighty (80) feet.

5-3-12 INTERSECTIONS

Road intersections shall be laid out as follows:

- (1) Adequate sight distance shall be provided at all intersections. For Average Daily Traffic (ADT) less than 2500, the Alabama Department of Transportation's (hereinafter "ALDOT") "County Road Design Policy" shall be used. [Example: A 35 mph design speed for the through road would translate into 355 feet of required sight distance. For roads with ADT over 2500, the American Association of State Highway and Transportation Officials (AASHTO) "A Policy on Geometric Design of Highways and Streets" shall be used. [Example: A 35 mph design speed for the through road would need 400 feet of required sight distance.]
- (2) Roads shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new roads at an angle of less than seventy-five (75) degrees shall not be acceptable. An oblique road should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet therefrom. Not more than two (2) roads shall intersect at any one point unless specifically approved by the County Commission;
- (3) Proposed new intersections along one side of an existing road shall, wherever practical, coincide with any existing intersections on the opposite side of such street. Road jogs with centerline offsets of less than 125 feet shall not be permitted except

where the intersected road has separated dual drives without median breaks at either intersection. Where minor roads intersect collector or arterials, their alignment shall be continuous. Intersections of arterials shall be at least eight hundred (800) feet apart. Where a road intersects a state highway, the design standards of the Alabama Department of Transportation shall apply;

- (4) Minimum curb radius at the intersection of two (2) minor roads shall be at least twenty (20) feet; and minimum curb radius at an intersection involving a collector road shall be at least twenty-five (25) feet;
- (5) Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a five percent (5%) grade at a distance of twenty (20) feet, measured from the nearest edge line of pavement of the intersecting road;
- (6) The cross-slopes on all roads, including intersections, shall be greater than 1% and less than 5%;
- (7) Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the applicant shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to provide an adequate sight distance.

5-3-13 ENCROACHMENTS

No encroachments on Public Right of Way shall be permitted. This includes fences, gates, stone or masonry columns, large boulders, guard sheds, or anything similar in nature (See also section 5-4-4(15)).

5-3-14 RAILROADS

No street shall be approved that crosses a railroad track.

SECTION 5-4 DESIGN STANDARDS

Regardless of whether or not the developer intends to seek county acceptance of roads in the subdivision, the following design standards shall be considered minimum decision requirements for all subdivisions. It is the responsibility of the developer to communicate and schedule with the County Engineer prior to initiating any and all steps of the road building process. In addition to other penalties prescribed by law and by these regulations, any road construction performed without the knowledge and inspection of the County Engineer will not be considered for acceptance

by the county.

The County may require additional design requirements for non-residential subdivisions as the County Engineer deems appropriate, but shall in no event be less than the requirements of residential subdivisions, unless the developer is granted a variance under the procedures set out in Article VIII.

5-4-1 RIGHT-OF-WAY WIDTHS

Minimum street right-of-way widths shall be not less than sixty (60) feet. Right of Way shall extend to the point where toe of slope ties into existing ground. Right-of-way shall **not** vary more than two (2) times per 1000 feet.

5-4-2 PAVEMENT WIDTHS

All roads shall have a minimum pavement width of twenty (20) feet (18' for private) with a minimum shoulder width of four (4) feet. If curb is used, a minimum pavement width of twenty-two (22) feet from inside of curb to inside of curb with a minimum shoulder width of four (4) foot back of curb is to be used.

5-4-3 GEOMETRIC DESIGN

(1) TYPICAL SECTIONS

Standard Section (Ditch) – See Appendix IV
Curb Section- See Appendix IV

- (2) The minimum radius for horizontal curves is 100 feet.
- (3) The minimum roadway grade is 0.5% and the maximum roadway grade is 15%.
- (4) The minimum stopping sight distance is 200 feet.

5-4-4 ROAD CONSTRUCTION REQUIREMENTS

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

- (1) Notification of Work: It shall be the duty and responsibility of the developer or contractor to give written notice to the County Engineer or his authorized agent, one

working day prior to starting any phase of road construction. The developer or contractor shall notify the County Engineer or his authorized agent in writing the day work is resumed after a delay of more than five (5) working days. This includes all phases of construction, clearing, grading, drainage, gutters, inlets, base, surfacing and any work that pertains to the street, road or development. **FAILURE TO NOTIFY AS SPECIFIED MAY BE GROUNDS FOR NONACCEPTANCE.**

- (2) Testing: Testing shall be performed by a reliable testing firm using the standard testing methods as approved by the Alabama Department of Transportation.

All testing costs shall be the responsibility of the developer and shall be conducted by an independent testing laboratory approved by the County Engineer. Copies of all test reports are to be provided to the County Engineer prior to placing overlaying layers.

- (3) Clearing and Grubbing: All roads shall be graded to their full right-of-way width. All areas shall be cleared of all vegetation, trees, stumps, large rocks and other objectionable or unsuitable material prior to grading or filling unless otherwise approved, in writing, by the County Engineer;
- (4) Slope Paving: Slope paving shall be required in ditches over 5% grade or as determined necessary by the County Engineer. Other alternatives must be approved by the County Engineer;
- (5) Embankment Sections: The County Engineer will have the right to approve all borrow sources; however, this does not relieve the developer from full responsibility for the quality of material used. Roadway fill or embankment of earth material shall be placed in uniform layers, full width, and not exceeding eight inches thickness (loose measurement). Each layer shall be compacted so that a uniform specified density is obtained. Compaction tests shall be run at the frequency and location as directed by the County Engineer. Additional layers of fill shall not be added until directed by the County Engineer. For other than fill sections of earth material refer to Section 210 and Section 306 of the "Alabama Department of Transportation Standard Specifications for Highway Construction";
- (6) Subgrade: The subgrade shall be compacted and properly shaped prior to the placing of base materials. The top six (6) inches of the roadbed shall be modified, with the work being performed under Section 230 Roadbed Processing, of the "Alabama Department of Transportation Standard Specifications for Highway Construction". It shall be full width of regular section and extend two (2) feet outside of curb and gutter and/or valley gutter sections. Both sections are twenty-eight (28) feet in width. The embankment or subgrade may be inspected by proof rolling, under the supervision of the County Engineer or his/her designee, with a fully loaded tandem axle dump truck to check for soft or yielding areas. Any unsuitable materials

shall be removed and replaced with a suitable material compacted to density requirements in accordance with Section 5-4-4(5) of these regulations. Suitable material shall be subject to approval of the County Engineer.

- (7) Base: Base course shall meet the requirements for crushed aggregate as set forth in section 301 of the Alabama Department of Transportation Standard Specifications for Highway Construction. Base course shall have a minimum thickness of six (6) inches compacted thickness, full width plus 4 feet for regular section and shall extend two (2) feet outside of curb sections. Commercial material, black base, or plant mixed dense grade aggregate may be used. The density requirements for compaction shall be in accordance with Section 306 of the Alabama Department of Transportation Standard Specifications for Highway Construction.

Testing shall be done by a reliable testing firm using standard testing methods as approved by Alabama Department of Transportation. Cost of all testing shall be borne by Subdivider.

The County Engineer or his representative shall inspect and approve base prior to placement of overlaying layers.

- (8) Roadbed Width: The minimum roadbed width shall be twenty-eight (28) feet for standard sections and thirty-one (31) feet for curb sections.
- (9) Prime: A bituminous surface treatment type A shall be placed from curb to curb or 6 inches wider on both sides of pavement if curbs are not used. Material and rates shall be as specified in Alabama Department of Transportation standard specifications.
- (10) Roadway Pavement: All roads and/or streets shall be paved and comply with the following:
- a. The minimum pavement width shall be not less than twenty (20) feet (18' for private) on standard sections and twenty-two (22) feet for curb sections. Type of curb to be used shall be approved by the County Engineer.
 - b. A bituminous pavement shall be constructed on a suitable base as approved by the County Engineer. Buildups shall be in accordance with Typical Sections in Appendix VI. The mix shall be approved by the County Engineer and in accordance with ALDOT Standard Specifications for Highway Construction, latest edition. The placement of this minimum required bituminous pavement does not relieve the developer of meeting the current policy for acceptance of roads and streets by the Tallapoosa County Commission.
- (11) Storm Drainage: An adequate storm drainage system based on a minimum twenty-five (25) year design storm including curb, pipes, culverts, headwalls, and ditches

shall be provided for the drainage of surface water. All cross drains shall have sufficient length for required typical section and shall be installed according to ALDOT specifications. Minimum diameter of cross drain pipes shall be eighteen (18) inches. Cross drains shall be concrete pipe and shall meet or exceed the current ALDOT specifications.

All roadway and drainage ditches with grades greater than 5% shall have surface paved with concrete (3000 psi) ditches. Having lesser grades may require paving at the instruction of the County Engineer.

Maximum use shall be made of rip-rap, solid sod, hay bales, etc. to control erosion during construction and upon completion of work.

Energy dissipation (as a minimum filter fabric and rip rap) shall be installed at all drainage outlets.

(12) Drainage Structures:

- Sizes shall be determined using rational method. All information shall be shown on construction plans. The minimum size of roadway structures shall be 18 inches or equivalent.
- Roadway Pipe shall be class 3 reinforced concrete. Material must meet Alabama Department of Transportation Standard Specifications and a vendors certificate or test report must be furnished to the County Engineer.
- Pipe shall be laid and backfilled in accordance with Alabama Department of Transportation specifications and procedures.
- Boxes, headwalls, etc. shall be constructed with 3000 psi concrete (minimum). Construction plans shall show details of all boxes and headwalls. All pipe ends shall require headwalls or boxes. Slope paved headwalls may be used.
- Maximum slope of drainage structures shall be 5%. Drop inlets shall be utilized if 5% or less slopes cannot be achieved.

- (13) Installation of Utilities: After grading is completed and approved by the County Engineer and before any roadbed processing of the subgrade is performed all of the underground utilities within the roadway prism shall be installed completely and approved by the County Engineer throughout the length of the street and across the section. Once pavement is placed, it shall not be open cut except with written permission of the County Engineer. Any utility desiring to cross the road shall go over the road or dry bore under the road. All water lines located under pavement shall be encased. Backfill placed in utility trenches shall be as covered in Section 5-4-4 (6) of these regulations. Temporary easements for utility installation are covered in Section 4-2-1 (h). Easements for utilities shall be a minimum of at least ten (10) feet wide. The developer is encouraged, but not required, to place all utilities underground. All utility facilities existing and proposed throughout the subdivision shall be shown on the Proposed Plat. Proper coordination shall be established between the applicant

and the applicable utility companies for the establishment of utility easements.

- (14) Signage of Subdivision: Proper signage in accordance with the "Manual of Uniform Traffic Control Devices" (MUTCD) shall be required and maintained in all subdivisions. The Developer will be responsible for the placement and maintenance of proper signage of new streets or roads until and unless the road is accepted into the county road system. A signage plan shall be submitted to the County Engineer for approval prior to the installation of any street signs. Regulatory and Warning Signs shall be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD).

Speed limit signs shall be installed. Speed limits shall be determined based on design speeds.

Street names shall be named and signed by the Developer.

Additionally, the developer or owner of the subdivision is required to install a sign of reasonable size at the entrance of the subdivision stating "PRIVATE ROAD" and it is the responsibility of the developer or owners of the subdivision to maintain this sign until and unless the road is accepted by the county. It is also required that the plat and deeds have a statement printed on them stating that the streets are private in such a development.

- (15) Encroachments: Encroachments including but not limited to Rock Walls, Boulders, etc. shall not be inside the clear zone of the travel way as designed in the Procedural Guidelines for County Projects. Guard Shacks (or similar structures) shall not be permitted on public right-of-way.
- (16) Topsoil and Grassing: When all construction is completed, all slopes and shoulders shall be covered with a sufficient amount of topsoil and shall have a stand of permanent grass to prevent undue erosion, either by sprigging or seeding.
- (17) Perimeter Streets: Street systems in new subdivisions shall be laid out so as to eliminate or avoid new perimeter half-streets. Where an existing half-street is adjacent to a new subdivision, the other half of the street shall be improved and dedicated by the applicant. The County Commission may authorize a new perimeter street where the applicant improves and dedicated the entire street right-of-way width within his own subdivision boundaries.
- (18) Street Elevations: The County Commission may require, where necessary, profiles and elevations of streets for areas subject to flood. No street shall be approved for construction within an area subject to flood that is proposed to be constructed more than two (2) feet below the elevation of the 100-year flood, as defined in these regulations. Fill may be used for streets. Drainage openings shall be so designed as to not restrict the flow of flood waters or increase upstream flood heights.

- (19) Widening and Realignment of Existing Roads: Where a subdivision borders an existing road with a right-of-way less than that specified in these regulations, the applicant shall be required to dedicate such additional areas for widening or realignment of such roads. The applicant shall dedicate existing substandard roads to the full width as required by these subdivision regulations.
- (20) Drainage Easements: Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction as will be adequate for the purpose. It is desirable that the drainage be piped wherever feasible.

Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road right-of-way, perpetual unobstructed easements at least ten (10) feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be carried from the road to a natural water course or to other drainage facilities.

When a proposed drainage system will carry water across private land outside of the subdivision, appropriate drainage rights must be secured.

- (21) Drainage and inundation:

A Drainage Plan shall be made for such subdivision by the owner's engineer, which plan shall take into consideration the ultimate or saturated development of the tributary area in which the proposed subdivision is located. Adequate provisions shall be made to provide drainage easements needed within the subdivision, taking into consideration the saturated development of the tributary area.

The storm and sanitary sewer plans shall be worked out prior to the development of the other utility plans. Engineering considerations shall give preferential treatment to these gravity flow improvements. Under certain circumstances, drainage improvements may be required off premises to handle the runoff of the subdivision.

The County Commission shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed.

Development within designated Flood Hazard Zones shall comply with the provisions of Tallapoosa County's "Flood Damage Prevention Ordinance".

The County Commission may require whatever additional engineering information it deems necessary to make a decision on subdivision and other development, which contains an area of questionable drainage. Lakes, ponds, and similar areas will be accepted to maintenance only if sufficient land is dedicated as public recreation area, or if such areas constitute a necessary part of the drainage control system. Such park land will be subject to approval by the County Commission.

- (22) Utility easements: Easements across lots or centered on rear or side lot lines shall be provide where necessary for utilities and drainage, and shall be at least ten (10) feet wide (as may be appropriate to serve existing and planned future needs). A wider easement may be required by the County Engineer.

SECTION 5-5 BLOCKS

- (1) Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to expressways, arterials, railroads, or waterways where single-tier lots are required to separate residential development from through vehicular traffic or non-residential uses;
- (2) Blocks shall not exceed fifteen hundred (1500) feet nor be less than five hundred (500) feet in length except as approved by the County Engineer or County Commission as a variance (not applicable for waterfront developments);
- (3) In long blocks, the County Engineer may require the reservation of an easement through the block to accommodate utilities, drainage facilities, or pedestrian traffic;
- (4) Pedestrian ways or crosswalks, not less than ten (10) feet wide, may be required by the County Engineer through the center of blocks more than eight hundred (800) feet long where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities (Not applicable for waterfront developments);
- (5) Blocks designed for industrial uses shall be of such length and width as may be determined suitable by the County Engineer for prospective use.

SECTION 5-6 LOTS

Residential lots shall comply with the following requirements:

- A. The size, shape, and orientation of lots shall be such, as the County Commission deems appropriate for the types of development and use contemplated.
- B. Minimum lot size shall be as follows:
1. Where public water and sewer is not provided, said lot shall be a minimum of twenty thousand (20,000) square feet in area.
 2. Where public water only is provided, said lot shall be a minimum of fifteen thousand (15,000) square feet in area.
 3. No lot shall be less than 15,000 square feet. Alternate locations and adjacent lots cannot be used to achieve this minimum.
 4. Subdivision plat shall provide each lot with satisfactory access to an existing public street or to a subdivision street that will be deeded to public use at the time of Final Plat approval. In special cases, the access may be via a private road.
 5. Where land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future streets and logical further re-subdivision.
 6. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for off-street parking and loading for the use contemplated.
 7. Double frontage lots shall be avoided, except where essentials to provide separation of residential development from traffic arteries, or to overcome specific disadvantages to topography and orientation.
 8. Side lot lines shall be at right angles to streets, except curves where they shall be radial.
 9. Excessive depth in relation to width should be avoided to the extent possible. A proportion of 2 to 1 will normally be considered maximum. This requirement does not apply to lots wider than 120 feet.
 10. Each lot in a subdivision shall contain a flood-free building site a minimum of one (1) foot above the elevation of the 100-year flood as defined in these regulations and in the County's Flood Damage Prevention Ordinance.
 11. All lots shall have a minimum frontage of fifty (50) feet along a public or private street dedicated for public use and constructed in accordance with all applicable street standards. The minimum required frontage shall be reduced to thirty-five (35) feet for lots fronting on the turn-about at the end of permanent cul-de-sac.

*Additional lot areas may be required by the County Health Department.

SECTION 5-7 GROUP HOUSING DEVELOPMENTS

A comprehensive housing development, consisting of two or more structures including all necessary drives and ways of access on not less than three (3) acres of land and which may not be subdivided into the customary lots and blocks, may be approved by the County Engineer if departure from the standards within these regulations can be made without destroying their intent. A detailed site plan for all such developments shall be submitted to and approved by the County Engineer in accordance with the standard subdivision review and approval procedures specified in Article III of these regulations whether or not a subdivision plat will be recorded. No building permit for a group housing development shall be issued until said detailed site plan has been approved by the County Engineer.

Subdividing such group housing developments at a later date will be strongly discouraged. The Developer shall not be permitted to subdivide such development in the future without first complying with requirements stated in these Regulations.

Group Housing developments may include RV Parks, trailer parks, storage facilities or any other facility where multiple structures exist on a parcel of land that is not subdivided into lots.

For such developments, service poles must meet the standard requirements from power provider. A layout diagram of branch circuits to each site approved by the power provider shall be submitted and installed according to the Latest National Electrical Code enforced by the Tallapoosa County Building Department. Such diagram shall include the size of branch circuits and receptacles and shall connect inside water proof cabinets for each site. Approval from the Tallapoosa County Health Department of the design and layout shall be required to ensure acceptable sewage disposal prior to obtaining a building permit and prior to receiving power.

SECTION 5-8 BRIDGES

The provisions in this section shall apply to bridges or culverts that are twenty (20) feet or more in length along the direction of travel.

New Bridges: For the purpose of these requirements, any bridge constructed after the effective date of these regulations shall be considered a new bridge. Preliminary plans and specifications for a new bridge must be submitted to the County Engineer for review. The preliminary plans and specifications for the bridge must be stamped by a registered professional engineer. Said plans and specifications must be approved by the County Engineer before construction of the bridge may begin. The bridge must be inspected during the construction process at critical points (as determined by the professional engineer that is certifying the construction). After construction is completed, an as-built drawing of the bridge must be submitted to the County Engineer, along with certification by the construction engineer that the bridge was inspected at critical construction points and is safe for use by the public for the intended purpose. All structures shall meet AASHTO HS-20 loadings and be certified as such by the Design/Construction Engineer. The Bridge opening shall be capable of handling a 100 year flood event.

Existing Bridges: For the purpose of these requirements, any bridge constructed on or before the effective date of these regulations shall be considered an existing bridge. All of the following conditions must be satisfied for any existing bridge that is to be accepted by the County.

- A. An As-built drawing of the bridge must be submitted to the County Engineer
- B. The bridge must be inspected by a registered professional engineer experienced in Bridge construction.
- C. The bridge must be rated as "good" or better, as defined by ALDOT bridge inspection practice standards.
- D. The inspection engineer must certify that the bridge is safe for use by the public for the intended purpose.

ARTICLE VI

INSTALLATION OF PERMANENT REFERENCE POINTS

6-1 PERMANENT REFERENCE POINTS

SECTION 6-1 PERMANENT REFERENCE POINTS

Prior to the signing of the Final Plat, permanent reference points shall have been placed in accordance with the following requirements and the Minimum Technical Standards for Land Surveying in the State of Alabama:

6-1-1 SUBDIVISION CORNER TIE

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

6-1-2 MONUMENTS

Concrete monuments four (4) inches in diameter or four (4) inches square and two (2) feet long with a flat top shall be set at all exterior corners of the subdivision and on the right of way lines at the point of curvature (PC) and point of tangency (PT). The top of the monument shall have identifying cap of surveyor. Concrete Monuments are not required for private subdivisions.

6-1-3 PROPERTY MARKERS

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

6-1-4 ACCURACY

Land surveys shall be at an accuracy of 1:7,500.

ARTICLE VII

GUARANTEE OF CONSTRUCTION

7-1 SURETY

7-2 CONSTRUCTION, INSPECTION AND CERTIFICATION

SECTION 7-1 SURETY

The County Engineer, at his discretion may allow a performance bond in the amounts described in section 5-3 for permanent grassing and the final asphalt wearing surface layer.

SECTION 7-2 CONSTRUCTION, INSPECTION AND CERTIFICATION

The County Engineer or his designee shall monitor and periodically inspect for defects in the construction of the required improvements. If the County Engineer finds upon inspection that any of the required improvements have not been constructed in accordance with the County's adopted construction standards and specifications, the developer shall be responsible for correcting any deficiencies prior to final plat approval.

The County Engineer may require a proof roll of any layer of buildup prior to placement of the next layer. Failure to contact the County Engineer to request a proof roll may result in the County not accepting the work.

Upon completion of all improvements to the satisfaction of the County Engineer, the applicant shall file with the County Engineer a statement stipulating the following:

- (1) That all required improvements and infrastructure construction is complete;
- (2) That these improvements are in compliance with the minimum standards specified by the County Commission and the County Engineer for their construction;
- (3) That the developer knows of no defects in these improvements; and
- (4) That these improvements are free and clear of any encumbrances or liens.

An engineering firm employed by the Subdivider shall:

- A. Be responsible for notifying the County Engineer upon completion of subgrade, or base,

and before paving.

- B. Supervise and monitor all construction activities to ensure that improvements are made according to plans and specifications. He shall insure that all testing is accomplished as specified.
- C. Upon completion of construction furnish the County Engineer a certificate stating that construction was accomplished in accordance with plans, regulations, and specifications of Tallapoosa County.

The applicant shall be required to file a maintenance surety with the County Commission, prior to dedication, in an amount considered adequate by the County Engineer and in a form satisfactory to the County Attorney, in order to assure the satisfactory condition of the required improvements for a period of two (2) years after the date of their acceptance by the County Commission and dedication of same to the County.

ARTICLE VIII

VARIANCES

8-1 GENERAL

8-2 CONDITIONS

8-3 EXPERIMENTAL SUBDIVISIONS

SECTION 8-1 GENERAL

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

The County Engineer shall have authority to approve minor variance requests. However, in general, variances shall not be approved.

If the County Engineer recommends that the variance be granted, he or she may recommend that it be conditioned upon the developer complying with special requirements as set out in the variance approval. Where the County Engineer has recommended granting the variance, the County Commission shall vote on the request along with proposed plat approval.

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

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

- (a) The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;
- (b) The conditions for which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other

property;

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

SECTION 8-2 CONDITIONS

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

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

SECTION 8-3 EXPERIMENTAL SUBDIVISIONS

The County Commission may waive, vary or modify the standards and requirements of these regulations, upon recommendation by the County Engineer, for a development which is termed an experimental subdivision. An experimental subdivision shall contain characteristics which prove to be of merit or benefit to the County. This may include use of unusual materials or new and unusual design concepts. For a development to be considered as an experimental subdivision, the following criteria must be met at a minimum:

- (1) A detailed written and oral presentation shall be made to the County Engineer and the County Commission. A sketch plan and written documentation shall be required to be submitted to the County Engineer prior to the presentation to the County Commission. The written documentation and oral presentation shall outline the benefits and nature of the experimental subdivision;
- (2) The developer shall submit documentation detailing the method that the infrastructure to be placed in the experimental subdivision shall be maintained. Homeowner Associations shall be discouraged as a mechanism for maintenance versus quasi-governmental boards such as development or improvement districts. Maintenance of these type developments shall not fall under the County Commission as these developments do not meet the County Acceptance Policy; and
- (3) The developer shall detail past developments in the County. The quality and quantity of past developments shall be a factor in the approval of such development.

The County Commission may grant permission to proceed with the development upon completion of these minimum criteria and the recommendation by the County Engineer. This type development shall not be approved if the County Engineer does not recommend the development be allowed to proceed. Once permission to proceed is granted, the developer shall complete all required steps as detailed in these regulations to receive proposed and final plat approval.

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

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

ARTICLE IX

CONFLICT WITH PUBLIC AND PRIVATE PROVISIONS

9-1 PUBLIC PROVISIONS

9-2 PRIVATE PROVISIONS

SECTION 9-1 PUBLIC PROVISIONS

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

SECTION 9-2 PRIVATE PROVISIONS

These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction; provided, however, that where the provision of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. To the extent that any easement, covenant, or private agreement is not inconsistent with these regulations or any determinations made by the County Commission in approving a subdivision or in enforcing these regulations, such private provisions shall be operative and supplemental to these regulations; provided, however, that neither the County Commission nor the County Engineer shall be responsible for enforcing, regulating, or ensuring compliance with any such easement, covenant, or other private agreement or restriction.

ARTICLE X

LEGAL PROVISIONS

- 10-1 SEVERABILITY**
- 10-2 SAVINGS PROVISION**
- 10-3 INCORPORATION BY REFERENCE**
- 10-4 AMENDMENT PROCEDURE FOR COMMISSION**

SECTION 10-1 SEVERABILITY

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

SECTION 10-2 SAVINGS PROVISION

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

SECTION 10-3 INCORPORATION BY REFERENCE

Code of Alabama 1975, § 11-24-1 et seq., Code of Alabama 1975, § 11-52-30, and Code of Alabama 1975, § 40-12-10 are hereby specifically incorporated by reference and made a part of these regulations.

SECTION 10-4 AMENDMENT PROCEDURE FOR COMMISSION

The County Commission may adopt amendments to these regulations at a regularly scheduled meeting of the County Commission. In addition, the amendments shall not take effect for thirty (30) days after the action of the County Commission. Amendments adopted by the County Commission shall not apply to any plat submitted prior to the date that the amendments take effect.

ARTICLE XI

UTILITIES ON COUNTY RIGHT OF WAY

11-1 STANDARD UTILITY AGREEMENT

11-2 PRIVATE UTILITIES ON PUBLIC RIGHT OF WAY

SECTION 11-1 STANDARD UTILITY AGREEMENT

A Utility Agreement is required any time public or private utilities (water, sewer, telephone, power, gas, fiber optic cable, etc.) are to be installed on County Right of Way – the exception being any time ariel lines are installed entirely on existing poles. As a minimum, the sample utility agreement on the following pages should be submitted for approval along with drawings showing the following:

- Existing utilities and contact information
- Scale
- Vicinity Map
- Name of Subdivision and Roadways
- Proposed Utilities
- Owner's Name and Contact Information
- Existing right of way
- Typical section showing depth of line under any roadways and type of encasement
- Type of material being installed
- Location of existing driveways
- Existing drainage structures.

Additional details may be required at the discretion of the County Engineer. Please note the agreement shown on the following pages is for information purposes. The latest form should be obtained from the Tallapoosa County Commission's Website in the Road and Bridge Department tab.

Under no circumstances is the Tallapoosa County Commission or the County Engineer responsible for damages to utilities as a result of County work on right of way.

**AGREEMENT FOR THE ACCOMODATION OF UTILITIES ON COUNTY RIGHT OF WAY
(NON-REIMBURSABLE)**

THIS AGREEMENT entered into this _____ day of _____, 20____, by and between the County of Tallapoosa, acting through its County Commission, hereinafter referred to as the "COUNTY" and _____, hereinafter referred to as the "UTILITY." Utility is permitted to perform work described herein within one year of this Agreement. If work is not performed in allotted time, this Agreement is considered VOID.

WITNESSETH:

WHEREAS, the Utility desires to have its facilities accommodated on public right of way of the County, said project being designated as _____ and consisting approximately of the following:

WHEREAS, the County has jurisdiction over its public highways; and the State of Alabama has granted to the Utility the right to located its facilities across and along the public highways, and the County approves the locations of the Utility's facilities on the public right of way at the location and in the manner as shown on the attached plan;

NOW, THEREFORE, it is agreed by and between the parties hereto as follows:

1. The Utility will install its facilities on public right of way as shown by the plans and specifications attached hereto and made a part hereof as Exhibit "A" so as to occasion no interference with ongoing County maintenance operations.
2. The Utility will conform to the provisions of the Alabama Department of Transportation Utility Manual. The applicable provisions of the laws of the State of Alabama shall govern and be controlling and binding over the provisions of this Agreement.
3. The Utility will file with the County a certified check or bond in the amount of _____, made payable to the County to guarantee the faithful performance of the provisions of this Agreement including the maintenance by the Utility of the work in a manner suitable to the County for a period of one year. At the end of one year from the completion of this work, the County will return the certified check, or bond to the Utility provided all provisions of this Agreement have been complied with. Otherwise, the County shall apply certified check or proceeds of the bond to the cost of repairing the right of way with County forces.
4. The County shall be in no way responsible for the relocation or cost of relocation of the proposed utility in the event County maintenance or upgrades to the existing County roadway system are required in the future.
5. The County, in executing this Agreement, does not in any way assume responsibility for the maintenance of this facility. The County shall not be responsible for any claims for damage occasioned to existing private property, public utilities or the traveling public caused by the Utility, its agents, servants or employees or caused by the facility.
6. The Utility will have a copy of the Agreement and plans and specifications on the job site at all times while said work is being performed.
7. The Utility will conform to the provisions of the Federal Highway Administration Manual on Uniform Traffic Control Devices (MUTCD), latest edition, as the provisions thereof are applicable hereto, for both installation and maintenance of such facilities. The manual is hereby incorporated by reference herein as if fully set forth.

8. The Utility is responsible, and will not hold the County, the officials, officers, and employees, in both their official and individual capacities, and their agents, and/or assigns responsible for the payment of damages to private property, public utilities or the general public, caused by the conduct, in accordance with Alabama and/or Federal law, of the Utility, its agents, servants, employees or facilities.
9. The Utility will furnish the County, in writing, two (2) weeks prior to beginning work on County Right of Way a timeframe for beginning and ending the work to be performed.
10. Nothing contained in this Agreement, or in its execution, shall be construed to alter or affect the title of the County to the public right of way nor to increase, decrease or modify in any way the rights of the Utility provided by law with respect to the construction, operation or maintenance of its facilities on the public right of way.
11. Any utility line placed under a paved roadway owned or maintained by Tallapoosa County shall be bored and encased. Encasement shall be a minimum of schedule 40 PVC. No roadway shall be open cut. In the event the pavement surface is damaged during utility placement or maintenance, the pavement surface shall be repaired to original or better condition. All utilities shall be laid on the back five feet of right of way. All utility lines shall be placed a minimum of thirty-six inches deep under ground surfaces and forty-eight inches deep under roadway surfaces and drainage structures. No utilities shall be installed over drainage structures.

IN WITNESS WHEREOF, the parties hereto have executed the Agreement by their duly authorized officers.

APPROVED:

BY: _____
Tallapoosa County Engineer

UTILITY:

(Exact Legal Name)

BY: _____
Signature

Name – Printed or Typed

Title

UTILITY ADDRESS:

UTILITY CONTACT NUMBER:

SECTION 11-2 PRIVATE UTILITIES ON PUBLIC RIGHT OF WAY

In addition to the requirements listed on Section 10-1, for privately owned utilities, drawings shall be stamped by a Licensed Professional Engineer. The Utility Owner shall certify that all property owners adjacent to the right of way affected have been notified and the date of notification. Drawings shall include details listed in Section 10-1 and the following:

- Name of all property owners along the section of roadway affected as shown on the Tallapoosa County Tax Map. Certification that all property owners have been contacted shall be submitted by the private utility owner.
- Design Data and detail drawings for Pumps, Pumping Stations, Pump Chambers, etc.
- Surveyed topography of existing right of way terrain
- Detail of encasement under existing water meters and services
- Signature of approval from the Health Department (Sewer Lines)
- Details of the proposed location where discharge is being pumped (Sewer)

Tallapoosa County reserves to right to remove and/or cap any private utility as deemed necessary. Tallapoosa County is in no way responsible for safety, maintenance, repair, or damages to utilities, private or public, on right of way.

APPENDIX I
SAMPLE CERTIFICATES

Example A

(Final Plat)

SURVEYOR'S CERTIFICATE AND DESCRIPTION OF LAND PLATTED

STATE OF ALABAMA

COUNTY OF _____

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

DESCRIPTION

(Out boundary Description)

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

This the _____ day of _____, 20____.

_____(Signature of Surveyor)_____

_____(Typed Name of Surveyor)_____

Alabama License # _____

Example B

(Final Plat)

ENGINEER'S CERTIFICATE OF ENGINEERING DESIGN AND CONSTRUCTION

I, _____, a professional engineer licensed in the State of Alabama, License Number _____, do hereby certify that the streets and drainage system for _____ Subdivision have been designed and constructed under my supervision in accordance with the construction plans submitted to the County Engineer.

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

I further certify that the streets are designed and constructed for a design speed of _____ to meet applicable design criteria for safety, geometry, profile, and typical sections according to the Alabama Department of Transportation's "County Road Design Policy."

I further certify that I have checked all test reports and that all base material, concrete, and asphalt have been installed in accordance with the typical sections, profiles and plan details and meet minimum requirements as set out in the most current edition of the State of Alabama Department of Transportation's Standard Specifications for Highway Construction.

I further certify that all Federal and State permits required for construction of the subdivision were obtained and complied by during construction.

NAME _____

P.E.# _____

TITLE _____

FIRM _____

DATE _____

Example C

CERTIFICATE OF APPROVAL FOR ADMINISTRATIVE SUBDIVISIONS

This survey meets all requirements for an administrative subdivision as defined in Section 2-1-62 of the Tallapoosa County Subdivision and Land Development Regulations.

(County Engineer)

Example D

(Final Plat)
DEDICATION

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

Signed and sealed in the presence of:

Property Owner

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

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

Example of (E-1)

ACKNOWLEDGMENT

STATE OF ALABAMA)
COUNTY OF _____)

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

GIVEN under my hand and official seal this _____ day of _____, 20____.

NOTARY PUBLIC

Example of (E-2)

ACKNOWLEDGMENT

STATE OF ALABAMA)
COUNTY OF _____)

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

GIVEN under my hand and official seal this _____ day of _____, 20____.

NOTARY PUBLIC

Example F

(Final Plat)

CERTIFICATE OF APPROVAL BY THE (insert name of electric utility)

The undersigned, as authorized by the (name of electric utility) hereby approved the within plat for the recording of same in the Probate Office of _____ County, Alabama, this _____ day of _____, 20____.

(Electric utility authorized signature)

Example G

(Final Plat)

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

The undersigned, as authorized by the (name of water and sewer utility) hereby approved the within plat for the recording of the same in the Probate Office of _____ County, Alabama, this the _____ day of _____, 20____.

(water and sewer utility authorized signature)

Example H

(Final Plat)

CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER

The undersigned, as County Engineer of the County of _____, Alabama, hereby certifies approval of this plat for the recording of same in the Probate Office of _____ County, Alabama, this _____ day of _____, 20____.

County Engineer
County of _____, Alabama

Example I

(Final Plat)

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

The undersigned, as authorized by the _____ County Health Department, Alabama, hereby certifies this subdivision meets the approval of the _____ County Health Department subject to certain conditions of approval and/or lot deletions on file with the said health department, which conditions are made a part of this approval as if set out hereon. I hereby approve the within plat for the recording of same in the Probate Office of _____ County, Alabama, this _____ day of _____, 20____.

Health Officer

Example J

(Final Plat)

CERTIFICATE OF APPROVAL BY THE TALLAPOOSA COUNTY COMMISSION

The within plat of (Subdivision Name), Tallapoosa County, Alabama, is hereby approved by the County Commission of Tallapoosa County, Alabama, this the _____ day of _____, 20____).

COUNTY COMMISSION OF THE
COUNTY OF TALLAPOOSA, ALABAMA

Chairman

Example K

(Final Plat)

CERTIFICATE OF APPROVAL BY THE 911 BOARD of TALLAPOOSA COUNTY

The undersigned, as authorized by the 911 board of Tallapoosa County, Alabama, hereby approves the within plat of (Subdivision Name), Tallapoosa County, Alabama, is hereby approved by the County Commission of Tallapoosa County, Alabama, this the _____ day of _____, 20__.

911 Board Chairman

Chairman

Example L

CERT. OF APPROVAL BY THE PROBATE JUDGE of TALLAPOOSA COUNTY

The undersigned hereby certifies that this plat or map was filed in the office for record this _____ day of _____, 20____, at _____ O'clock __M, and recorded in book _____ of plats and maps, page _____.

Judge of Probate

Example M

CERTIFICATE OF EXCLUSION FROM THE TALLAPOOSA COUNTY SUBDIVISION AND LAND DEVELOPMENT REGULATIONS

I, (We), _____, the owner(s) of real property shown on this plat certify that the division of said lands into parcels, as shown, meets all criteria of the Tallapoosa County Subdivision and Land Development Regulations, Section 2-1-62.

Owner

Date

Note: This is the only certificate that needs to be shown on the plat for County Engineer's signature when the property to be subdivided meets criteria for exclusions per Section 2-1-60.

APPENDIX II

SAMPLE FORMS

APPLICATION FOR PROPOSED PLAT REVIEW

DATE: _____

1. Name of Subdivision _____

2. Is the subdivision to be private or public? _____

2. Name of Applicant _____ Phone _____

Address _____

4. Owner of Record _____

Address _____

5. Engineer _____ Phone _____

Address _____

6. Land Surveyor _____ Phone _____

Address _____

7. Attorney _____ Phone _____

Address _____

8. Subdivision Location: _____

9. Total Acreage _____ Number of Lots _____

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

If so, describe the changes _____

11. List all adjacent property owner(s) name, addresses, and telephone numbers.

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

12. Attach two (2) copies of proposed plat and two (2) copies of construction plans.

13. List all affected utility owner(s) name, addresses, and telephone numbers.

1. _____
2. _____
3. _____
4. _____

APPENDIX III

AMENDMENTS

APPENDIX IV

TYPICAL SECTIONS

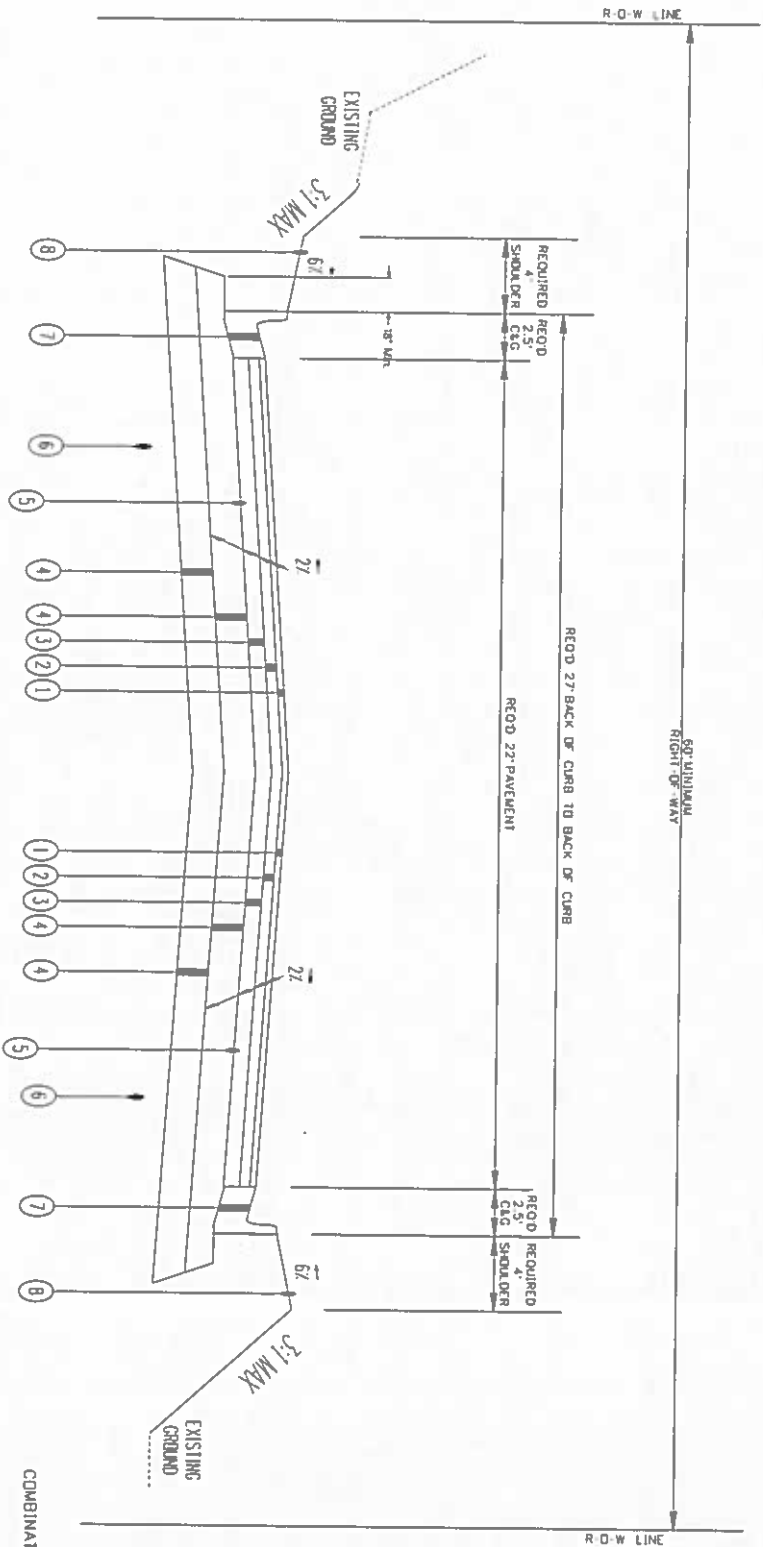
CHECKLISTS

(SKETCH PLAN, ADMINISTRATIVE PLAT, PRELIMINARY PLAT, FINAL PLAT)

and

SUBDIVISION FLOWCHART

TYPICAL SECTION WITH CURB AND GUTTER



COMBINATION CURB AND GUTTER TYPE C

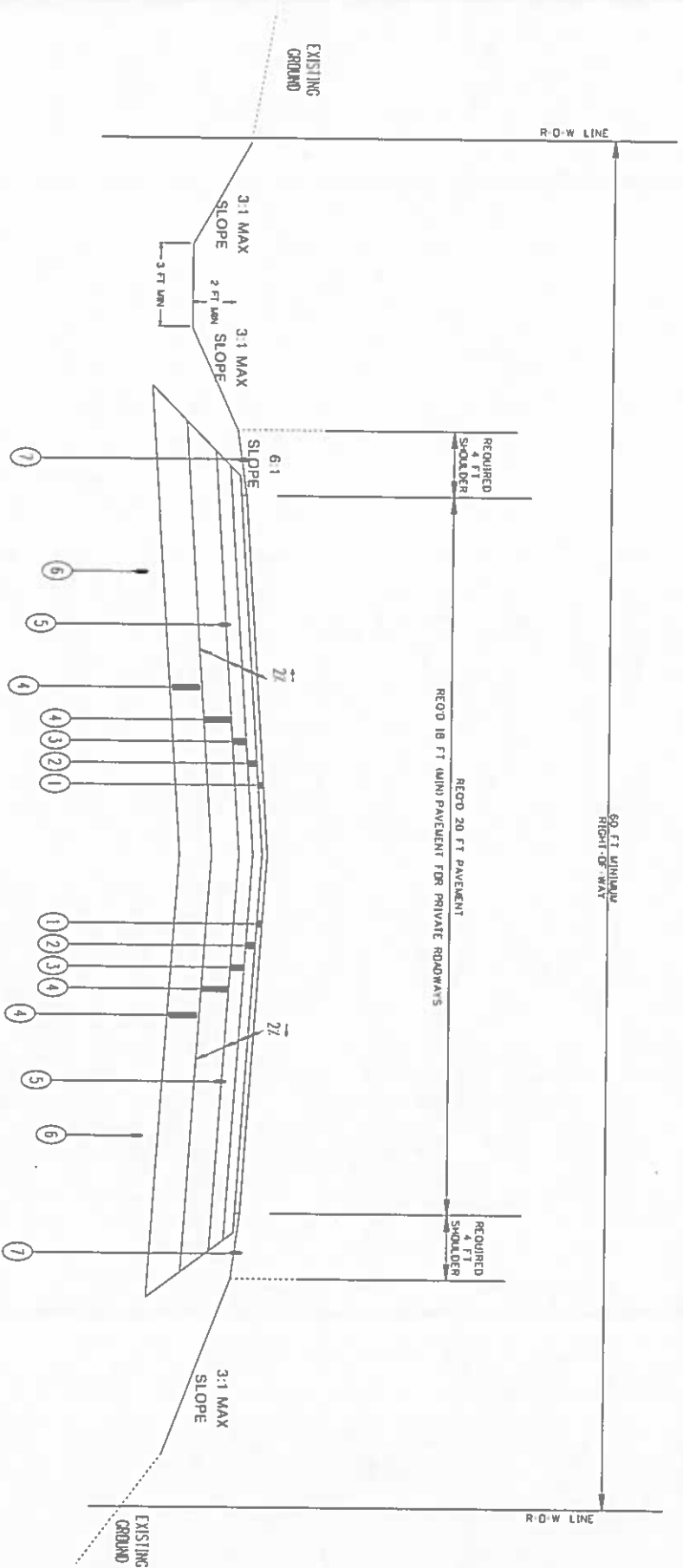


NOT TO SCALE

NOTE: Alternate Curb and Gutter designs may be approved by the County Engineer.

- Tack Coat required between asphalt layers at rates per AASHTO standards.
- ALL MATERIALS SHALL COMPLY WITH LATEST AASHTO SPECIFICATIONS.

STANDARD TYPICAL SECTION



LEGEND

1. REQUIRED: ITEM NO. 424A-360, SUPERPAVE BITUMINOUS CONCRETE WEARING SURFACE LAYER, 1/2" MAXIMUM AGGREGATE SIZE MIX, ESAL RANGE C/D (APPROX. 150 LBS/SY/120 FT MIN) (OPTIMUM 100 LBS/SY IF 3/8" MIX IS USED)
2. REQUIRED: ITEM NO. 424B-651, SUPERPAVE BITUMINOUS CONCRETE UPPER BINDER LAYER, 1" MAXIMUM AGGREGATE SIZE MIX, ESAL RANGE C/D (APPROX. 250 LBS/SY/121 FT MIN)
3. REQUIRED: ITEM NO. 424B-661, SUPERPAVE BITUMINOUS CONCRETE LOWER BINDER LAYER, 1" MAXIMUM AGGREGATE SIZE MIX, ESAL RANGE C/D (APPROX. 330 LBS/SY/122' MIN) (OMIT FOR PRIVATE ROADWAYS)
4. REQUIRED: ITEM NO. 301A-012, CRUSHED AGGREGATE BASE COURSE, TYPE B, PLANT MIXED, 6" COMPACTED THICKNESS (26 FT MIN) (second layer required for Industrial Developments) or for private roadways:
 4. REQUIRED: ITEM NO. 301A-162, SOIL AGGREGATE BASE COURSE, TYPE B, 6"
5. REQUIRED: ITEM NO. 401A-000, BITUMINOUS TREATMENT A (26 FT MIN)
6. REQUIRED: ITEM NO. 230A-000, ROADBED PROCESSING (28 FT MIN)
7. REQUIRED: ITEM NO. 650A-000, TOPSOIL (4" THICK)

- Lock Coat required between asphalt layers at rates per AADOT standards.
- ALL MATERIALS SHALL COMPLY WITH LATEST AADOT SPECIFICATIONS.

CHECKLIST OF ITEMS TO BE SUBMITTED FOR SKETCH PLAN REVIEW

SUBDIVISION NAME: _____

GENERAL REQUIREMENTS

Developer's / Designer
Initials Initials

_____/____

1. Vicinity Map showing location of proposed subdivision

_____/____

2. Proposed Layout of Subdivision (a generalization)

_____/____

3. Does this development satisfy the requirements of a minor subdivision or major subdivision (see 2-1-62).

_____/____

4. Will there be significant traffic that will impact a state route.

_____/____

5. Notice of Intent with Health Department has been submitted (CEP-3 Part 1).

Provide the information required in this checklist to the County Engineer for review. The intent of the sketch plan review is to ensure to the extent possible the Developer does not move forward with development of plans and drawings before ensuring there are no major issues or concerns with the proposed development.

Developer's Signature

CHECKLIST OF ITEMS TO BE SUBMITTED FOR ADMINISTRATIVE PLAT REVIEW

SUBDIVISION NAME: _____

PROPOSED PLAT CHECKLIST

Developer's
Initials

- ____ 1. Name and addresses of owners of record
- ____ 2. North Arrow, Scale, Vicinity Map
- ____ 3. Name and Seal of Licensed Surveyor
- ____ 4. Legal Description of exact boundary of land being subdivided
- ____ 5. Names and addresses of the owners of land immediately adjoining the tract of land being subdivided, as the names appear on the plats in the County Tax Assessor or Revenue Commissioner's Office
- ____ 6. Wooded areas, marshes, and any other conditions affecting the site are shown on the plat
- ____ 7. The location of existing streets, buildings, water courses, railroads, transmission lines, drainage structures, public utilities, jurisdiction lines, and any public utility easements on and adjacent to the tract being subdivided.
- ____ 8. The names and locations of adjoining subdivisions and streets, with reference to recorded plats by record name are shown
- ____ 9. Proposed lot lines with bearings and distances and lot and block numbers are shown.
- ____ 10. Lots are renumbered if lot lines are changed.

ENDORSEMENTS REQUIRED ON PROPOSED PLATS

Developer's
Initials

- ____ 1. Licensed Land Surveyor's Certificate and Legal Description of Land Platted
- ____ 2. Licensed Engineer's Certificate of Engineering Design and Construction (if applicable)
- ____ 3. Dedication by Owner
- ____ 4. A notary's acknowledgment of the Dedication Certificate of the Owner
- ____ 5. Certificate of Approval by the appropriate electric utility distributor
- ____ 6. Certificate of Approval by the appropriate water and sewer utility
- ____ 7. Certificate of Approval by the Tallapoosa County Health Department
- ____ 8. Certificate of Approval by the 911 Board
- ____ 9. Certificate of Approval by the County Engineer of Tallapoosa County
- ____ 10. Certificate of Approval by the Probate Judge.

Note: For Administrative Subdivisions (see 2-1-62), only a Certificate of Approval shown in Appendix I Example C is required.

CHECKLIST OF ITEMS TO BE SUBMITTED FOR PRELIMINARY PLAT REVIEW

SUBDIVISION NAME: _____

GENERAL REQUIREMENTS

Developer's / Designer's
Initials Initials

- | | | |
|-----------|-----|--|
| ____/____ | 1. | Cover letter (see details required in Cover letter in Section 3-4(1)). |
| ____/____ | 2. | Application For Proposed Plat Review (see Appendix II) |
| ____/____ | 3. | 2 copies of proposed plat provided in accordance with section 4-1 of Subdivision Regulations |
| ____/____ | 4. | 2 copies of Construction Plans prepared in accordance with the requirements detailed in section 4-2 of Subdivision Regulations (Major Subdivisions only)(11x17 plans preferred for preliminary plats) |
| ____/____ | 5. | Letter detailing all variance requests accompanied with supporting documentation |
| ____/____ | 6. | Names and addresses of each adjoining landowner provided |
| ____/____ | 7. | Names and addresses of each Utility Company Involved |
| ____/____ | 8. | Copy of most recent vesting deed or deeds provided which certifies the status of title |
| ____/____ | 9. | Conceptual Permit Approval from ALDOT if traffic onto State Routes is affected by the proposed development |
| ____/____ | 10. | The total acreage of the tract is _____ acres. |
| ____/____ | 11. | The smallest lot size is _____ acres which satisfies the minimum allowable lot size per the subdivision regulations (15,000 sq ft) |
| ____/____ | 12. | The total number of lots is _____. |
| ____/____ | 13. | The linear feet of streets is _____ feet. |
| ____/____ | 14. | A copy of the letter showing the proposed plat and construction plans have been submitted to the appropriate electrical and telephone companies for their assessment as to whether they will be able to supply their services. |
| ____/____ | 15. | A traffic study and ALDOT approval of the development concept has been granted. Written approval from ALDOT must be provided (when traffic affects ALDOT Right of Way) |
| ____/____ | 16. | I, the Developer, am aware that approval from the Health Department (Form CEP-3 part 3) will be Required before final acceptance of the final plat will be given. |

PROPOSED PLAT CHECKLIST

Developer's / Designer's
Initials Initials

- | | | |
|-----------|-----|---|
| ____/____ | 1. | Name and addresses of owners of record |
| ____/____ | 2. | Proposed Name of Subdivision |
| ____/____ | 3. | North Arrow |
| ____/____ | 4. | Scale |
| ____/____ | 5. | Location Map |
| ____/____ | 6. | Name and Seal of Licensed Surveyor |
| ____/____ | 7. | Vicinity Map |
| ____/____ | 8. | Legal Description of exact boundary of land being subdivided |
| ____/____ | 9. | Sufficient data provided to determine and reproduce on the ground the location, bearing, and length of Every street line, lot line, and block line, whether straight or curved, including the radius, central angle, point of tangency, tangent distance, and arcs and chords; the relation of the land so platted to the Government Survey of Tallapoosa County; and "Point of beginning" as referred to in the written description. |
| ____/____ | 10. | Names and addresses of the owners of land immediately adjoining the tract of land being subdivided, as The names appear on the plats in the County Tax Assessor or Revenue Commissioner's Office |
| ____/____ | 11. | Wooded areas, marshes, and any other conditions affecting the site are shown on the plat |
| ____/____ | 12. | The location of existing streets, buildings, water courses, railroads, transmission lines, drainage structures, public utilities, jurisdiction lines, and any public utility easements on and adjacent to the tract being subdivided |
| ____/____ | 13. | The names and locations of adjoining subdivisions and streets, with reference to recorded plats by record Name are shown |
| ____/____ | 14. | Proposed Right of way or easements including locations, widths, purposes, and street numbers/names are shown |
| ____/____ | 15. | Proposed lot lines with bearings and distances and lot and block numbers are shown |
| ____/____ | 16. | Proposed minimum building setback lines are shown |
| ____/____ | 17. | Proposed parks, school sites, or other public open spaces are shown |
| ____/____ | 18. | Size and required drains for each lot shown |
| ____/____ | 19. | Details of 100 year flood projections as defined by the County Flood Damage Prevention Ordinance have been provided where applicable (can be obtained from Tallapoosa County Building Department) |
| ____/____ | 20. | Location of proposed drainage easements shown. |

ENDORSEMENTS REQUIRED ON PROPOSED PLATS

Developer's / Designer's
Initials Initials

- | | | |
|-----------|-----|--|
| ____/____ | 1. | Licensed Land Surveyor's Certificate and Legal Description of Land Platted |
| ____/____ | 2. | Licensed Engineer's Certificate of Engineering Design and Construction (if applicable) |
| ____/____ | 3. | Dedication by Owner |
| ____/____ | 4. | A notary's acknowledgment of the Dedication Certificate of the Owner |
| ____/____ | 5. | Certificate of Approval by the appropriate electric utility distributor |
| ____/____ | 6. | Certificate of Approval by the appropriate water and sewer utility |
| ____/____ | 7. | Certificate of Approval by the Tallapoosa County Health Department |
| ____/____ | 8. | Certificate of Approval by the 911 Board |
| ____/____ | 9. | Certificate of Approval by the County Engineer of Tallapoosa County |
| ____/____ | 10. | Certificate of Approval by the Tallapoosa County Commission |
| ____/____ | 11. | Certificate of Approval by the Probate Judge |

CONSTRUCTION PLAN REQUIREMENTS

Developer's / Designer's
Initials Initials

STREET PLAN:

- | | | |
|-----------|----|---|
| ____/____ | 1. | A Street Plan has been submitted and contains the following information listed below (see Section 4-2(1) of Subdivision Regulations for more details): |
| ____/____ | 2. | The location of all proposed and existing streets or right of ways in and adjacent to the subdivision are shown. |
| ____/____ | 3. | The width of existing and proposed right of way and easements are shown |
| ____/____ | 4. | Road numbers/names shown |
| ____/____ | 5. | Plan and Profile of all proposed streets showing natural and finished grades drawn to scale |
| ____/____ | 6. | Cross sections of proposed streets at a minimum of 100 ft stations or as required by the County Engineer are shown. |
| ____/____ | 7. | Curve data (delta, tangent, radius, point of curvature, etc.) is shown |
| ____/____ | 8. | Location of all required sidewalks and crosswalks are shown. |

- | | | |
|-----------|-----|---|
| ____/____ | 9. | Location of all utilities existing and proposed are shown. |
| ____/____ | 10. | Size and location of side drains required for each lot are shown. |
| ____/____ | 11. | Show GN-2 notes applicable only to plan sheets on sheet no. 4. |
| ____/____ | 12. | A Storm Drainage Plan has been submitted and contains the following information (see Sect. 4-2(2) of Subdivision Regs for more details): |
| ____/____ | 13. | Location of proposed drainage ways, streams, and ponds in the subdivision |
| ____/____ | 14. | Location, size, and invert elevations of proposed drainage structures including culverts, bridges, pipes, Drop inlets, and top elevations of headwalls including conduit schedule |
| ____/____ | 15. | Construction details of typical manholes, connections, and other drainage structures provided |
| ____/____ | 16. | Area of land contributing run-off to each drainage structure along with run-off calculations (and Calculation methods) provided |
| ____/____ | 17. | Location of easements and right of way for drainage ways and maintenance access shown |
| ____/____ | 18. | Typical cross section of each drainage way shown |
| ____/____ | 19. | Direction of water flow throughout subdivision and compatibility with existing drainage shown |
| ____/____ | 20. | Size of driveway pipes shown |
| ____/____ | 21. | Type of driveway pipe shown |
| ____/____ | 22. | Sanitary Sewer Plan (see Section 4-2(3) of Subdivision Regulations for more details) |
| ____/____ | 23. | Water Distribution Plan |
| ____/____ | 24. | Electric Distribution Plan |
| ____/____ | 25. | Gas Distribution Plan |

MINIMUM REQUIREMENTS CHECKLIST

Developer's / Designer's
Initials Initials

- | | | |
|-----------|----|---|
| ____/____ | 1. | The minimum radius of cul de sacs is 80 ft with 100 ft right of way (5-3-11). |
| ____/____ | 2. | Adequate sight distance in accordance with required standards provided (5-3-12). |
| ____/____ | 3. | Minimum Curb radius is 20 feet (5-3-12). |
| ____/____ | 4. | Intersections satisfy grade requirements as described in 5-2-12(5).. |
| ____/____ | 5. | Cross slopes satisfy grade requirements as described in 5-2-12(6). |
| ____/____ | 6. | No encroachments are shown on public right of way (N/A for private subdivisions). |
| ____/____ | 7. | The minimum Right of Way is 60 ft (5-4-1). |
| ____/____ | 8. | Right of Way does not vary by more than two times per 1000 feet (5-4-1) |
| ____/____ | 9. | The minimum pavement width is 20 feet (5-4-2)(18 ft for private). |

____/____

10. The typical section adheres to the minimum standard shown in the Typical Sections.

____/____

11. The minimum radius for horizontal curves is 100 feet.

____/____

12. The minimum roadway grade is 0.5% .

____/____

13. The maximum roadway grade is 15%.

____/____

14. The minimum stopping sight distance is 200 feet.

____/____

15. The minimum lot size is 15,000 sq feet.

____/____

16. All lots have a minimum of 50 ft road frontage (35 ft in cul de sacs).

____/____

17. There are no bridges in the Development (If yes, see Section 5-8 of regulations).

CHECKLIST OF ITEMS TO BE SUBMITTED FOR FINAL PLAT REVIEW

SUBDIVISION NAME: _____

GENERAL REQUIREMENTS

Developer's / Designer's
Initials Initials

- | | | |
|-----------|-----|--|
| ____/____ | 1. | Cover letter (see details required in Cover letter in Section 3-4(1)). |
| ____/____ | 2. | All infrastructure including pavement, drainage pipe, slope paving, slope paved headwalls, etc. are in place. |
| ____/____ | 3. | 2 copies of proposed final plat provided in accordance with section 4-1 of Subdivision Regulations |
| ____/____ | 4. | 1 copy of AS-BUILT Construction Plans prepared in accordance with the requirements detailed in section 4 of Subdivision Regulations (Major Subdivisions only)(11x17 plans preferred) |
| ____/____ | 5. | Letter from Health Department certifying compliance of the subdivision with their regulations. |
| ____/____ | 6. | Letter detailing all variance requests accompanied with supporting documentation |
| ____/____ | 7. | Letter Certifying that all affected utility owners have approved the installation of utilities. |
| ____/____ | 8. | The smallest lot size is _____ acres which satisfies the minimum allowable lot size per the subdivision regulations (15,000 sq ft) |
| ____/____ | 9. | The total number of lots is _____. |
| ____/____ | 10. | The linear feet of streets is _____ feet. |
| ____/____ | 11. | Proof of ALDOT acceptance of intersection improvements along State Right of Way where applicable. |
| ____/____ | 12. | Original Surety Bond as described in Section 4-3 provided when applicable. |
| ____/____ | 13. | All repairs have been made to existing streets that were damaged to the satisfaction of the County Engineer. |
| ____/____ | 14. | The final plat was prepared by a registered land surveyor and is clearly legible and drawn at a convenient scale. |
| ____/____ | 15. | Approval letter from Health Department and Form CEP-3 Part 3 is included in submittal. |

FINAL PLAT CHECKLIST

Developer's / Designer's
Initials Initials

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|-----------|----|--|
| ____/____ | 1. | Name and addresses of owners of record |
| ____/____ | 2. | Proposed Name of Subdivision |
| ____/____ | 3. | North Arrow |
| ____/____ | 4. | Scale |

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| ____/____ | 5. | Location Map |
| ____/____ | 6. | Name and Seal of Licensed Surveyor |
| ____/____ | 7. | Vicinity Map |
| ____/____ | 8. | Legal Description of exact boundary of land being subdivided |
| ____/____ | 9. | Sufficient data provided to determine and reproduce on the ground the location, bearing, and length of Every street line, lot line, and block line, whether straight or curved, including the radius, central angle, point of tangency, tangent distance, and arcs and chords; the relation of the land so platted to the Government Survey of Tallapoosa County; and "Point of beginning" as referred to in the written description. |
| ____/____ | 10. | Names and addresses of the owners of land immediately adjoining the tract of land being subdivided, as The names appear on the plats in the County Tax Assessor or Revenue Commissioner's Office |
| ____/____ | 11. | Wooded areas, marshes, and any other conditions affecting the site are shown on the plat |
| ____/____ | 12. | The location of existing streets, buildings, water courses, railroads, transmission lines, drainage structures, public utilities, jurisdiction lines, and any public utility easements on and adjacent to the tract being subdivided |
| ____/____ | 13. | The names and locations of adjoining subdivisions and streets, with reference to recorded plats by record Name are shown |
| ____/____ | 14. | Proposed Right of way or easements including locations, widths, purposes, and street numbers/names are shown |
| ____/____ | 15. | Proposed lot lines with bearings and distances and lot and block numbers are shown |
| ____/____ | 16. | Proposed minimum building setback lines are shown |
| ____/____ | 17. | Proposed parks, school sites, or other public open spaces are shown |
| ____/____ | 18. | Size and required drains for each lot shown |
| ____/____ | 19. | Details of 100 year flood projections as defined by the County Flood Damage Prevention Ordinance have been provided where applicable (can be obtained from Tallapoosa County Building Department) |
| ____/____ | 20. | Location of proposed drainage easements shown. |

ENDORSEMENTS REQUIRED ON FINAL PLATS

Developer's / Designer's
Initials Initials

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| ____/____ | 1. | Licensed Land Surveyor's Certificate and Legal Description of Land Platted |
| ____/____ | 2. | Licensed Engineer's Certificate of Engineering Design and Construction |
| ____/____ | 3. | Certificate of Approval by the Revenue Commissioner |
| ____/____ | 4. | Dedication by Owner |
| ____/____ | 5. | A notary's acknowledgment of the Dedication Certificate of the Owner |
| ____/____ | 6. | Certificate of Approval by the appropriate electric utility distributor |

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| ____/____ | 7. Certificate of Approval by the appropriate water and sewer utility |
| ____/____ | 8. Certificate of Approval by the County Engineer of Tallapoosa County |
| ____/____ | 9. Certificate of Approval by the Tallapoosa County Health Department |
| ____/____ | 10. Certificate of Approval by the Tallapoosa County Commission |
| ____/____ | 11. Certificate of Approval by the 911 Board |
| ____/____ | 12. Certificate of Approval by the Probate Judge |

CONSTRUCTION PLAN REQUIREMENTS

Developer's / Designer's
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STREET PLAN:

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| ____/____ | 1. A Street Plan has been submitted and contains the following information listed below (see Section 4-2(1) of Subdivision Regulations for more details): |
| ____/____ | 2. The location of all proposed and existing streets or right of ways in and adjacent to the subdivision are shown. |
| ____/____ | 3. The width of existing and proposed right of way and easements are shown |
| ____/____ | 4. Road numbers/names shown |
| ____/____ | 5. Plan and Profile of all proposed streets showing natural and finished grades drawn to scale |
| ____/____ | 6. Cross sections of proposed streets at a minimum of 100 ft stations or as required by the County Engineer are shown. |
| ____/____ | 7. Curve data (delta, tangent, radius, point of curvature, etc.) is shown |
| ____/____ | 8. Location of all required sidewalks and crosswalks are shown. |
| ____/____ | 9. Location of all utilities existing and proposed are shown. |
| ____/____ | 10. Size and location of side drains required for each lot are shown. |
| ____/____ | 11. Show GN-2 notes applicable only to plan sheets on sheet no. 4. |
| ____/____ | 12. A Storm Drainage Plan has been submitted and contains the following information (see Sect. 4-2(2) of Subdivision Regs for more details): |
| ____/____ | 13. Location of proposed drainage ways, streams, and ponds in the subdivision |
| ____/____ | 14. Location, size, and invert elevations of proposed drainage structures including culverts, bridges, pipes, Drop inlets, and top elevations of headwalls including conduit schedule |
| ____/____ | 15. Construction details of typical manholes, connections, and other drainage structures provided |
| ____/____ | 16. Area of land contributing run-off to each drainage structure along with run-off calculations (and Calculation methods) provided |
| ____/____ | 17. Location of easements and right of way for drainage ways and maintenance access shown |

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| ____/____ | 18. Typical cross section of each drainage way shown |
| ____/____ | 19. Direction of water flow throughout subdivision and compatibility with existing drainage shown |
| ____/____ | 20. Size of driveway pipes shown |
| ____/____ | 21. Type of driveway pipe shown |
| ____/____ | 22. Sanitary Sewer Plan (see Section 4-2(3) of Subdivision Regulations for more details) |
| ____/____ | 23. Water Distribution Plan |
| ____/____ | 24. Electric Distribution Plan |
| ____/____ | 25. Gas Distribution Plan |

MINIMUM REQUIREMENTS CHECKLIST

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| ____/____ | 1. The minimum radius of cul de sacs is 96 ft with 100 ft right of way (5-3-11). |
| ____/____ | 2. Adequate sight distance in accordance with required standards provided (5-3-12). |
| ____/____ | 3. Minimum Curb radius is 20 feet (5-3-12). |
| ____/____ | 4. Intersections satisfy grade requirements as described in 5-2-12(5).. |
| ____/____ | 5. Cross slopes satisfy grade requirements as described in 5-2-12(6). |
| ____/____ | 6. No encroachments are shown on public right of way (N/A for private subdivisions). |
| ____/____ | 7. The minimum Right of Way is 60 ft (5-4-1). |
| ____/____ | 8. Right of Way does not vary by more than two times per 1000 feet (5-4-1) |
| ____/____ | 9. The minimum pavement width is 20 feet (5-4-2). |
| ____/____ | 10. The typical section adheres to the minimum standard shown in the Typical Sections. |
| ____/____ | 11. The minimum radius for horizontal curves is 100 feet. |
| ____/____ | 12. The minimum roadway grade is 0.5% . |
| ____/____ | 13. The maximum roadway grade is 15%. |
| ____/____ | 14. The minimum stopping sight distance is 200 feet. |
| ____/____ | 15. The minimum lot size is 15,000 sq feet. |
| ____/____ | 16. All lots have a minimum of 50 ft road frontage (35 ft in cul de sacs). |
| ____/____ | 17. There are no bridges in the Development (If yes, see Section 5-8 of regulations). |

SUBDIVISION FLOW CHART

