

# **TOWN OF LOXLEY, ALABAMA**



## **SUBDIVISION REGULATIONS**

**Adopted July 8, 1991**

**With Amendments  
Through  
February 19, 2020**



# Subdivision Regulations for the Town of Loxley, Alabama





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# ARTICLE ONE

## GENERAL PROVISIONS

### 1.0 Title

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

### 1.1 Authority

Under the provisions of Section 11-52-30 to 11-52-36, inclusive, of the Code of Alabama (recompiled 1975), which provisions are hereby made a part hereof, these following regulations governing the subdivision and development of land are hereby adopted by the Loxley Town Planning Commission at its meeting on July 8, 1991 by resolution. A copy of these regulations shall be certified to the Probate Judge of Baldwin County, Alabama, and to the Clerk of Loxley, Alabama.

### 1.2 Jurisdiction

- A. On and after July 13, 1991 these subdivision regulations shall apply to all subdivisions and development of land, as defined herein, located within the corporate limits of the Town of Loxley and within one and one-half (1 1/2) miles of the corporate limits, or as otherwise agreed to, in writing, between the Town and Baldwin County or other jurisdictions.
- B. No land shall be subdivided within the stated limits of the Town of Loxley until:
  - 1. The subdivider or his agent has submitted the required plats and plans to the Planning Commission, and
  - 2. Approval of all plats and plans, including approval of the final plat, by the Planning Commission, and
  - 3. The approved final plat is recorded with the Office of the Judge of Probate, Baldwin County, Alabama.

### 1.3 Purpose

- A. Land subdivision is the first step in city development. Once land has been subdivided into streets, lots and blocks and publicly recorded, the correction of defects is costly and difficult. Subdivided land sooner or later becomes a public responsibility, in that roads, drainage and utilities must be maintained and various customary municipal services must be provided. The welfare of the entire Town is directly affected by land subdivision. It is to the benefit of the residents that subdivisions be conceived, designed

and developed in accordance with sound practice and appropriate standards.

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

1. Proper subdivision design criteria.
2. Limiting the impact of development upon adjacent property.
3. The definition of public and private development responsibilities.
4. Concern for the health, safety and welfare of the entire Town.
5. Orderly and efficient development patterns that enhance property values and, where applicable, are compatible with adjacent neighborhoods.
6. Coordination with other applicable ordinances and plans.
7. The preservation of valuable and scenic natural features and open spaces.
8. The use of imagination and creativity in development of property.

C. These regulations also recognize the responsibility of the Town to maintain public improvements. Proper and timely maintenance is essential to preserve the required improvements through their designed life.

#### 1.4 Interpretation

A. In the interpretation and application, the provisions of these regulations are the minimum requirements for the public health, safety and general welfare.

# ARTICLE TWO

## DEFINITIONS

### 2.0 General

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

### 2.1 Definitions

For the purpose of these regulations certain words used herein are defined as follows:

Abutting Property. Property that is immediately adjacent to property that is subject to review under these regulations or property that is located immediately across any road or public right-of-way from the property that is subject to review under these regulations.

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

Arterial Streets. These which serve the major traffic movements and which provide intracommunity continuity but do not penetrate identifiable neighborhoods.

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

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

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

Building Setback Line. A line parallel to the property line in front of which no structure may be erected.

Collector Streets. Those which collect traffic from local streets to the arterial streets by providing both land access and traffic circulation within neighborhoods and commercial and industrial areas.

Common Area. SEE OPEN SPACE.

Corner Lot. A lot abutting upon two or more streets at their intersection.

Cul-De-Sac. A local street with only one outlet and designed to have one end permanently closed; the closed end is terminated by a vehicular turnaround.

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

Dedication. The deliberate assignation of land by its owners for any general or public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

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

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

Double Frontage Lot. A lot having frontage on two nonintersecting streets as distinguished from a corner lot.

Easement. A grant by the property owner for use, by the public, an entity or person(s), of a strip of land for specified purposes. No fee simple title to real property is conveyed.

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

Family, Immediate. Any person who is a natural or legally defined offspring or spouse.

Family Subdivision. A division of a lot or parcel for the purpose of sale or gift to a member of the immediate family of the property owner. Each immediate family member must have obtained the age of 18 years. Otherwise the division will not be exempt from these subdivision regulations.

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 Probate Judge, Baldwin County.

Fire Chief. The duly designated Fire Chief of the Town of Loxley, Alabama.

Group Development. A development comprising two or more structures constructed or placed on a single lot, tract, or parcel of land and designed for occupancy by separate families, firms, businesses or other enterprises. This definition includes but is not limited to Mobile Home Parks.

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

these regulations.

Health Department. The Baldwin County Department of Health.

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

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

Local Street. Those intended to provide access to abutting properties and to other streets.

Lot. A portion of land which is part of a subdivision, is intended for transfer of ownership or for building development.

Maintenance Bond. A bond used to insure the proper operation of all public improvements accepted by the Town. The bond will be made out to the Town of Loxley and remain in effect for two years from the date of acceptance of improvements for maintenance by the Town. The bond will be equal to 10% of the construction costs. Said bond shall be issued by a surety approved by the Town or may be a cash bond.

Marginal Access Streets. A street which is parallel with and adjacent to an arterial street and which provides access to abutting properties and protection from through traffic.

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

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

Open Space. Any land either publicly or privately owned which is designated as being permanently undeveloped for use as conservation or preservation. Open Space that is intended for use other than conservation or preservation shall be identified and noted as such. A natural, sight-proof buffer of not less than 25-feet shall be provided for adjacent residential areas.

Owner. A person, corporation, or duly authorized agent who undertakes the subdivision of land as defined herein.

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

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

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

Performance Bond. A bond equaling 150% of the cost of constructing water, sewer,

drainage, street, and other public improvements. The bond is to insure the complete construction of such facilities and is to be made payable to the Town of Loxley.

Planning Commission. The Planning Commission of the Town of Loxley, Alabama.

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

Probate Judge. The Judge of Probate of Baldwin County, Alabama.

Public Hearing. An advertised public meeting involving the Town Council or the Planning Commission and all interested residents and the Owner if he or she chooses to be there.

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

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

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

Street. A thoroughfare which affords the principal means of access to abutting property. This includes lanes, rights-of-way or other means of ingress or egress regardless of the term used to describe it.

Subdivision. The division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites or other divisions of land, whether described by metes and bounds or by any other description, for the purpose, whether immediate or future, of sale, lease or of building development and includes re-subdivision and when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. However, the following shall not be included within this definition or be subject to the requirements thereof:

1. When two or more lots are combined to create one lot or parcel that meets the lot size requirements for the zoning district in which the lots are located;
2. Subdivision of land by court order;
3. A one-time subdivision of a parcel for the limited purpose of sale, deed, or transfer of land by the land owner or his estate to a member or members of the land owner's immediate family. This provision may not be used for a further subdivision of any parcel created by this administrative subdivision;
4. The public acquisition of land for the widening or opening of streets or

- other public uses;
5. The sale or exchange of lots or parcels of land between adjacent property owners provided that no additional lots or parcels are created and that no existing easement shall be vacated or moved without approval by the Town and the granting of a like easement is acceptable to the Town and meets all zoning requirements;
  6. Lot line relocating so long as it is not creating additional parcel or parcels that do not meet the parcel size requirements for the zoning district in which the lots are located.
  7. The division of land into parcels twenty (20) acres or greater.

Any of the above land divisions are considered to be administrative subdivisions and are processed administratively through the Town. Such applicants are not required to appear before the Planning Commission and a public hearing is not required for approval, nor is the applicant required to pay any subdivision fees.

If a new parcel(s) is created by an administrative subdivision, the plat shall indicate deeded access for ingress/egress and utilities of a minimum of sixty (60) feet from an existing road or right-of-way to ensure proper access is provided to the lot(s) except in the case of a family subdivision pursuant to Number three (3) above which shall require only a minimum of a thirty (30) foot deeded access. Additionally, any new lot created must meet the minimum lot size required by the Town's Zoning Ordinance and the Town's Subdivision Regulations for the district or jurisdiction in which the property is located as well as any requirements of the Department of Health.

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

Town. Town of Loxley, Alabama.

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

Town Clerk. The duly designated Clerk of the Town of Loxley, Alabama.

Town Council. The Town Council of the Town of Loxley, Alabama.

Town Specifications. All construction specifications of codes which have been adopted by the Town Council or as required by the Planning Commission.

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

Zoning Ordinance. The Zoning Ordinance of Loxley, Alabama.

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## ARTICLE THREE

### ADMINISTRATION

#### 3.0 Enforcement, Violations, and Penalties

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

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

- B. No owner, or agent of the owner, of any parcel of land located in a proposed subdivision shall transfer to sell any such parcel before a final plat of such subdivision has been approved in accordance with the provisions of these regulations by the Planning Commission, and filed with the Judge of Probate, Baldwin County. The description of metes and bounds in the instrument of transfer or other document used in the process of selling or transfer shall not exempt the transaction from these penalties.
- C. The penalty for transferring a lot in an unapproved subdivision shall be one hundred (\$100.00) dollars for each lot or parcel so transferred or sold. The Town of Loxley may enjoin such transfer or sale or agreement by action for injunction brought in any court or equity jurisdiction or may recover the same penalty by a civil action in any court of competent jurisdiction.

#### 3.1 Conflicts With Other Laws

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

Whenever the provisions of any other ordinance require more restrictive standards than are required herein, the requirements of such regulations shall prevail.

### 3.2 Guarantee of Completion of Improvements

- A. General. The Owner shall be responsible for the provision of all required improvements to the subdivision. This may be accomplished by either the full installation of all required improvements by the Owner at the time the final plat is submitted to the Planning Commission, or by the provision of a financial guarantee of performance.
- B. Financial Guarantee of Performance. The guarantee of performance by the Owner shall be in the form of a Performance Bond, and shall meet the following requirements:
  - 1. Bond must be approved by the Building Official and Town Attorney in their sole discretion, and shall be made payable to the Town of Loxley, Alabama.
  - 2. Bond must be in an amount not less than 150% of the total cost to cover installation of all required improvements and fees encountered in the completion of improvements. The estimated cost shall be approved by the Building Official in his sole discretion.
  - 3. The bond shall be filed with the Town Clerk.
  - 4. The bond shall be made by a surety company doing business in the State of Alabama and approved by the Planning Commission.
- C. Failure of Complete Work. If within twelve (12) months after providing said bond, the Owner has not completed all necessary improvements, or if, in the opinion of the Planning Commission, improvements have not been satisfactorily installed, the bond may be used by the Town to complete the improvements in satisfactory fashion, or the Town may take such steps as may be necessary to require performance under the bond.
- D. Guarantee Against Faulty Materials. If, in the opinion of the Building Official or the Town Council, there is reasonable doubt concerning the stability or proper construction of any improvement made under these Regulations, the Planning Commission may require a maintenance bond for three years. This bond shall be in cash or a cashier's check, or made by a surety company doing business in Alabama. Such maintenance bond shall be in addition to the two year's maintenance bond described elsewhere herein.

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

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

Upon receipt of this certificate of completion, the Building Official shall make a final inspection of the completed construction on the site. In the event that the improvements are incomplete or do not conform to the requirements of these regulations and the plans and specifications, the Building Official shall notify the Owner and the Owner's engineer so that corrective measures may be instituted. Once the improvements are approved by the Building Official, the plat shall be submitted to the Planning Commission.

When the plat has been approved by the Planning Commission, four (4) copies and the original, with the approval of the Planning Commission certified thereon shall be returned to the Owner to be used for filing with the Probate Judge as the official plat of record. The original tracing containing all required certifications shall be retained by the Owner and one (1) copy shall be retained in the records of the Planning Commission. The Planning Commission must consider a final plat within thirty (30) days after the meeting at which the final plat is introduced. Failure of the Planning Commission to act on a final plat submission within these thirty (30) days shall be considered an approval of same. If the plat is disapproved, grounds for such disapproval shall be stated in writing in the official minutes of the Planning Commission.

### 3.3 Conformity to Town Plan

All proposed subdivision plans shall conform to all the Town of Loxley plans and to the Loxley Zoning Ordinance. Whenever a tract to be subdivided embraces any part of a highway, major street, secondary street, or parkway so designated, such part of such proposed public way shall be platted by the Owner in the same location and at the same width as indicated on such town plan.

### 3.4 Deviation

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

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

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

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

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

### 3.5 Amendment

Any article, section, sub-section, or provision of these Subdivision Regulations proposed for amending shall be published as provided by law for the publication of ordinances. Before adoption, a public hearing, as described by law, shall be held thereon. Following its adoption, a copy of the amendment shall be certified by the Planning Commission to the Probate Judge of Baldwin County.

### 3.6 Severability and Separability

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

### 3.7 Vacation of Plat or Map

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

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

### 3.8 Public Use and Service Areas

- A. Public Uses. Where a park, neighborhood recreational open space, a school site, or other areas for public use shown on an official map or on a plan adopted by the Planning Commission is located in whole or in part in the proposed subdivision, the Planning Commission shall seek to secure the reservation of the necessary land for such use.
- B. Easements for Utilities. Except where alleys are provided for the purpose, the Planning Commission may require easements not exceeding fifteen (15) feet in width for poles, wires, conduits, storm, and sanitary sewer, gas, water, or other utility lines on each side of the common rear lot line and along side lot lines if necessary or advisable in the opinion of the Planning Commission, and unless wider easements are required in the opinion of the Building Official.
- C. Suitability of the Land. Land which the Planning Commission has found to be unsuitable for subdivision due to flooding, bad drainage, steep slopes, rock formation, or other features likely to be harmful to the safety, health, and general welfare of the future residents shall not be subdivided unless adequate methods approved by the Planning Commission are formulated by the Owner for meeting the problems involved.
- D. Building Restrictions. No Final Plat of land within the force and effect of the Loxley Zoning Ordinance shall be approved unless the building restrictions to be established conform with the minimum requirements of such zoning ordinance.

### 3.9 Group Development

A Group Development including the construction or placement of two or more buildings together with the necessary drives and ways of access shall be subject to these regulations and must be approved by the Planning Commission. Plans for all such development shall be submitted to and approved by the Planning Commission whether or not such plat is to be recorded and no building permits shall be issued until such approval has been given. Any and all public improvements which are expected to be dedicated will be constructed in accordance with these Subdivision Regulations. All minimum requirements of the Alabama State Public Health Department pertaining to mobile home use shall be met.

### 3.10 Mobile Home Subdivisions

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

## ARTICLE FOUR

### APPLICATION PROCEDURE AND APPROVAL PROCESS

#### 4.0 General

No Owner shall proceed with the movement of dirt or any other improvements or with the installation of utilities in a subdivision until such subdivision plat shall have been reviewed and granted Preliminary Plat approval by the Town of Loxley Planning Commission and all applicable permits have been acquired.

Whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the Owner shall apply for and secure approval of such proposed subdivision in accordance with the following procedures:

- A. The preparation and submission to the Planning Commission of a Preliminary Plat of the proposed subdivision.
- B. The preparation and submission to the Planning Commission of a Final Plat, with required certificates. This Final Plat becomes the document to be recorded in the office of Judge of Probate, Baldwin County, when duly signed by the chairman of the Planning Commission and by the Town Clerk.

At the time of submission of the Preliminary Plat, the Owner shall pay to the Planning Commission a fee in accordance with the fee schedule shown in Table 1. Said fee shall be used to partially defray the cost of filing the application, notifying interested parties, investigation, and holding a public hearing on the Preliminary Plat.

#### 4.1 Preliminary Plat

- A. Application Procedure. Before preparing the Preliminary Plat for a subdivision, the Owner should discuss with the Building Official the procedure for adoption of a subdivision plat and the design requirements. The Building Official will determine if Construction Plans are required in the Preliminary Plat submittal.

The application for approval of a Preliminary Plat shall be made on a form available from the Town Clerk (See Appendix A).

The application, including five (5) prints of the Proposed Plat including one (1) 11”X17” or smaller copy as scale allows, one (1) set of Construction Plans (if required) and an electronic copy of the Proposed Plat and Construction Plans in PDF format, shall be submitted at least thirty (30) days prior to the Commission's regularly scheduled meeting. The Preliminary Plat fee

shall be due and payable upon submission of the Preliminary Plat.

The Building Official, prior to approval of the plat by the Planning Commission, shall transmit prints of the Proposed Plat and Construction Plans to agencies, departments and other entities that he deems appropriate for review and recommendations. Said agencies shall submit their comments to the Planning Commission no later than 3 days prior to the public hearing.

A public hearing shall be held at the regularly scheduled Planning Commission meeting. Such hearing shall be advertised in the same manner as that adopted procedure utilized by the Planning Commission for rezoning applications.

- B. Review and Approval. The Planning Commission shall approve, subject to modifications, or disapprove the Preliminary Plat within 30 days.

The recommendations of the Building Official, Fire Chief, and any other applicable Town or County official and any other governmental agency concerning the Preliminary Plat shall be reviewed by the Planning Commission before action is taken.

Three copies of the Proposed Plat shall be retained by the Building Official for the official Planning Commission files and two (2) copies shall be returned to the subdivider with the date of approval, approval with modifications, or disapproval and the reasons therefore accompanying the plat.

The approval of a Preliminary Plat shall be effective for a period of one (1) year at the end of which final approval on the subdivision must have been obtained from the Planning Commission. Any plat not receiving final approval within the period of time set forth herein shall be null and void, and the Owner shall be required to resubmit a new plat for preliminary approval subject to all new zoning restrictions and subdivision regulations. Upon written request by the Owner, the Planning Commission may extend the original Preliminary Plat approval for a period of two (2) additional years.

- C. Submittal Contents. The Preliminary Plat submittal shall contain the Proposed Plat and Construction Plans (if required), which shall meet the minimum standards of design and the general requirements for the construction of public improvements set forth in these regulations, and shall contain as a minimum requirement the following information:

Proposed Plat

1. A map of the proposed subdivision at a scale no smaller than one inch equals two hundred (200) feet and include graphic scale and north arrow. The map shall be prepared and certified by a land surveyor registered in the State of Alabama.
2. Vicinity Sketch Map at a scale no smaller than one inch equals two thousand (2,000) feet showing location of the subdivision in relation to the existing street

system and the corporate limits of Loxley, including pertinent Town facilities (shopping areas, schools, parks, hospitals, churches).

3. Name of subdivision
4. Lot numbers in numerical order for all lots.
5. Names, addresses and telephone numbers of owner(s) and person(s) responsible for subdivision design, including mortgagors.
6. Metes and Bounds legal description of the property boundary including section, township and range.
7. Amount of acreage to be subdivided.
8. Topography at contour intervals no greater than two feet and based on U.S.G.S. datum.
9. Dimensions to the nearest one-hundredth of one foot, bearings of all angles to the nearest one second, and location which can be reproduced on the ground for the following information.
  - a. Lot lines
  - b. Boundary lines
  - c. Block lines
  - d. Building setback lines
  - e. Street lines
  - f. Alley lines if present
10. The location, dimensions and areas in square feet of all existing and proposed lots, including lot and block numbers.
11. Names and locations of all existing and proposed streets within the subdivisions and adjacent to it including dimensions and curve data.
12. Location of and widths of all existing and proposed street rights-of-way within the subdivision.
13. Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) information including locations of designated flood zones or special flood hazard areas, FIRM map numbers and revision dates.
14. All wetland areas, lakes, ponds, or other waterways.
15. The names, locations, purposes, widths, and other dimensions of proposed alleys, easements, parks and other open spaces, reservations, lot lines, and building lines. In the event that the open space is intended for use other than



conservation or preservations it shall be identified and noted as such. A natural sight-proof buffer of not less than 25-feet shall be provided for adjacent residential areas.

16. Location, width and purpose of all utility and other easements.
17. If the proposed subdivision does not lie within the force and effect of the Loxley Zoning Ordinance, the Preliminary Plat shall be accompanied by a plan indicating the proposed use of the lots.
18. Certificate of the State and/or County Health Department indicating their approval when the proposed subdivision is not served by municipal sewer facilities.
19. Certificate of approval from the State and/or County Health Department where individual wells are proposed for each lot.
20. Certificate of approval from each provider of the Electric, Water, Sanitary Sewer, Telecommunications, Gas and any other interested Municipal, County or State Departments if applicable.
21. If any portion of the land of the proposed subdivision is subject to inundation by storm drainage, overflow, or ponding of local storm water, such fact and portion shall be clearly shown and identified.
22. The existing zoning classification of the subdivision and all contiguous land.
23. The seal, signature, and registration number of the professional land surveyor responsible for the plat.

#### Construction Plans

1. Construction Plans shall be prepared in accordance with the requirements in Article Five of these regulations, but shall contain as a minimum the following plan sheets:
  - a. Street Plans Containing all of the following information:
    - i. Location of all proposed and existing streets or rights-of-way in or adjacent to the subdivision;
    - ii. Width of existing and proposed rights-of-way and easements;
    - iii. Road number/names;
    - iv. 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 (10) feet vertical;

- v. Cross sections of proposed streets at a minimum of fifty foot (50') stations or as required by the Building official;
  - vi. Curve Data for the centerline of each street: Delta, Tangent, and Radius;
  - vii. Location of all required sidewalks and crosswalks;
  - viii. Location of all proposed utilities;
- b. Storm Drainage Plan containing all of the following information:
- i. Location of proposed drainage ways, streams, and ponds in the subdivision;
  - ii. Topography at suitable contour intervals, as approved by the Building Official, to show proposed drainage;
  - iii. Location, size, and invert elevations of proposed drainage structures including culverts, bridges, pipes, drop inlets, and top elevations of head walls, etc. showing details on Drainage Plan;
  - iv. Construction details of typical manholes, connections, and other drainage structures proposed;
  - v. Area of land contributing run-off to each drainage structure along with run-off calculations and applicable coefficients depending upon method used [i.e. Rational Method: runoff coefficient (c), rainfall intensity (i), catchment area (a), and the discharge at the structure (Q)];
  - vi. Location of easements and rights-of-way for drainage ways and maintenance access thereof;
  - vii. Typical cross-sections of each drainage way;
  - viii. Direction of water flow throughout subdivision and compatibility with existing drainage.
- c. 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.

- d. Water Distribution Plan containing the location and size of water distribution system including pipes, valves, fittings, hydrants, high-pressure pumping equipment, etc.
- e. Traffic Control Plan (for construction activities).
- f. Landscaping and Lighting Plan if proposed.
- g. Where required by the Building Official, a comprehensive traffic analysis, indicating the probable effect of the proposed development on traffic patterns and capacities of adjacent streets in the immediate area.
- h. The seal, signature, and registration number of the professional engineer responsible for the design.

#### 4.2 Final Plat

- A. Application Procedure. The application for approval of a Final Plat shall be made on a form available from the Town (See Appendix A) and, if applicable, shall be accompanied by a certification form that all roadways and other improvements have been constructed according to these regulations (See Appendix E).

The Final Plat shall conform substantially to the Preliminary Plat as approved; and, if desired by the Owner, approval may be phased; provided, however, that each phase conforms to all of the requirements of these regulations.

At least seven (7) days prior to the meeting at which it is to be considered, the Owner shall submit the original drawing of the plat, along with four (4) copies, together with any street profiles or other plans which may be required by the Planning Commission.

The plat shall be drawn to a scale of not more than one (1) inch equals Two hundred (200) feet, on sheets not larger than twenty-four (24) by thirty-six (36) inches. When more than one (1) sheet is required, an index sheet of the same size shall be filed as a key, showing the entire subdivision, with the sheets in alphabetical order.

- B. Review and Approval. The recommendations of the Building Official and any other applicable Town or County official concerning the Preliminary Plat shall be reviewed by the Planning Commission before action is taken. Before recording the Final Plat of all or part of a proposed subdivision, the Planning Commission will require certification by the Building Official to the effect that all of the improvements required herein have been completed to his satisfaction and in accordance with the approved Preliminary Plat and these regulations; or that the Owners of the subdivision have furnished a satisfactory Performance Bond guaranteeing the installation of the improvements within the time specified in the Bond by the Building Official.

The Planning Commission shall approve or disapprove the Final Plat within thirty (30) Days after the date of the Final Plat submittal.

If the Final Plat is disapproved, the reasons therefore shall be stated in the official minutes of the Planning Commission.

If the Final Plat is approved, a certificate of Planning Commission approval, which shall be provided on the Final Plat, (See Appendix B), shall be signed by the duly authorized representative of the Planning Commission.

The following certifications in accordance with wording contained in Appendix B, shall be provided on the Final Plat:

1. Certification that the Owner is the legal owner of the land.
  2. Certification of formal irrevocable offer of formal dedication of streets, rights-of-ways and other sites for public use.
  3. Certification by the Owner's Surveyor of the accuracy of the plat, and of the placement of all required monuments. The Owners shall join in this certification.
  4. Certification of approval of the Health Department concerning sewage disposal and water system installation, if applicable.
  5. Certification by the Building Official and Town Clerk that the Owner has complied with one of the following:
    - a. Installed all improvements according to these regulations.
    - b. Posted a performance bond in an amount sufficient to assure the completion of all required improvements.
  6. Certification of approval to be signed by the Chairman of the Planning Commission and Town Clerk.
  7. Certification for recording by the Probate Judge.
  8. Certifications by all applicable utilities. In the event that utilities are provided by the Town, proof that all required impact fees due the Town have been paid.
  9. Certification from the Baldwin County Emergency Communication District ("E-911 Board") approving street names.
- C. Recording. After approval by the Planning Commission, the Town will sign all five (5) copies of the Final Plat. Four (4) of these will be returned to the Owner who shall have the same recorded in the office of the Baldwin County.

Probate Judge. The Probate Office will keep two (2) copies for the recording and properly stamp the other two (2) copies, showing book and page number of said recording. The Owner shall return two (2) of the stamped copies of the Final Plat to the office of the Planning Commission. One of the copies he retains shall be the original. The Owner shall pay all recording costs.

D. Contents. The Final Plat shall contain all of the information required in the proposed plat and the following additional items:

1. Name and locations of adjoining subdivisions, along with record owners of unplatted property.
2. Location and description of all monuments for lot and right-of-way boundaries.
3. The purpose for which sites are dedicated or reserved, it being understood that any reservations of areas shall be subject to the proper zoning, if applicable.
4. The minimum building setback line on all lots and other sites in those areas subject to the Loxley Zoning Ordinance.
5. The various certifications as required herein above.

E. Two (2) paper sets and one (1) electronic copy in PDF format of as-built construction plans are required and shall contain the following information in addition to previously stated construction plan requirements:

- a. Reflect actual locations, dimensions, or other physical data that resulted from the construction of the subdivision. Such data shall include pipe inverts, centerline elevations of roadway, utility locations referenced to permanent monuments, lateral locations, and any deviations from the construction plans submitted as part of the Preliminary Plat submittal.
- b. Reflect that lot grading conforms with grading and drainage plan.

F. Restrictive Covenants that apply to the subdivision shall be submitted with the Final Plat.

G. Approval of the final plat by the Planning Commission shall not constitute acceptance by the Town of the dedication of any roadways or streets for maintenance. In the event that Owner desires to have the roadways or streets accepted for maintenance by the Town, then Owner shall comply with the procedures set forth in Appendix F: Acceptance of Roadways and Streets for Town Maintenance.

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TABLE I  
SUBDIVISION FEES

Preliminary and Final Plat:

| <u>DESCRIPTION</u>            | <u>Fees</u>  |
|-------------------------------|--|
| Preliminary Plat Application  | \$250.00   |
| Fee per lot                   | \$ 30.00   |
| Amendments                    | \$ 50.00   |
| <br>                          |  |
| Final Plat Application        | \$150.00   |
| Fee per lot                   | \$ 30.00   |
| Road Fee                      | \$ 0.75 per linear foot of roadway to be constructed |
| Materials Testing Fees        | Current Rate   |
| Advertisement and mailing fee | Current Rate   |

Requirements:

1. Checks shall be made payable to the Town of Loxley.
2. Remittance of subdivision fee is due and payable upon submission of the Preliminary Plat.
3. Each filing of a Preliminary Plat, regardless of the fact that the same plat has been previously submitted, shall be subject to the same fee structure as specified above.
4. Fees for re-subdivision and re-plats will be the same as if the property had never been replatted.
5. If the Final Plat contains a greater number of lots than the Preliminary Plat, the Owner shall submit payment for the additional number of lots at the time the Final Plat is submitted at the rate where the additional lots commence above the preliminary submission.
6. If the Final Plat contains a lesser number of lots than the Preliminary Plat, no reduction in the fee shall occur.

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## ARTICLE FIVE

### GENERAL REQUIREMENTS AND MINIMUM DESIGN STANDARDS

#### 5.0 General

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

#### 5.1 Land Development Intensity and Density Regulations

In keeping with Section 11-52-30 of the Code of Alabama the single family residential developments in the unincorporated extraterritorial jurisdiction shall adhere to the following density requirements:

Land located in the extraterritorial jurisdiction shall be developed using the density of not more than two housing units per acres. No lot shall be less than 9,500 square feet and have less than a 75 foot width at front building line.

#### 5.2 Streets

##### A. General

1. The arrangement, character, extent, location, and grade of all streets shall conform, when reasonable, to a plan with good land planning principles and shall be integrated with all existing and planned streets. Land abutting a proposed subdivision shall not be land-locked by the proposed subdivision.
2. Assurance that the provisions of the latest Alabama Manual on Uniform Traffic Control Devices for Streets and Highways will be adhered to during construction.
3. The proposed street system shall be coordinated with the street system of the surrounding area. However, the number of streets converging upon any one point which would tend to promote congestion shall be held to a minimum. Creation of multiple street intersections shall not be permitted. The street pattern shall be in conformity with a plan for the most advantageous

development of the entire community.

4. In addition, if in the opinion of the Planning Commission, it is desirable to provide street access to an adjoining property, said street shall extend by dedication to the boundary of such property. A temporary turn-around, as defined in design standards for street cul-de-sac, shall be provided. Local streets shall be so laid out that their use by through traffic in the subdivision will be discouraged.
5. Subdivisions which abut or have included within the proposed area to be subdivided any arterial streets shall provide for the adequate protection of properties, and afford separation of through and local traffic.
6. Intersections of minor subdivision streets with major and arterial streets shall be held to a minimum.

B. Street Plan

1. All streets shall be designed along contour elevations which will result in minimum grades and greatest visibility whenever practicable with consideration given to the anticipated use of the land. Grades of streets shall conform as closely as possible to the original topography.
2. The proposed street layout shall be made according to sound land planning principles for the type of development proposed.
3. Local and collector streets shall be laid out to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.
4. Existing streets and right-of-way which are proposed to be retained shall be incorporated into the street system so as not to cause hazardous conditions.
5. Proposed streets shall be extended to the boundary line of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Building Official and Planning Commission such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.
6. Where a proposed subdivision has no frontage on an existing public road or public right-of-way, the Owner must provide a suitable public right-of-way for ingress and egress of at least sixty (60) feet in width. This connecting road becomes a part of the street system of the proposed subdivision and is subject to all regulations regarding streets.

7. The arrangement of streets shall provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, or for efficient provision of utilities. If the adjacent property is redeveloped and the street must be a dead-end street temporarily, the right-of-way shall be extended to the property line. A temporary T and L shaped turnabout shall be provided on all temporary dead-end streets, with notation on the subdivision plat that land outside the normal street right-of-way shall revert to abutters whenever the street is continued. The Planning Commission may limit the length of temporary dead-end streets in accordance with the design standards of these regulations.
8. When a road does not extend to the boundary of the subdivision and its continuation is not required by the Planning Commission for access to adjoining property, its terminus shall normally not be nearer to such boundary than fifty (50) feet. However, the Planning Commission may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic or utilities. A cul-de-sac turnaround shall be provided at the end of a permanent dead-end street in accordance with the design standards of these regulations. For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall be limited to 1320 feet in length.
9. Streets shall be laid out so as to intersect as nearly as possible at right angles and in no case at an angle of less than 75 degrees. Property lines at street intersections shall be rounded with a radius of thirty (30) feet. The Town will permit comparable cut-offs or chords in lieu of rounded corners.
10. Intersections involving more than four (4) basic street legs or approaches shall be prohibited. Merging lanes, deceleration lanes, "Y" intersections, and traffic circles are not included in this prohibition but are considered as being parts of one street leg or approach.
11. Opposing intersections shall be placed opposite each other where practical or placed at a minimum of 125 feet apart, except, where the intersected street has separated dual drives without median breaks at either intersection.
12. Minimum curb radius at all intersections shall be at least thirty (30) feet unless a different figure is expressly approved by the Town Engineer because of special topographical consideration or sound engineering practices.

C. Horizontal and Vertical Alignment

1. Grades of all roads shall comply with accepted engineering practice. Road grades shall not exceed eight (8) percent or be less than a half percent (0.5). The Planning Commission may permit some variation for these grade requirements if such variation would not adversely affect the safety and general welfare of the public. Grades of major collector and arterial streets shall not exceed five (5) percent.
2. Grades approaching intersections shall not exceed three (3) percent grade for a distance of not less than fifty (50) feet from the center line of said intersection.
3. Roads shall be graded to a minimum line of seven (7) feet back of the curb line with a slope of 1/2 inch per foot.
4. All roads shall be crowned in the center and have a minimum 1/4 inch per foot slope.
5. Vertical curves shall be used at all changes of grade exceeding one percent and shall be designed with equal tangents in order to avoid hazardous profiles.
6. Minimum radii of horizontal curves shall not be less than 400 feet on Arterial Streets, 200 feet on Collector Streets, and 100 feet on local streets. There shall be a tangent of 100 feet provided between all reverse curves on Arterial and Collector Streets and fifty (50) feet on local streets.
7. Intersections should be planned and located to provide as much sight distance as possible. In achieving a safe, highway design, as a minimum, there should be sufficient sight distance for the driver on the local or collector street to cross an arterial without requiring approaching traffic to reduce speed.
8. Adequate sight distance shall be provided at all intersections. For Average Daily Traffic (ADT) less than 2500, the Alabama Department of Transportation's (ALDOT) "County Road Design Policy" shall be used. 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.

D. Rights-of-Way

1. Where a subdivision abuts on or contains an existing or proposed arterial street or expressway, the Planning Commission may recommend marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with rear service alleys or such other treatment as may be necessary for adequate protection of

residential properties and to afford separation of through and local traffic.

2. Reserve strips controlling access streets shall be prohibited except where their control is given to the Town.
3. The Planning Commission shall determine the classification of Town streets.

Minimum widths of rights-of-way are as follows:

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

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

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

E. Pavement and Street Section

1. Streets shall be graded to a minimum line of seven (7) feet back of the curb line with a rise of not less than eight (8) inches or more than fifteen (15) inches from the flow line of the gutter.
2. After the roadway is cleared and graded to subgrade, the subgrade shall be processed and compacted for a minimum depth of six (6) inches at a minimum density of 95% standard proctor. Greater depths may be required by the Building Official, depending on existing subgrade conditions and future traffic projections. The total width of compacted subgrade shall extend one (1) foot beyond the back of curb on each side of the pavement.
3. After the subgrade is tested and accepted, a minimum of six (6) inches of compacted aggregate base material or eight (8) inches of sand clay shall be placed at a minimum density of 100% standard proctor. The base material shall be in accordance with the Alabama Department of Transportation (ALDOT) Specifications, Section 820. The base width shall be at least six

(6) inches beyond each back of curb.

4. All testing shall be conducted by an independent testing laboratory selected and under contract by the Town of Loxley. Copies of all test reports are to be provided to the Building Official before additional construction occurs. No further construction shall be allowed until the subgrade and base are accepted.
5. The accepted, compacted base shall be saturated to its full width with a bituminous treatment A (prime) coat applied in accordance with ALDOT Section 401.
6. The asphalt base course shall be a minimum of two (2) inches, compacted thickness of Bituminous Concrete Binder, ALDOT Section 424-B. The minimum application rate shall be 220 pounds per square yard.
7. At the end of the maintenance period described in Appendix F, the Binder shall be saturated to its full width with a tack coat applied in accordance with ALDOT Section 405.
8. The final asphalt layer shall be placed at the end of the maintenance period described in Appendix F and shall be a minimum of one (1) inch compacted thickness of Bituminous Concrete Wearing Surface, Bituminous Concrete Wearing Surface, ALDOT Section 424-A. The application rate shall be 110 pounds per square yard of asphalt.
9. Based upon expected use or other special consideration, the Building Official may require additional thickness of base, asphalt base or wearing surface. The Owner shall follow the requirements of the Building Official in such cases.
10. Combination curb and gutter or valley gutters shall be constructed of concrete on each side of all streets.
11. The minimum pavement widths back of curb to back of curb for the various classifications of streets shall be as follows; unless specified otherwise on the Major Thoroughfare Plan:

| <u>Street Classifications</u>     | <u>Minimum Pavement Width</u> |
|-----------------------------------|-------------------------------|
| Alley                             | 12 feet                       |
| Local                             | 22 feet                       |
| Collector                         | 24 feet                       |
| Arterial or Commercial/Industrial | 40 feet                       |
| Cul-de-sac (radius)               | 35 feet                       |

12. The Owner may be allowed to use an alternate paving material, such as portland cement concrete. He shall submit the paving design, a typical

section, and a formal request to use the design to the Building Official. The alternate pavement shall have at least the design life and capacity as the standard paving structure.

13. The Owner shall not be required to pave any existing major arterial street. Additional right-of-way, pavement width or pavement may be required to promote public safety and convenience, or to ensure adequate access, circulation and parking in high-density residential, commercial or industrial areas, but no additional right-of-way or paving shall be required from an Owner in connection with existing streets or highways which meet the above standards. Where a subdivision abuts on or contains an existing street of inadequate right-of-way width, additional right-of-way in conformity with the above standards shall be required for new subdivision. In the event additional right-of-way is required, the Owner shall acquire same for dedication to the Town.
14. The Owner is responsible for any and all damage that occurs to existing Town of Loxley streets or other existing Town improvements during the construction of improvements and shall repair any such damages to the satisfaction of the Building Official.
15. The Owner shall create a construction entrance for all construction vehicles to access the subdivision during all phases of roadway and building construction. The proposed location of the construction entrance shall be submitted to and approved by the Planning Commission prior to the start of construction. In the event that a construction entrance is not feasible or is cost prohibitive, the Planning Commission may consider alternative proposals to limit construction vehicle damage to existing or proposed subdivision streets.
16. A sidewalk shall be constructed on both sides of local, collector, and commercial streets. Sidewalks shall be a minimum of four (4) feet wide in residential and seven (7) feet wide in commercial areas. The cross-section for a sidewalk shall be in accordance with the Town's standard details. All sidewalks shall adhere to current ADA guidelines and ALDOT guidelines for construction. If the Owner desires not to construct sidewalks prior to Final Plat submittal, then an acceptable performance bond or surety in the amount of one hundred and fifty percent (150%) of the cost of the sidewalks shall be provided to the Town.

### 5.3 Storm Drainage and Erosion Control

#### A. General

1. Drainage and grading plans shall be made for each 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. If on-site storm water detention measures are required or planned, a plan shall be developed and submitted setting forth the maintenance requirements for the facility as well as the party that will be responsible for performing the maintenance.

2. The Town of Loxley will not accept for maintenance any drainage structures located outside of roadways and streets it accepts for maintenance.
3. The storm and sanitary sewer plans shall be worked out prior to the development of the other utility plans. Engineering considerations shall give preferential treatment to these gravity flow improvements, as opposed to other utilities and improvements. Off-premises drainage easements and improvements may be required to handle the run-off of subdivisions into a natural drainage channel. But under no condition shall storm drainage be emptied into the sanitary sewer system - or vice versa.
4. The Planning Commission may require whatever additional engineering information it deems necessary to make a decision on subdivisions and other development which contains an area of questionable drainage.
5. The Town of Loxley will not approve development of one site that causes adverse effect on adjacent property. In some cases, storm water retention or improvement of existing downstream drainage facilities may be required. The applicant is urged to contact the Building Official for a preliminary discussion on this matter prior to plan submittal.
6. Drainage area and peak flow estimates must be provided for each drainage facility, as well as profiles for all new storm sewers and open ditches, with outlet velocities. Structural capabilities for all new culverts and storm sewer pipes shall be provided.

Any new culvert or storm sewer pipe under the jurisdiction of the Alabama Department of Transportation or the Baldwin Engineering Department shall be approved by that authority. Copies of this approval shall be provided at the time of submittal of the Preliminary Plat.

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

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

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



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

B. Design Requirements

1. Storm drainage facilities shall be provided in each subdivision. They shall be designed to carry not less than the storm water from a maximum projected rainfall to occur once in twenty-five (25) years, with run-off factor of 90% for pavements and buildings and a variable run-off factor depending on the topography of the ground for other areas. All drainage facilities and appurtenances shall meet the specifications for street paving and storm sewer as set forth by the Planning Commission. The Planning Commission may require a more restrictive design (i.e., 50 or 100 year design) for such facilities as major drainage ways. Design calculations shall be based on future probable development of the entire drainage area to be served or developed.
2. Storm water detention shall be required unless otherwise approved by the Planning Commission. All stormwater detention structures must attenuate the post-development peak flow rates from the 2-year, 5-year, 10-year, 25-year, 50-year, and 100-year 24-hour design storms to release a graduated discharge at or below pre-development peak rates.
3. Water will not be permitted to run down the street more than 500 feet without proper drainage structures to intercept surface water.
4. If outlet velocities are greater than five (5) feet per second, some type of energy dissipation will be required. If rip-rap is used, the minimum weight shall be 50 pounds per stone.
5. All roadways cross drain pipe shall be reinforced concrete pipe and shall be a minimum size of 15 inches and all side drainage pipes shall be a minimum size of 15 inches.
6. All off-project drainage, draining onto the subdivision, shall be shown on contour maps showing the areas in acres that the subdivision will have to accommodate.
7. A minimum velocity of two (2) feet per second shall be maintained in all drainage ways, and scouring velocities shall be considered in the design of natural swales and ditches.

C. Drainage Easements

1. Where a subdivision is traversed by an existing or proposed watercourse,

drainage way, channel or stream, there shall be provided a storm drainage easement or right-of-way conforming substantially with the lines of such existing or planned drainage way. The width of such drainage easement or right-of-way shall be sufficient to contain the ultimate channel and maintenance way for the tributary area upstream and shall be approved by the Planning Commission. No fences, buildings or other improvements may be constructed within drainage easements.

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

D. Construction Requirements and Erosion Protection

1. The Owner shall have all drainage structures and facilities constructed in accordance with the Owner's Engineer's details and specifications and as approved by the Planning Commission.
2. Before construction of drainage facilities, the Building Official shall be notified no less than 24 hours in advance of any phase of operation to be started.
  - a. No drainage structure will be covered up until approval is given by the Building Official.
3. Storm sewers and drainage ways shall be installed to the grades and elevations shown on plans which have been reviewed and approved by the Planning Commission. Such plans shall bear the signature of the Owner's Engineer.
4. Wherever possible, storm water shall be conveyed in closed conduit manufactured of materials acceptable to the Planning Commission. Where open channels are used for drainage ways, the channel shall be concrete-lined. No natural-lined channels will be allowed unless specifically approved by the Planning Commission. Design notes, construction techniques and other considerations shall be submitted to the Planning Commission for review.
5. An erosion and sedimentation control plan shall be a part of the construction plans and filed with the Town of Loxley prior to the commencement of any land-distributing activity. Determination of the requirement for an erosion

and sedimentation control plan shall be made by the Planning Commission.

6. Whenever there is a conflict between federal, state or local laws, ordinances, rules and regulations, orders, and decrees, the more restrictive provision shall apply.
7. Erosion and sedimentation control measures, structures, and devices shall be so planned, designed and constructed as to provide control from the calculated peak rates of run-off from a ten-year frequency storm. Run-off rates may be calculated using the procedures in the USDA, Soil Conservation Service's "National Engineering Field Manual for Conservation Practices," or other accepted calculation procedures. Run-off computations shall be based on rainfall data published by the National Weather Service for the area.
8. Temporary access and haul roads, other than public roads, constructed or used in connection with any land-disturbing activity shall be considered a part of such activity.
9. Land-disturbing activity in connection with construction, in, on, over, or under a lake or natural watercourse shall be planned and conducted in such a manner as to minimize the extent and duration of disturbance of the stream channel. The relation of a stream, where relocation is an essential part of the proposed activity shall be planned and executed so as to minimize changes in the stream flow characteristics, except when justification for significant alterations to flow characteristics is provided.
10. The person engaged in or conducting the land-disturbing activity shall be responsible for maintaining all temporary and permanent erosion and sedimentation measures and facilities during the development of a site. The responsibility for maintaining all permanent erosion and sedimentation control measures and facilities, after site development is completed, shall lie with the landowner, until such time adequate vegetative cover and site stabilization is achieved as determined by the Building Official.
11. Persons engaged in planning, installing, and maintaining sedimentation control measures may use generally accepted references on the subject following standard engineering and/or agricultural practices. All plans will be subject to review by the Planning Commission.
12. Whenever the Planning Commission or Building Official determines that significant sedimentation is occurring as a result of a land-disturbing activity, despite application and maintenance of protective practices, the person conducting the land-disturbing activity or the person responsible for maintenance will be required to take additional protective action.

## 5.4 Water Distribution and Sanitary Sewer

### A. General

1. Water and sanitary sewer systems shall be provided by the Owner in each subdivision and the Town of Loxley's central water and sanitary sewer systems shall be used if the Planning Commission determines that these facilities are reasonably accessible. If the development is located in an area where these systems are not reasonably accessible, alternate methods of water supply and sewage disposal must be used. Such systems must meet all applicable public health regulations and maintain the Town's current fire rating. Installation of the facilities shall be in accordance with the specifications and requirements of the Town.
2. Utility installation across or in roadways should occur prior to any roadbed processing of the subgrade. Once asphalt is placed, it should not be open cut without written permission of the Town of Loxley. Any utility or other improvement desiring to cross the roadway after asphalt placement should go over the roadway or bore under the roadway.

### B. Water System

1. The water distribution system shall be sized based on specifications of the Town of Loxley and be of suitable size and capacity to accommodate the required placement of fire hydrants per ISO Regulations.
2. Water mains and fire hydrants shall be installed as necessary to prevent the future cutting of the pavement of any street, sidewalk or other public improvement.
3. Plans and Specifications shall be prepared by a Registered Engineer licensed in the State of Alabama. Specifications shall be in accordance with the Town of Loxley requirements. Pipe materials, meter and connection types, and brands shall conform to Town of Loxley criteria.
4. Upon completion of the project, the Owner shall furnish the Building Official with two (2) sets of as-built drawings showing lateral locations and water main offsets from a permanent reference datum, which is either the curb line or the front lot line.
5. All costs for installation of the water distribution system and appurtenances shall be borne by the Owner. Where the Owner is required to install larger lines of facilities than necessary to serve his development in order to provide for future development, the difference in costs between installing

facilities adequate for the subdivision and the oversize lines shall be negotiated.

6. All service taps shall be made, service line shall be installed to the property line and referenced, and the full number of meters and boxes for the subdivision shall be delivered to the Town of Loxley at its warehouse. If building permits are issued before the Owner completes the project, the Owner shall request meters and boxes and install same at his own expense. For the remaining lots, the Town of Loxley shall install meters and boxes for a fee established by Loxley as building permits are issued. For any and all lots, no Certificates of Occupancy shall be issued before and until the meter and box are installed and the fee paid.

C. Sanitary Sewer System

1. Sanitary sewers shall be installed in each subdivision as approved by the Town of Loxley. In the absence of available public sewer lines, septic tanks may be permitted upon approval by the Health Department.
2. Lot size shall not be less than the minimum standard and of satisfactory size for the proper installation of an on-site sewerage disposal system if required by the Health Department. No building permit shall be issued until written approval has been given by the Health Department.
3. The sanitary sewer system shall be separate and independent of any storm water drainage system.
4. Sanitary sewers and laterals shall be installed as necessary to prevent the future cutting of the pavement of any street, sidewalk or other public improvement.
5. Sanitary sewers shall be laid in all streets, service connections installed to property lines, and connections made to trunk line sewers. The cost of the public sanitary sewer system shall be borne by the Owner.
6. Two (2) copies of the sewer plan, designed by a registered engineer licensed in the State of Alabama and showing the proposed sewer plan and profile, shall be submitted to and approved by the Building Official prior to beginning installation of the sewer system. The plan shall be prepared from an actual engineering survey and shall include the following information and data:
  - a. Station at each manhole.
  - b. Property or lot lines and present owners if sewer is on private property.

- c. Lot and block number.
  - d. Invert elevation at each manhole.
  - e. Grade of sewer between manholes expressed in percent.
  - f. Bench mark elevation and description at least each one thousand (1,000) linear feet along sewer line. Whenever possible, U.S.G.S. data shall be used.
7. Upon completion of the project, the Owner shall supply the Building Official with two (2) copies of the plan and profile drawing showing the sewer as-built with the exact location of each service connection (stub-out) indicated.

D. Construction

1. A qualified general contractor shall be employed by the Owner to install the water and sewer lines. The installation shall be done under the inspection of the Building Official and shall conform exactly to the approved plans and specifications with no exception unless approved in writing by the same. At the Town's option, a professional representative may inspect the work.

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

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

E. Easements

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

5.5 Other Utilities

Utility installation across or in roadways should occur prior to any roadbed processing of the subgrade. Once asphalt is placed, it should not be open cut without written permission of the Town of Loxley. Any utility or other improvement desiring to cross the roadway after asphalt placement should go over the roadway or bore under the roadway.

A. General

The Owner shall be responsible for coordinating with the power, phone, gas, and other utilities to provide service for the subdivision, and shall pay any and all fees, service charges, or other costs levied by the utilities and associated with the installation of same. Street lights may be required by the Planning Commission but shall not be accepted by the Town for maintenance.

B. Construction

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

C. Easements

Utility easements shall be platted as required.

5.6 Inspection and Testing

A. General

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

B. Testing

1. The Building Official shall determine which tests shall be scheduled and performed. The tests normally consist of, but are not limited to: gradation; moisture; compaction; and asphalt analysis of road building materials. The Owner, or his designee, shall notify the Building Official, or his designee, twenty-four (24) hours prior to any required tests.
2. All testing shall be conducted by an independent testing laboratory selected and under contract by the Town of Loxley. Copies of all test reports are to

be provided to the Building Official before additional construction occurs. In the event problems exist that require remedial actions or design, the Owner shall be required to submit appropriate engineering plans to the Building Official before construction will be allowed to proceed. All testing costs shall be reimbursed to the Town by the Owner before Final Plat approval is given or considered.

## 5.7 Streets, Lots, and Blocks

### A. Streets

1. Street names, subdivision names and apartment project names shall be sufficiently different in sound and in spelling from other street names in the Town so as not to cause confusion. The Building Official shall consult the Baldwin County Emergency Communication District (“E-911 Board”) before approval is given by the Planning Commission. Proposed streets obviously in alignment with existing and named streets shall bear the names of existing streets.
2. The Owner shall deposit with the Town at the time of Final Plat approval the sum of one hundred (\$100.00) dollars for each street sign required by the Town.
3. The Owner shall install all street signs before issuance of certificates of occupancy for any residences on the streets approved.
4. Applications for all new accesses to streets within the Town shall be made to the Building Official. The proposed location, width, drainage structure, traffic condition, sight distance and surfacing shall be included in the access application.
5. Entrances shall be located at points affording maximum sight distances and minimum grades. Entrances shall not be less than ten (10) feet nor more than twenty (20) feet in width, measured at the right-of-way line.

Entrances shall be located so that the curb openings are a minimum of five (5) feet from the nearest edge of a street drainage inlet and fifty (50) feet from the corner radius. More restrictive requirements may be required by the Building Official for commercial and industrial entrances.

6. Commercial and industrial entrances shall not be more than thirty-five (35) feet nor less than twenty-four (24) feet in width measured at the Right-of-Way line. The radius to increase the opening shall not be less than fifteen (15) but not more than twenty-five (25) feet. Larger radius to accommodate truck traffic may be required by the Building Official. The distance between openings shall be a minimum of one hundred fifty (150) feet and the distance from opening to corner radius shall be fifty (50) feet.



B. Lots

1. Lot dimensions shall conform to the most restrictive requirements of either the Zoning Ordinance or requirements of the Health Department if the subdivision is located within the corporate limits of the Town of Loxley. If the subdivision is not located in the corporate limits all residential lots shall comply with requirements of the Health Department as determined by the availability of particular utilities.
2. Where lots are more than double the minimum required area for the zoning district, the Planning Commission may require that such lots be arranged so as to allow further subdivision and opening of future streets where they would be necessary to serve such potential lots, all in compliance with the Zoning Ordinance and these Regulations. However, this provision does not guarantee that the Planning Commission will approve a future subdivision.
3. Side lot lines shall normally be at right angles to streets, except on curves where they shall be radial.
4. Additional depth may be required on lots which back up to major streets, or other conflicting land uses.
5. Where easements for public utilities, storm or sanitary sewers are contemplated, the lot lines shall be located in such manner as to facilitate the construction of such improvements and maintenance thereof.
6. Lot areas and widths shall meet or exceed minimum zoning and health requirements in the area in which the property is located.
7. Corner lots shall provide at least the same minimum setback on the side as required on the front by the zoning ordinance. Lot lines shall be substantially at right angles to the streets except on curves where they shall be radial. Where the distance between rear lot corners or double tiered lots would be less than ten (10) feet the radial lines shall be deviated so that the distance between rear lot corners will be a minimum of the ten (10) feet.
8. Double frontage and reverse frontage lots shall be avoided, except where essential to provide separation of residential development from traffic arteries, or to overcome specific disadvantages of topography and orientation.
9. All lots for detached houses shall abut a public street.
10. Where driveway access from an arterial street may be necessary for several adjoining lots, the Planning Commission may require that such lots be served by a combined access drive in order to limit the possible traffic hazard on such street.

11. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on arterial streets.
12. A monument shall be placed at all lot corners, and at all changes of direction of a public Right-of-Way, including the beginning and end of a curve or radius.
13. Monuments shall be of iron pipe not less than three-fourths (3/4) inches in diameter and 24 inches long, and driven so as to be flush with the finished grade.
14. All markers shall be established on the ground prior to approval of the Final Plat.
15. All markers shall be verified before issuance of a Certificate of Occupancy.

C. Blocks

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

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# APPENDICES

# APPENDIX A

# APPLICATION FORM FOR PRELIMINARY AND FINAL PLAT

Date \_\_\_\_\_

1. Name of Subdivision \_\_\_\_\_
2. Name of Applicant \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street Number and Name) (City) (State) (Zip Code)
3. Owner of Record \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street Number and Name) (City) (State) (Zip Code)
4. Engineer \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street Number and Name) (City) (State) (Zip Code)
5. Land Surveyor \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street Number and Name) (City) (State) (Zip Code)
6. Attorney \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street Number and Name) (City) (State) (Zip Code)
7. Subdivision Location \_\_\_\_\_  
\_\_\_\_\_
8. Total Acreage \_\_\_\_\_ Number of Lots \_\_\_\_\_
9. Legal Description of Subdivision \_\_\_\_\_  
\_\_\_\_\_
10. Record of Land: Deed Book \_\_\_\_\_ Page \_\_\_\_\_
11. Has the Loxley Board of Adjustments granted variance, exception, or special permit concerning this property? \_\_\_\_\_  
If so, list Case Number, and Name \_\_\_\_\_  
\_\_\_\_\_
12. List all land proposed to be subdivided \_\_\_\_\_  
\_\_\_\_\_
13. Attach five copies of the proposed vicinity sketch map and preliminary sketch plan or final plat.
14. Attach a list with the names and mailing addresses of all adjacent property owners as the same appears on the most recent tax records at the Baldwin County Courthouse.
15. I, \_\_\_\_\_, hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

Signature \_\_\_\_\_

Title \_\_\_\_\_

Mailing Address \_\_\_\_\_

# APPLICATION FORM FOR SITE PLAN APPROVAL

Date \_\_\_\_\_

1. Name of Site \_\_\_\_\_
2. Name of Applicant \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street Number and Name) (City) (State) (Zip Code)
3. Owner of Record \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street Number and Name) (City) (State) (Zip Code)
4. Engineer \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street Number and Name) (City) (State) (Zip Code)
5. Land Surveyor \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street Number and Name) (City) (State) (Zip Code)
6. Attorney \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street Number and Name) (City) (State) (Zip Code)
7. Subdivision Location \_\_\_\_\_  
\_\_\_\_\_
8. Total Acreage \_\_\_\_\_ Number of Lots \_\_\_\_\_
9. Legal Description of Subdivision \_\_\_\_\_  
\_\_\_\_\_
10. Record of Land: Deed Book \_\_\_\_\_ Page \_\_\_\_\_
11. Has the Loxley Board of Adjustments granted variance, exception, or special permit concerning this property? \_\_\_\_\_  
If so, list Case Number, and Name \_\_\_\_\_  
\_\_\_\_\_
12. List all land proposed to be subdivided \_\_\_\_\_  
\_\_\_\_\_
13. Attach five copies of the proposed vicinity sketch map and preliminary sketch plan or final plat.
14. Attach a list with the names and mailing addresses of all adjacent property owners as the same appears on the most recent tax records at the Baldwin County Courthouse.
15. I, \_\_\_\_\_, hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

Signature \_\_\_\_\_

Title \_\_\_\_\_

Mailing Address \_\_\_\_\_

# APPENDIX B



## PRELIMINARY AND FINAL PLAT CERTIFICATION

The following statement shall be shown on each preliminary and final plat submitted for approval:

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

The undersigned, \_\_\_\_\_, Registered Land Surveyor, License No. \_\_\_\_\_, State of Alabama, and \_\_\_\_\_, owner(s), hereby certify that this plat or map was made pursuant to a survey made by said surveyor and that said survey and this plat or map were made at the instance of said owner, that this plat or map is a true and correct map of lands shown therein and known as \_\_\_\_\_ showing the subdivisions into which it is proposed to divide said lands, giving the length, and angles of the boundaries of each lot and its number, showing the streets, alleys, and public grounds, giving the length, width and name of each street, as well as the number of each lot and block, and showing the relations of the lands to the government survey; and that iron pins have been installed at all lot corners and curve points as shown and designated on said plat or map. Said owner also certifies that it is the owner of said lands and that the same are not subject to any mortgage, or that mortgages are held by \_\_\_\_\_, Mortgagee(s), who hereinunder join in this Certification.

Dated \_\_\_\_\_, 20\_\_.

(Executions and acknowledgments by Surveyor, Owner(s), and Mortgagee(s)).

Notary's acknowledgment of the Certificate shall be substantially in form, as follows:

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

I, \_\_\_\_\_, as Notary Public, in and for said County and State, do hereby certify that \_\_\_\_\_, whose name is signed to the foregoing certificate as a surveyor, and \_\_\_\_\_ whose name is signed to same as Owner(s) and \_\_\_\_\_, whose name is signed to same as Mortgagee(s) all of whom are known to me, acknowledged before me, on this date that after having been duly informed of the contents of said certificate, they executed same voluntarily as such individuals (or in any other capacities) with full authority therefor.

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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

(Seal)

**CERTIFICATION BY  
BALDWIN COUNTY DEPARTMENT OF PUBLIC  
HEALTH**

STATE OF ALABAMA

COUNTY OF BALDWIN

I, \_\_\_\_\_, do hereby certify that the plans and specifications of the required improvements covering a sanitary sewerage system and/or sewer lines and domestic water supply system and/or distribution lines have been examined by me and found to comply with the requirements as set forth in the regulations of the Alabama State Health Department; and are hereby APPROVED as shown.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
County Health Officer

# APPENDIX C

**CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER**

The undersigned, as County Engineer of Baldwin County, Alabama, hereby approves the within part for the recording of same in the Probate Office of Baldwin County, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
County Engineer

# APPENDIX D

## CERTIFICATE OF FINAL PLAT APPROVAL

I hereby certify that the subdivision plat for \_\_\_\_\_  
subdivision has been found to comply with the Subdivision Regulations of the Town of Loxley,  
Alabama, with the exception of such variances, if any, as are noted in the minutes of the Planning  
Commission and that it has been approved for recording in the Office of the Probate Judge of  
Baldwin County, Alabama.

\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chairman, Planning Commission

\_\_\_\_\_  
Building Official, Town of Loxley

\_\_\_\_\_  
Town Clerk, Town of Loxley

# APPENDIX E

## CONSTRUCTION CERTIFICATION

I hereby certify that all roadways and other improvements for \_\_\_\_\_ subdivision has been found to comply with the Subdivision Regulations of the Town of Loxley, Alabama, with the exception of such variances, if any, as are noted in the minutes of the meeting at which the subdivision was approved and that the subdivision has been constructed according to the standards set forth in The Town of Loxley Subdivision Regulations.

\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Professional Engineer



# APPENDIX F

## ACCEPTANCE OF ROADWAYS AND STREETS FOR TOWN MAINTENANCE

In the event Owner desires the Town to accept the roadways and streets for maintenance, Owner shall:

1. Complete all roadway and street improvements prior to submitting the Final Plat to the Planning Commission with the exception of installing the wearing surface.
2. Provide a Performance Bond covering one-hundred and fifty percent (150%) of the cost (all materials, labor, permits, etc.) to place a one hundred ten pounds per square yard (110 lb./sy.) wearing surface on all roadways and streets.
3. Agree to maintain the roadways and streets after the subdivision receives final approval for two (2) years or until such time as the structures contemplated to be built on the lots within the subdivision have been built on seventy percent (70%) of the lots, whichever occurs first. This time period shall be known as the Owners Maintenance Period.
4. Repair all damage to the roadways and streets and place the one hundred and ten pounds per square yard (110 lb./sy.) wearing surface on the roadways and streets to the satisfaction of the Town's Engineer at the end of the Owners Maintenance Period.
5. Provide the Town with a Maintenance Bond.
6. Submit a request in writing to the Building Official that owner desires the Town to accept the roadways and streets for maintenance.

Upon completion of all of the above, the Building Official may recommend to the Town Council that it accepts the roadways and streets and take over their perpetual maintenance.

# APPENDIX G

# REQUEST FOR AN EXEMPT SUBDIVISION LETTER

I/We would like to request a subdivision exemption from the Town of Loxley Subdivision Regulations for the following type division to be made:

**Parcel Identification Number:** \_\_\_\_\_

**Check the Blank Showing Which Utilities are Available:**

Water: \_\_\_\_\_ Public Provider \_\_\_\_\_ Well

Wastewater: \_\_\_\_\_ Public Provider \_\_\_\_\_ Septic System

**Check the Appropriate Blank:**

\_\_\_\_\_ Two or more lots are being combined to create one lot or parcel.

\_\_\_\_\_ Subdivision of land by court order.

\_\_\_\_\_ A one-time subdivision of a parcel for the limited purpose of sale, deed, or transfer of land by the land owner or his estate to a member or members of the land owner's immediate family. **Each parcel shall have its own deeded access for ingress/egress of not less than thirty (30) feet in width.**

**Name and relationship to land owner of Person or Persons the property shall be deeded to:**

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

\_\_\_\_\_ Public acquisition of land for the widening or opening of streets or other public uses.

\_\_\_\_\_ The sale or exchange of lots or parcels of land between adjacent property owners.

\_\_\_\_\_ Lot line relocating.

\_\_\_\_\_ Division of land into parcels twenty (20) acres or greater.

**I certify that to the best of my knowledge, all information supplied with this request is complete and accurate. I acknowledge that failure to submit the above stated information along with this form will result in the request being returned to the undersigned for completion.**

\_\_\_\_\_  
**Print Name(s) of Property Owner(s) or Authorized Agent.**

\_\_\_\_\_  
**Signature(s)**

\_\_\_\_\_  
**Date**

**Mailing Address:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

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