

**SUBDIVISION REGULATIONS
FOR THE
CITY OF HUNTSVILLE, ALABAMA**

**Adopted by Resolution No. 22-90 on December 11, 1990
Effective July 1991
Updated to May 2007**

TABLE OF CONTENTS

ARTICLE 1 – GENERAL PROVISIONS 1

 1.1 Title 1

 1.2 Purposes 1

 1.3 Authority. 2

 1.4 Jurisdiction and Application. 2

 1.5 Amendments. 2

 1.6 Resubdivision 2

 1.7 Variances. 2

ARTICLE 2 – DEFINITIONS. 1

 2.1 Usage. 1

 2.2 Words and Terms Defined 1

ARTICLE 3 – SUBDIVISION APPLICATION PROCEDURE AND PLAT REQUIREMENTS 1

 3.1 Procedural Requirements 1

 3.2 Layout. 1

 3.3 Preliminary Plat 7

 3.4 Final Plat 25

ARTICLE 4 – REQUIREMENTS FOR IMPROVEMENTS AND DESIGN. 1

 4.1 General Requirements 1

 4.2 Blocks 1

 4.3 Lots 2

 4.4 Monuments 3

 4.5 Roads. 4

 4.6 Sidewalks 20

 4.7 Drainage and Storm Sewers 22

 4.8 Sanitary Sewer Facilities. 24

 4.9 Water Facilities 25

 4.10 Utilities. 25

 4.11 Easements. 26

 4.12 Nonresidential Subdivisions. 27

 4.13 Planned Development. 27

 4.14 Building Restrictions 27

 4.15 Standards for Geotechnical Investigations and Tests 28

 4.16 Design Standards 30

<u>ARTICLE 5 – ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS</u>	1
5.1 Improvements and Performance Bond	1
5.2 Inspection of Improvements	3
5.3 Deferral of Required Improvements	7
<u>ARTICLE 6 – MINOR SUBDIVISION APPLICATION PROCEDURE AND PLAT REQUIREMENTS</u>	1
6.1 Definitions	1
6.2 Review and Approval Procedure	1
6.3 Layout Plat	2
6.4 Final Plat	3
6.5 Requirements for Improvements and Design of Minor Subdivisions	7
6.6 Assurance for Completion of Improvements	8
<u>ARTICLE 7 – REQUIREMENTS FOR LAND CONVEYANCE AMONG IMMEDIATE FAMILY MEMBERS</u>	1
7.1 Definitions	1
7.2 General Requirements	1
<u>APARTMENT SITE PLAN SUBMISSION REQUIREMENTS</u>	1
(1) Application Procedure	1
(2) Vicinity Map	1
(3) General Plan	2
(4) Construction Plans	3
(5) Boundary Plat	3
(6) Review and Approval of Site Plan	6
(7) Copy of Site Plan to Certifying Agencies	6
(8) Deeds for Rights-of-Way and Easements	6
(9) Effective Period of Apartment Site Plan Approval	6
(10) Recording of Boundary Plat	6
<u>APPENDIX A</u> Planting Specifications	
<u>APPENDIX B</u> Standards for Nursery Stock	
<u>APPENDIX C</u> Amendments to Subdivision Regulations adopted since July 1991.	

ARTICLE 1

GENERAL PROVISIONS

- 1.1 Title. These regulations shall hereafter be known, cited and referred to as the Subdivision Regulations of the Huntsville, Alabama, Planning Commission.
- 1.2 Purposes. These regulations are adopted for the following purposes:
- (1) To protect and provide for the public health, safety, and general welfare of the municipality.
 - (2) To guide the future growth and development of the municipality in accordance with the Master Plan.
 - (3) To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population.
 - (4) To protect and conserve the value of land and the natural environment throughout the municipality and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land, buildings, and the natural environment.
 - (5) To provide the most beneficial relationship between the uses of land and buildings and circulation of traffic throughout the municipality, having particular regard to the avoidance of congestion on the streets and highways and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets.
 - (6) To establish reasonable standards of design and procedures for subdivision(s), in order to further the orderly layout and use of land; to protect life and property from damage caused by flooding, unstable slopes, slope deterioration and other natural and man-made hazards; to preserve the natural character of the land; and to insure proper legal descriptions and monumenting of subdivided land.
 - (7) To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
 - (8) To insure that roads and utilities are constructed in an efficient manner so as to minimize public service and public maintenance costs.
 - (9) To prevent the pollution of air, streams, and ponds; to insure the adequacy of drainage facilities; to safeguard the water tables; and to encourage the

wise use and management of natural resources throughout the municipality in order to preserve the integrity, stability, and beauty of the community and the value of land.

- (10) To preserve the natural beauty and topography of the municipality and to insure appropriate development with regard to these features.

1.3 Authority. These regulations are adopted pursuant to the authority, granted by Title 11, Chapter 52, Article 2 of the Code of Alabama, 1975, which provisions are hereby made a part of these regulations.

1.4 Jurisdiction and Application.

- (1) These subdivision regulations and all design standards, geometric design and construction standards of the City of Huntsville shall uniformly apply to all subdivisions of land, as defined herein, located within the corporate limits of the City of Huntsville.

- (2) Any owner of land within the limits of said subdivision jurisdiction wishing to subdivide land, with the exception of land conveyances among immediate family members, shall submit to the Planning Commission a plat of the subdivision which shall conform at least to the minimum requirements set forth in these regulations. No plat of a subdivision lying within such territory, or part thereof, shall be filed or recorded in the office of the probate judge, and no subdivider shall proceed with improvements of lots in a subdivision until such plat shall have been approved by the Planning Commission.

- (3) Any land conveyance among immediate family members shall conform to all the requirements of Article 7 as set forth in these regulations.

1.5 Amendments. The Planning Commission may from time to time amend the provisions imposed by these subdivision regulations. Public hearings on all proposed amendments shall be held by the Planning Commission in the manner prescribed by law.

1.6 Resubdivision. For any change in a map of an approved or recorded subdivision plat, if such change affects any street layout shown on such map, or area reserved thereon for public use, or any lot line, such parcel shall be approved by the Planning commission by the same procedure, rules, and regulations as for a subdivision.

1.7 Variances.

- (1) General. Where the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with

these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Planning Commission shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that:

- A. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property near to the subdivision in question;
 - B. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property;
 - C. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;
 - D. The variance will not have the effect of nullifying the intent or purpose of the Subdivision Regulations, Zoning Ordinance, Major Street Plan, or the elements of the Master Plan;
 - E. This section shall not apply to those sections of this ordinance that have their own provisions for waiver or modification of standards.
- (2) Conditions. In approving variances, the Planning Commission may require such conditions as will, in its judgement, secure substantially the objectives of the standards or requirements of these regulations.
- (3) Procedures. A petition for any such variance shall be submitted in writing by the subdivider at the time the preliminary plat is filed for the consideration of the Planning Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

ARTICLE 2

DEFINITIONS

2.1 Usage.

- (1) For the purpose of these regulations, certain words, terms, and phrases shall be used, interpreted and defined as set forth in these regulations. Definitions not expressly prescribed herein are to be construed in accordance with customary usage in municipal planning and engineering practice.
- (2) Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; “shall” and “will” are always mandatory and “may” is permissive.

2.2 Words and Terms Defined.

AASHTO. American Association of State Highway and Transportation Officials.

Alley. A public or private way having a narrow right-of-way and affording a secondary means of access to abutting properties.

Applicant. The owner of land proposed to be subdivided or developed or his representative. Consent shall be required from the legal owner of the premises.

Base Flood. The flood having a one percent chance of being equalled or exceeded in any given year.

Block. A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of water or other physical barriers.

Bluff. An abrupt vertical change in topography of more than ten (10) feet with an average slope steeper than two (2) feet of rise for one (1) foot of horizontal travel.

Buffer Planting. A strip of land not less than fifteen (15) feet wide containing plant materials planted and maintained as follows:

One (1) tree per fifteen (15) linear feet of length of said strip spaced a minimum of fifteen (15) feet on center but no more than thirty-five (35) feet on center, a minimum of fifty percent (50%) of which shall be evergreen with the remainder being deciduous shade trees; one (1) large shrub per seven and one-half (7 ½) linear feet of length of said strip spaced no less than five (5) feet on center and no greater than ten (10) feet on center, located a minimum of three (3) feet from the boundary of the strip; grass, permanent mulch beds, or other permanent vegetative ground cover on all parts of each such buffer planting strip. All required plants shall be arranged in such a manner as to provide a variety of plant materials and spacings so that straight single-species rows are minimized.

Additional plants are encouraged and may be planted provided the minimum requirements for said buffer plantings as listed above are met.

Existing vegetation may be credited in lieu of required plantings so long as it can be proven that the existing vegetation provides a degree of buffering equal to or greater than that provided by the required planting.

Building. Any structure built for the support, shelter or enclosure of persons, animals, chattels, or movable property of any kind.

Building Line. The line within a property which defines a minimum horizontal distance to be provided between a building and the adjacent property line.

Cave. Any natural subterranean cavity that is at least fifty (50) feet in length and/or depth, or that contains obligatory cavernicolous fauna (animals obliged to live underground). The word “cave” includes, but is limited to, cavern, pit, pothole, well (natural), sinkhole, and/or grotto.

Certificate of Occupancy. The instrument issued by the Building Inspection Department of the city when a building has been inspected and found to meet city codes and ordinances relating to construction. Such certificate authorizes occupancy of said building.

Chicanes. Curb extensions or islands that alternate from one side of the street to the other, forming S-shaped curves.

City. The City of Huntsville, Alabama.

City-Clerk Treasurer. The duly designated Clerk-Treasurer of the City of Huntsville, Alabama.

City Council. The City Council of the City of Huntsville, Alabama.

City Engineer. The duly designated engineer for the City of Huntsville, Alabama.

City Plan. (See Master Plan.)

Civil Engineer. An engineer whose training or occupation is in the practice of civil engineering and who is a Registered Professional Engineer in the State of Alabama.

Civil Engineering. The application of the knowledge of the forces of nature, principles of mechanics and the properties of materials to the evaluation, design and construction of civil works for the beneficial use of mankind.

Colluvium. Any soil, residuum, unconsolidated deposit, rock and debris, or combination thereof, that is affected by the force of gravity such that through time it moves down a

slope until it reaches a permanent state of equilibrium between gravitational stress and material strength.

Construction Specifications. The specifications of the City of Huntsville as adopted by the governing body or promulgated by the City Engineer of the City of Huntsville, Alabama.

County. The county in which the subdivision is located.

County Commission. The County Commission of the county in which the subdivision is located.

Cul-de-Sac. A local street with only one outlet and having an appropriate terminal for the convenient reversal of traffic movement.

Cut. Any artificial or mechanical act by which earth, sand, rock or any other similar material is dug into, excavated, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.

Developer. The owner of land proposed to be subdivided or his representative. Consent shall be required from the legal owner of the premises.

Dump Site. Any waste disposal location that includes either hazardous or non-hazardous wastes and that may include human-made or natural waste and debris.

Easement. Authorization by a property owner for use by another, and for a specified purpose, of any designated part of his property.

Engineer of Public Works. The duly designated Engineer of Public Works for the county in which the subdivision is located.

Engineer of Record. The civil engineer registered and in good standing with the State Board of Registration for Professional Engineers and Land Surveyors of Alabama and permitted to practice in the city and county, and who is originally responsible for coordinating and certifying as to the completeness and correctness of all information collected (by his/her efforts or those of his/her agents and/or subcontractors) and submitted for approval on behalf of the owner. In the event that the original engineer of record should change, all subsequent engineers of record shall be required to recertify all previously submitted documents and thereby accept responsibility for completeness and correctness of same. Should any subsequent engineer of record refuse to accept responsibility, all applicable documents shall be deemed null and void and shall be required to be resubmitted with proper certification as outlined in these Subdivision Regulations of the City of Huntsville, Alabama.

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

Excavation. Any artificial or mechanical act by which earth, sand, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.

Fault. A fracture surface or fracture zone along which one side has been offset relative to the other.

Fill. Any artificial or mechanical act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface and shall include the conditions resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation of the final grade. The material used to make a fill.

Final Plat. A plat of a tract of land which meets the requirements of these regulations and is form for recording in the office of the Probate Judge of the county in which the subdivision is located.

Floodway. The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floodway Fringe. The area of the flood plain lying outside the floodway but still subject to inundation by waters of the base flood.

Fracture. A surface along which material has lost cohesion. Fractures may become solutionally enlarged and permit infiltration of surface water to underground cavities or channels.

Frontage Road. A street parallel and adjacent to an arterial or major collector which provides access to abutting properties.

Geometric Design Standards. The standards and specifications adopted by the American Association of State Highway and Transportation Officials (AASHTO) and as amended.

Geotechnical Engineer. A civil engineer whose primary experience and knowledge is in the practice of geotechnical engineering.

Geotechnical Engineering. The application of the knowledge of soil and rock mechanics, the forces of nature and the properties of materials to the evaluation, design and construction of civil works for the beneficial uses of mankind.

Governing Body. Depending upon jurisdiction, either the City Council of the City of Huntsville, Alabama, or the County Commission of the county in which the subdivision is located.

Ground Water Recharge Point. Any cave, sinkhole, fault, fracture, joint or other specific natural feature which may be demonstrated to transmit or has the potential to transmit surface water into the subsurface strata.

Health Department. Depending on jurisdiction, either the Huntsville-Madison County Health Department or the health department for the county in which the subdivision is located.

Historical and Archeological Features. Any location of local historical or archeological significance including, but not limited to old home sites, old structures, old wagon trails, civil war embankments, Indian mounds, Indian burial grounds, Indian village sites, or any location with an unusual concentration of archeological or historic artifacts.

Huntsville Utilities. The Huntsville Water, Gas, and Electric Distribution System.

Intermittent Stream. A stream that flows at the land surface discontinuously along its length as a result of subterranean passages that locally allow the surface water to move through the subsurface.

Joints. Fractures or breaks in rocks along which no movement has occurred. Most rocks are joined and exhibit parallel joint orientations called joint sets.

Landslide. Any of various types of slope movement (mud flow, debris flow, debris avalanche, soil creep, slump, slide, rock fall, etc.) that involves the gravitational movement of unstable slope material (colluvium, soil, rock, etc.) from a higher elevation to a lower elevation. Rates of slope movements or landslides may range from very fast (rock fall) to very slow (soil creep – may be measured in inches or fractions thereof, per year).

Landslide, Active. Any landslide that is currently active or that can be demonstrated to have had slope movement within the last year.

Landslide, Inactive. Any landslide (including both historic and prehistoric landslides) that can be demonstrated to have no evidence of currently active movement or movement within the last year.

Lane Narrowing. Curb extensions or islands on one or both side of the street that narrow the street at that location.

Lineaments. Straight features on the land surface identified from aerial photography, remote sensing, and/or topographic maps which are reflected by topographic or vegetative differences which in turn may be related to fracturing in the bedrock.

Local Government. Depending on jurisdiction, either the City of Huntsville, Alabama or the county government of the county in which the subdivision is located.

Local Street. A street not classified in a higher system primarily providing access to abutting land and access to higher systems. Such street offers the lowest level of mobility, and service to through traffic is deliberately discouraged.

Lot. A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.

Lot, Double Frontage. A lot fronting on two streets but not including a corner lot.

Major Arterial. A street or highway of great continuity designated to accommodate the highest traffic volumes and longest trip desires. Service to abutting land uses is subordinate to provision of travel service to major traffic movements. Major arterials carry the major portion of trips entering, leaving, or bypassing the urban area.

Major Collector. A street of reasonable continuity that channels traffic between arterials, and from other collector streets to the arterial system. Such a street may sustain retail or other commercial establishments along its route and may carry relatively high traffic volumes.

Major Street Plan. The Major Street Plan as adopted by the Planning Commission as an element of the city Master Plan.

Master Plan. Any legally adopted part or element of the Master Plan of the City of Huntsville or its environs. This may include, but is not limited to: Zoning Ordinance, Airport Obstruction Zoning Ordinance, Subdivision Regulations, Community Facilities Plan, Major Street Plan, Capital Expenditures Plan, and Land Use Plan.

Median Barrier. An island placed in the middle of a roadway which forces the side streets to be right-in / right-out only.

Mid-block Median. Islands located along the centerline of a street that narrow the street at the location.

Minor Arterials. Streets and highways of considerable continuity interconnecting with and augmenting the principal arterial system and providing service to moderate length trips at a somewhat lower level of mobility. The system places more emphasis on land access and distributes traffic to smaller geographic levels than those identified with the higher system. Minor arterials include all arterials not classified as major.

Minor Collector. A street which carries traffic from a number of local streets to the major collector/arterial system, between other collectors, and from activity centers to a street of higher classification. Minor collectors generally have lower traffic volumes, shorter trip lengths and fewer through trips than major collectors. Minor collectors include all collectors not classified as major.

Neckdowns. Curb extensions at the intersections that reduce roadway width curb-to-curb.

Nonresidential Subdivision. A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of these regulations.

Off-Street Pedestrian Walkway. A strip of land dedicated for public use which is reserved across a block for the purpose of providing pedestrian access to adjacent areas.

Owner's Land Surveyor. The land surveyor licensed and in good standing with the State Board of Registration for Professional Engineers and Land Surveyors of Alabama and permitted to practice in the city and county, who is an agent of the owner of the land that is proposed to be subdivided or that is in the process of being subdivided.

Parkway. A roadway that is officially classified as a major street and that has been designated as a parkway by the Planning Commission. A parkway is intended to be used primarily by passenger vehicles and to present a parklike character. Parkway designation is especially appropriate for roadways that traverse scenic or environmentally diverse areas.

Partial Street Closure. Barriers that block travel in one direction for a short distance on otherwise two-way streets.

Perennial Streams. Streams that flow year round.

Planning Commission. The Planning Commission for the City of Huntsville, Alabama.

Preliminary Plat. A tentative plan of a proposed subdivision submitted to the Planning Commission for its consideration.

Probate Judge. The Judge of Probate for the county in which the subdivision is located.

Rear Service Road. See Alley.

Regolith. Unconsolidated material above bedrock. Composed of rock and mineral fragments, organic matter, water and air, and may include soil, residuum, colluvium and alluvium.

Right-of-Way. A strip of land occupied or intended to be occupied by a street, off-street pedestrian walkway, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots

or parcels. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established.

Screen Planting. A strip of land not less than fifteen (15) feet wide containing plant materials planted and maintained as follows:

One (1) tree per fifteen (15) linear feet of said strip spaced a minimum of fifteen (15) feet on center but no more than thirty-five (35) feet on center located a minimum of five (5) feet from the exterior boundary of the strip a minimum of fifty percent (50%) of said trees shall be evergreen with the remainder being deciduous shade type trees and shall be arranged in such a manner as to provide the greatest degree of screening practical; one (1) screening shrub per seven and one-half (7 ½) linear feet of said strip alternatively spaced no closer than five (5) feet on center and no greater than ten (10) feet on center located a minimum of three (3) feet from the interior boundary of the strip; grass, permanent mulch beds, or other permanent vegetative ground cover on all parts of each screen planting strip. All required plants shall be arranged in such a manner as to provide a variety of plant materials and spacings so that straight single-species rows are minimized. Additional plants are encouraged and may be planted provided the minimum requirements for screen plantings as listed above are met. Existing vegetation may be credited in lieu of required planting provided the existing vegetation provides a degree of screening that meets or exceeds that provided by the required planting.

Screen Fences and Walls. Any wall or fence used for screening that is a minimum of six (6) feet in height and a minimum of eighty-five percent (85%) opaque and of the same or compatible, in terms of texture and quality, as the materials and color of the principle building. All screening fences and walls shall be provided with additional planting material so that no more than two-thirds (2/3) of the surface area of the fence or wall is visible from the street within three (3) years of erection of the structure. A maximum of forty percent (40%) of this plant material may be deciduous.

Screening Shrubs. Shall be locally adapted species expected to reach a minimum mature height of five (5) feet and a minimum mature spread of five (5) feet within three (3) years of planting. All said shrubs shall be a minimum twenty-four (24) inches in height and spread at time of installation.

Seep. A small spring or an area where water slowly percolates out of the ground.

Sensitive Environmental Feature. Any natural feature, natural condition, habitat, plant species, or animal species that may either (1) be negatively impacted or seriously threatened by man's activities, or (2) be in a position to negatively impact man's safety and welfare. Sensitive environmental features may include, but are not limited to the following: geologic formations, soils, colluvium, rock outcrops, bluffs, sinkholes, caves, solution features, landslides, lineaments, springs, seeps, streams, wetlands, ground water

recharge points, vegetative communities, endangered or threatened plant and animal species.

Shade Tree. Any deciduous or evergreen tree whose mature height of its species can be expected to exceed thirty five (35) feet and which has an expected crown spread of thirty (30) feet or more and is considered a shade tree in accordance with American Standards of Nursery Stock, set forth by the American Association of Nurserymen. The shade tree, existing or planted, shall be at least eight (8) feet in height and two (2) inches in diameter measured at one-half (1/2) foot above grade for new planted trees and measured four and one-half (4 1/2) feet above ground for existing trees.

Sinkhole. Depression formed in soluble rock by the action of subterranean water and is a potential point of significant groundwater recharge.

Site. Any lot or parcel of land or contiguous combination thereof, under the same ownership, including joint ownership, where clearing and/or earthwork is proposed, performed or permitted.

Solution Feature. Any cave, sinkhole, or solutionally enlarged fracture, joint, fault, bedding contact, or other specific natural feature that was produced from a solution of soluble rocks.

Spoil Areas. Areas where refuse rock, earth, etc. has been deposited as a result of excavations in mining, dredging or excavating.

Springs. Locations on the land surface where the water table is exposed as on a valley side. The position of the water table changes seasonally, thus some springs flow only during wet weather or the wet season. Perennial springs flow year round.

Subdivider. The person(s), firm(s), or corporation(s) owning land in the process of creating a subdivision or having completed a subdivision of said land. Includes any agent of the subdivider.

Subdivision. The division of a lot, tract or parcel of land into two or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale or of building development or if a new street is involved. The term "subdivision" includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

Textured Pavement. Surface materials, such as brick or stone, that create a slightly bumpy ride over an extended distance, while improving the aesthetic quality of the street.

Traffic Calming. A combination of mainly physical measures undertaken to reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for nonmotorized street users.

Traffic Circles. A traffic calming technique using islands, placed in intersections, around which traffic circulates.

Turn Restrictions. Either physical or non-physical measures which prohibit certain turns at intersections.

Vegetative Communities. A systematic classification of vegetation for a given area by floral associations, location and age.

Wet Weather Streams. Streams that only flow during or after wet weather or wet seasons.

Wetlands. Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adopted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. (Current definition used by U.S. Army Corps of Engineers for administering Section 404 of the Clean Water Act.)

Zoning Ordinance. The Zoning Ordinance of the City of Huntsville, Alabama.

ARTICLE 3

SUBDIVISION APPLICATION PROCEDURE AND PLAT REQUIREMENTS

- 3.1 Procedural Requirements. Whenever any subdivision of land is proposed, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdividing owner, or his authorized agent, shall apply for and secure approval of such proposed subdivision on accordance with the following procedure.
- 3.2 Layout.
- (1) Discussion of Requirements. Before preparing the layout for a subdivision, the applicant should discuss with the Director of the Planning Department or his designated representative, the procedure and requirements for adoption of a subdivision plat and the requirements as to general layout of streets and for reservations of land, street improvements, drainage, sewerage, fire protection, and similar matters, as well as the availability of existing services. The Director shall also advise the applicant, where appropriate, to discuss the proposed subdivision with those officials who must eventually approve these aspects of the subdivision plat coming within their jurisdiction.
 - (2) Application Procedure. Prior to subdividing land, an owner of land or his representative shall file an application for approval of a layout; provided that in the case of resubdivision where an approved layout already exists and has not been significantly altered by the resubdivision, the applicant shall not be required to submit another application for layout approval. Where required the application for approval of a layout shall:
 - A. Be made on forms available at the office of the Director of the Planning Department.
 - B. Be accompanied by a minimum of three (3) copies of the required layout documents as described in these regulations and complying in all respects with these regulations.
 - C. Be accompanied by a vicinity map. For subdivisions within the city, the vicinity map shall show generally the proposed streets, proposed subdivision boundaries, and surrounding area of the land to be subdivided, and shall be drawn on the City of Huntsville Planning Department zoning maps scaled four hundred (400) feet to the inch. For subdivisions outside the city, the vicinity map shall show generally the proposed subdivision boundaries and surrounding area of the land to be subdivided, and shall be drawn on a map scaled not greater than two thousand (2,000) feet to the inch.

- D. Be presented to the Director of the Planning Department sufficiently in advance of the meeting of the Subdivision Committee of the Planning Commission to allow time for review.
- E. Be accompanied by one copy of the sketch plat that has been reviewed and signed by the Traffic Engineer, or his authorized representative in words substantially as follows:

The within subdivision plat has been reviewed by the Traffic Engineer for the City of Huntsville, Alabama.

DATE	Traffic Engineer City of Huntsville, Alabama
------	---

(3) Layout Requirements. The following documents shall be submitted with the layout application. All maps shall be drawn to a convenient scale of not more than one hundred (100) feet to an inch, on maximum sheet size of 24" x 36". Each map shall be a separate document unless otherwise specified and shall contain the information as outlined below:

- A. Sketch Plat.
 - (i) Boundary lines of the subdivision.
 - (ii) Topography at five (5) foot contour intervals or less for subdivisions within the city.
 - (iii) Location of existing and proposed improvements within two hundred (200) feet of the boundary of the proposed subdivision.
 - (iv) Approximate locations and widths of all existing and proposed rights-of-way.
 - (v) Approximate locations and dimensions of all proposed lots.
 - (vi) Approximate locations of all parcels of land to be set aside for parks or other use by property owners in the proposed subdivision.

- (vii) Name of the proposed subdivision and of any adjoining subdivisions.
 - (viii) Approximate location of adjoining property lines or subdivision boundaries, and names of adjoining property owners or subdivisions.
 - (ix) Approximate tie points to an accepted corner based upon the U.S. Government Public Lands Survey System which shall show the relationship to the Huntsville Meridian (include reference to deed book and page or applicable plat book and page).
- B. Slope Map. When the slope of the property of the proposed subdivision falls entirely within the 0-10% slope category, the slope may be noted on the site assessment map.
- (i) To be at the same scale and contain the same information as the sketch plat.
 - (ii) Delineation of existing slope categories of 0-10%, 10-15%, 15-25%, 25-35%, and 35% and greater.
 - (iii) Approximate location of all proposed areas of excavation and fill for proposed roads in excess of ten (10) feet in depth. Road profiles may be required by the Traffic Engineer or the City Engineer when it is determined by the Traffic Engineer or City Engineer that there may be cut and fill in excess of ten (10) feet.
- C. Site Assessment Map.
- (i) To be at the same size and scale and contain the same information as the sketch plat.
 - (ii) Approximate location, and indication of size and condition, of all natural hazards and sensitive environmental features found within the boundaries of the study area including but not limited to:
 - a. Geologic formations
 - b. Soil classifications
 - c. Colluvium

- d. Bluffs
 - e. Sinkholes
 - f. Caves
 - g. Solution features
 - h. Landslides (inactive and active)
 - i. Lineaments
 - j. Springs
 - k. Seeps
 - l. Streams (perennial, intermittent and wet weather)
 - m. Wetlands
 - n. Ground water recharge points
 - o. Vegetative communities (including the five (5) most abundant tree or floral species for each community, in order of abundance and the approximate age of each community).
 - p. Endangered or threatened species habitats as determined by the Planning Department based on U.S. Fish and Wildlife Service documents.
- (iii) Approximate location, and indication of size and condition, of man-made hazards and features found within the boundaries of the study area including but not limited to:
- a. Evidence of recent or ancient mining or quarry operations (above ground and under ground)
 - b. Spoils areas
 - c. Dump sites
 - d. Existing fill and excavation
 - e. Existing drainage retention or detention areas
 - f. Wells
 - g. Storage tanks (above ground and underground)
 - h. Historical and archeological features
- D. Site Assessment Report. The Site Assessment Report shall include but not be limited to a written text and illustrations clearly describing:
- (i) Names and qualifications of all site assessment investigators.
 - (ii) Methods used in site assessment.
 - (iii) Findings for all features noted on the Site Assessment Map or otherwise required for site assessment, including where appropriate, itemized descriptive lists of features identified on map, illustrations and photographs.

- (iv) Professional conclusions as to how the findings will impact the proposed improvements.
- (v) Recommendations for mitigating all located and described on-site hazards and sensitive environmental features.
- (vi) The following certification:

I, _____, the engineer of record do hereby certify that the information shown hereon is complete and correct and in compliance with all applicable regulations of the City of Huntsville, Alabama to the best of my knowledge.

DATE

Engineer of Record

E. Geotechnical Investigation and Testing Plan.

Where construction is proposed on lands or portions of land where colluvium, evidence of mine operations, Pennington, Pride or shaley Upper Bangor formations, dump sites or existing fill and excavation is present as indicated on the Site Assessment Map or when in the professional opinion of the geotechnical engineer of record, geotechnical testing should be performed, a “Geotechnical Investigation and Testing Plan” shall be submitted containing the following:

- (i) To be at the same size and scale and contain the same information as the sketch plat.
- (ii) Approximate location and description of all applicable subsurface explorations and tests including the location and description of any additional subsurface explorations and tests deemed necessary by the engineer of record (see 4.15 “Standards for Geotechnical Investigations and Tests”).
- (iii) Approximate location and dimension of all proposed access routes to be used in performing subsurface explorations (see 4.15 “Standards for Geotechnical Investigations and Tests”) including a clear description of all proposed clearing and grading necessary to accommodate said access. In no case shall clearing limits for testing access routes exceed fifteen (15) feet in width.

authorization to perform said investigations and tests shall be effective for a period of one (1) year. For any required geotechnical investigations and/or tests not completed within the period of time set forth herein, the developer shall be required to resubmit the “Geotechnical Investigation and Testing Plan” for reapproval subject to all new zoning restrictions and subdivision regulations.

- (8) Note: It shall be the responsibility of the Engineer of Record on all subdivisions within the Slope Development District as defined by the City of Huntsville Zoning Ordinance, to contact representatives of the serving utility companies for electricity, water, natural gas, cable television, and telephone for design and layout of required common trenching prior to preliminary plat submittal. Also if sanitary sewer is to be located within the common trench, the engineer of record should contact the City Engineer for design and layout requirements for common trenching prior to preliminary plat submittal.

3.3 Preliminary Plat.

- (1) Application Procedure. Based upon the Planning Commission’s approval of the layout, the owner or his representative shall file an application for approval of a preliminary plat. Where required, the application for approval of a preliminary plat shall:
- A. Be made on forms available at the office of the Director of the Planning Department.
 - B. Include payment of an application fee of one hundred dollars (\$100) plus five dollars (\$5) per proposed lot.
 - C. Be accompanied by a minimum of three (3) copies of the preliminary plat as described in these regulations and complying in all respects with these regulations.
 - D. Be accompanied by a minimum of one (1) set of all sealed construction plans to include the preliminary plat as described in these regulations and complying in all respects with these regulations.
 - E. Be accompanied by a minimum of three (3) copies of the geotechnical investigation and testing report as described in these regulations and complying in all respects with these regulations.
 - F. Be presented to the Director of the Planning Department sufficiently in advance of the meeting of the Subdivision Committee of the Planning Commission to allow time for his review.

- G. Be accompanied by digital submittal of the preliminary plat and construction plans to Planning/GIS Division, in compliance with all preliminary plat requirements, along with electronic notification to the following divisions: Planning, Engineering, Huntsville Utilities, and Planning/GIS Division.
- (2) Public Hearing. The Planning Commission shall hold a public hearing on the preliminary plat prior to approval of said preliminary plat as required for plats under Alabama law.
- (3) Preliminary Plat Requirements. Unless otherwise specified, all plans and reports submitted as part of the application shall be submitted as separate documents and shall be drawn to a convenient scale of not more than one hundred (100) feet to an inch, on sheet size not larger than 24" x 36". The preliminary plat shall include the following information:
- A. Names and addresses of the owner of the land to be subdivided, the subdivider (if other than the owner), the engineer and surveyor.
- B. Geodetic control and references which shall include the following:
- (i) Tie points to a minimum of two accepted GPS monuments or one GPS tie point plus an astronomic observation to determine grid north.
 - (ii) Tie points to an accepted corner based on the U.S. Government Public Lands Survey System which shall show the relationship to the Huntsville Meridian.
 - (iii) All existing monuments, proposed monuments, corners and points required under Article 4.4 shall be noted and shown on the plat.
 - (iv) State Plane Coordinates on all monuments specified in Article 4.4 (2) based on NAD 1983, and the Alabama East Zone as described in the Code of Alabama (1975), Section 35-2-1.
 - (v) North arrows indicating grid north.
- C. Exact boundary lines of the tract indicated by a heavy line giving distances to the nearest hundredth of a foot and bearings to the nearest second of an

arc. Field data for all monuments shall achieve a ratio of precision (closure) of 1:10,000 or better.

- D. Lot lines with distances to the nearest hundredth of a foot, bearings and angles sufficient to reproduce the survey and chords and radii of rounded corners.
- E. Street centerlines and geometrics showing angles of deflection or bearing, angles of intersection, curve radii, length of tangents and centerline stationing.
- F. Widths of existing and proposed right-of-way, including dimension from centerline of all existing right-of-way to the subdivision boundary and a clear indication of location and width of right-of-way of any street adopted as a part of the Major Street Plan.
- G. Location and description of all required sidewalks and off-street pedestrian walkways.
- H. The date of the map, scale and title of the subdivision.
- I. Name of all the streets.
- J. Building setback line, locations and depths.
- K. Lot and block numbers. Blocks shall be consecutively numbered or lettered in alphabetical order. Lots within each block shall be consecutively numbered.
- L. Easements, buffer strips and public service utility rights-of-way lines giving widths, locations, and purposes.
- M. Accurate outlines and descriptions of any areas to be dedicated or reserved for public use or acquisition with the purpose indicated thereon; and of any areas to be reserved by deed covenant for common use of all property owners.
- N. Acreage and number of lots within the subdivision.

O. A lot data box as shown below:

LOT DATA		
BLOCK DATA	LOT NUMBER	AREA IN SQUARE FEET

P. Floodway and floodway fringe boundaries within the subdivision. If within the 100 year flood plain the lowest allowable finished floor elevation for each lot, based on officially adopted floodway regulations of the City of Huntsville.

Q. Key map where more than one sheet is required to present map.

R. All surveys and plats must be done in accordance with the current “Minimum Technical Standards for Land Surveying in Alabama,” as adopted by the Alabama Society of Professional Land Surveyors.

S. Digital Formats-CADD/CAM files shall be submitted in a DGN, DXF, or DWG file format. Electronic notification letters shall consist of a list of files being submitted, a description of the data in each file, a level/layer schematic of each design file, and a statement conveying rights to the City of Huntsville for the data to be used for G.I.S. purposes. DGN design files shall be two-dimensional and have working units as follows: master units in feet, no sub-units, and 1,000 positional units. All data submitted shall use NAD 1983 Alabama East Zone coordinates as described in the Code of Alabama (1975), section 35-2-1 and NGVD 1929. Digital files must display, by text, said state plan coordinates for all points specified in Article 4.4 (2). Digital submission- Digital files shall be submitted to Planning/GIS Division by 4-3/4 inch CD ROM or 3 and ½ inch floppy disk.

T. For planned developments and private subdivisions, provide unexecuted copies of the restrictive covenants as necessary to insure adequate access for public protection and utilities as well as conformance to applicable plans and ordinance requirements.

(4) Construction Plans. For all subdivisions proposing improvements requiring construction approval, the following shall be submitted: Each plan and any map required with report shall include the base information listed below:

A. Base Information

- (i) The date of the map, a reference meridian (designated on the plat either true or magnetic north), scale, title of the subdivision.
- (ii) Exact boundary lines of the tract indicated by a heavy line, or other acceptable control traverse, giving distances to the nearest hundredth of a foot and bearings to the nearest second of arc.
- (iii) Lot lines without distances to the nearest hundredth of a foot, bearings and angles and chords and radii of rounded corners.
- (iv) Lot and block numbers.
- (v) Building setback line, locations and depths.
- (vi) Street centerlines and rights-of-way including centerline stationing.
- (vii) Easements, buffer strips and public service utility rights-of-way lines giving widths, locations, and purposes.
- (viii) Accurate outlines and descriptions of any other areas to be dedicated or reserved for public use or acquisition with the purpose indicated thereon; and of any areas to be reserved by deed covenant for common use of all property owners.

B. Geotechnical Investigation and Testing Report.

Where construction is proposed on lands or portions of land where colluvium, evidence of mine operations, Pennington, Pride or shaley Upper Bangor formations, dump sites or existing fill and excavation is present as indicated on the Site Assessment Map or when in the professional opinion of the geotechnical engineer of record, geotechnical testing should be performed, a "Geotechnical Investigation and Testing Report" shall be submitted containing the following:

- (i) Names and qualifications of all investigators involved with the geotechnical investigation.

defined by the Zoning Ordinance of the City of Huntsville, Alabama, the following certifications:

ENGINEER OF RECORD

I, _____, the engineer of record, certify that the proposed development shown hereon is designed in accordance with sound engineering standards and practices, and in accordance with all applicable development regulations. I further certify that I have caused prudent investigation, testing and inspections to be performed on all lands within the proposed development identified as Hazard Zone, as defined by the Zoning Ordinance of the City of Huntsville, Alabama, including geotechnical analysis and testing on all Hazard Zone lands and on lands upslope and downslope of the proposed development, and I have instructed the land surveyor as to those areas within the proposed development that fall within the Hazard Zone for inclusion in the development plats. Based upon the investigation, testing and inspections performed, as defined and discussed in the geotechnical analysis and report dated _____ and submitted in connection herewith, and further based upon any remedial measures taken in connection with the hazards defined therein, I certify that, within acceptable geotechnical standards, development of the property as shown on the plat will not diminish the stability of the slope or otherwise increase the likelihood of landslide or other slope failure and that the buildable areas designated hereon can meet a minimum safety factor of 1.5 for stability.

Date

Engineer of Record
Registration Number

OWNER

I, _____, owner/owners of the lands embraced hereon, hereby certify that I have caused investigation in accordance with sound engineering standards and practice to be made of Hazard Zone lands, as defined by the Zoning Ordinance of the City of Huntsville, Alabama, within the development as shown hereon. I further understand the potential and inherent danger of said lands and that landslides

have originated in conditions that regularly exist on said Hazard Zone lands.

With this knowledge, I hereby certify that I have caused all prudent measures to be taken in the design of the development as shown hereon, including an analysis of all lands upslope and downslope of the Hazard Zone lands, to assure that the site is safe for the proposed development, and within acceptable geotechnical standards the proposed development will not diminish the stability of the slope or otherwise increase the likelihood of landslide or other slope failure.

_____	_____
Date	Owner

C. Vegetation Plan. The vegetation plan shall be in compliance with all applicable regulations of the City of Huntsville and be presented on the same sheet size and scale as the preliminary plat. Information shown on the vegetation plan shall include:

- (i) All proposed improvements within the proposed subdivision, including but not limited to streets, drainage structures, sanitary sewer facilities, water facilities and electric facilities.
- (ii) Location and description of all proposed plants.
- (iii) Plant schedule indicating botanical name, common name, quantity, size and condition of all proposed plants.
- (iv) Typical planting details including typical plan and cross section.

D. Grading and Erosion and Sedimentation Control Plan. The grading and erosion and sedimentation control plan shall be in compliance with the “City of Huntsville Stormwater Management Manual” and all other applicable regulations of the City of Huntsville and shall include:

- (i) All information shown shall be drawn at same sheet size and scale as the preliminary plat.

-
- (ii) All existing and proposed improvements within two hundred (200) feet of the proposed subdivision, including but not limited to streets, drainage structures, ditches, manholes, utility lines, etc.
 - (iii) All existing contours indicated by broken (dashed) lines and all proposed contours indicated by solid lines at a minimum interval of two (2) feet except where slopes exceed fifteen percent (15%) in which case a minimum interval of five (5) feet shall be shown.
 - (iv) The elevation of all known high water marks or flood lines as well as the elevation of all proposed structures, including finished floor elevations of all buildings.
 - (v) Bench mark, including elevation, relative to national geodetic vertical datum.
 - (vi) The slope of all proposed excavation and fill embankments.
 - (vii) Approximate location, description and details of all proposed retaining structures for excavation and fill slopes in excess of two (2) feet horizontal to one (1) foot vertical.
 - (viii) Location, description and details of all temporary and permanent erosion and sedimentation control measures to be utilized including, but not limited to, silt fences, silt dikes, hay bale dikes, construction entrances, siltation ponds, permanent ground cover types and application rates.
 - (ix) Implementation schedule of all erosion and sedimentation control measures for construction of temporary and permanent control measures and final stabilization.
 - (x) The following certifications:

I, _____, the engineer of record, do hereby certify that the information shown hereon is complete and correct and in compliance with all applicable regulations of the City of Huntsville, Alabama, and that proposed grading as shown hereon complies with good engineering practice and further do certify that all erosion and sedimentation control measures as

indicated hereon are designed to minimize the effects of erosion and sedimentation on site.

DATE	Engineer of Record Registration Number

I, _____, City Engineer for the City of Huntsville, Alabama, approve of the design and the construction plans for grading and erosion and sedimentation control as shown in these plans.

DATE	City Engineer City of Huntsville, Alabama

- E. The Street Plan. The street plan shall be in compliance with the “City of Huntsville Stormwater Management Manual” and all other applicable regulations of the City of Huntsville. The street plan shall be comprised of plan views and profiles of all proposed streets, cross sections of all proposed streets, and a typical cross section detail.
 - (i) The plan view and profile map(s) shall be drawn at a horizontal scale not to exceed fifty (50) feet to the inch and a vertical scale not to exceed ten (10) feet to the inch and shall include:
 - a. Location of existing or proposed streets adjacent to the subdivision, including all curb cuts, driveways, or intersections along both sides of boundary streets adjacent to the subdivision.
 - b. Widths of existing and proposed rights-of-way.
 - c. Street names to be approved by the Planning Commission.
 - d. Locations and specifications of all required traffic control devices and street name signs.
 - e. Locations and specifications of all traffic calming operations.

- f. Topography at two (2) foot intervals unless a closer contour interval is required by the City Engineer. In cases where slopes exceed 15%, a minimum contour interval of five (5) feet may be shown.
- g. Location and description of all required sidewalks and off-street pedestrian walkways.
- h. Horizontal curve data from the centerline of each street: delta, angle, tangent and radius.
- i. Vertical curve data including grades, elevations, point of vertical curvature, point of vertical intersection and tangents.
- j. A table relative to sight distance affixed to the construction drawings following the format below:

Location	Direction	Sight Distance
Controlling Element	Design Speed	AASHTO Guidelines

- k. Certificates executed as shown below:

“STREET SYSTEM”

To be certified by the engineer of record that the sight distance at any new street intersection meets the minimum AASHTO standards.

I, (Engineer of Record), Registered Engineer, certify that the intersection sight distance of any roadway constructed in conjunction with this subdivision meets or exceeds specifications as set forth in the prevailing AASHTO Standards to the best of my knowledge and belief.

DATE

Engineer of Record
Registration Number

I, _____, the engineer of record, certify that the street system shown on this drawing meets the construction standards of the City of Huntsville and conforms to the design standards of the Huntsville Subdivision Regulations and applicable AASHTO geometric design policy. It is certified that the information shown hereon is true and correct to the best of my knowledge.

DATE

Engineer of Record
Registration Number

I, _____, the City Engineer for the City of Huntsville, Alabama, approve of the design and the construction plans of the street system as shown in these plans.

DATE

City Engineer
City of Huntsville, Alabama

I, _____, the Traffic Engineer for the City of Huntsville, Alabama, concur in the geometric design of the street system and the use of the street name(s) as shown in this drawing.

DATE

Traffic Engineer
City of Huntsville,
Alabama

- (ii) The cross sections of all streets shall be shown at a minimum interval of fifty (50) feet. The horizontal scale shall not exceed ten (10) feet to the inch and the vertical scale shall not exceed ten (10) feet to the inch.
- (iii) Typical cross section details of all proposed streets shall be shown (may be shown on detail sheet).

- F. The Stormwater Drainage and Sanitary Sewer Plan. The drainage and sanitary sewer plan shall be in compliance with the “City of Huntsville Stormwater Management Manual” and all other applicable regulations of the City of Huntsville and shall be accompanied by drainage area contour maps of not more than four hundred (400) feet to an inch showing the entire tributary area and separate drainage areas for each proposed drainage facility as well as a signed and sealed copy of all engineering calculations and notes used in the design of the storm drainage system. Drainage concentrations shall be indicated on the drainage area contour maps. The detailed storm drainage and sanitary sewer plan shall be prepared from an actual engineering survey and be drawn to a scale of not more than fifty (50) feet to an inch. The detailed storm drainage and sanitary sewer plan shall show:
- (i) All existing improvements within and bordering the proposed subdivision, including flood hazard districts, the location and size of all existing and proposed sanitary sewers in the subdivision, clear indication of sanitary sewer tie points of the subdivision and station location of all sewer laterals.
 - (ii) The proposed street plan and associated drainage system.
 - (iii) Designation of each drainage area and design flow for each storm drainage pipe or drainage facility.
 - (iv) Typical cross sections of each drainage way.
 - (v) Lengths of pipes of drainage facilities, slopes, facility sizes, materials, locations of inlets, manholes, junction boxes, and all information relative to the comprehensive drainage system including as much as is practical of the offsite drainage systems affected by the proposed subdivision.
 - (vi) Where fill is to be placed within floodfringe areas, a grading plan showing final elevations.
 - (vii) Profiles of the storm drainage and sanitary sewerage system drawn on cross-section or plan/profile paper at a scale not greater than 1”=50’ horizontal and 1”=10’ vertical showing slopes, facility sizes, materials, sanitary sewer crossings, and all other information pertinent to the storm drainage system and sanitary sewer system (may be included with street profiles on street plan/profile map).

- (viii) Type, size and slope of sanitary sewer and storm drainage pipe, bedding details, direction of flow of each sewer and storm drainage line, and specifications for excavation, backfill, compaction and testing.
- (ix) Location of each manhole and other sewerage system appurtenances including lift stations, oxidation ponds, treatment plants, etc.
- (x) Engineering details of drainage structures and each sanitary sewer manhole and other sewerage system appurtenances including lift stations, oxidation ponds, treatment plants, etc. (may be placed on detail sheets).
- (xi) Proposed on-site sanitary sewer treatment facilities, whether privately owned or publicly dedicated, must meet all the design and performance standards as established for such facilities by the City Engineer of the City of Huntsville, Alabama.
- (xii) Certificates executed as shown below:

“STORM DRAINAGE AND SANITARY SEWER SYSTEM”

I, _____, the engineer of record, certify that the storm drainage and sanitary sewerage systems shown on this drawing are designed in accordance with the specifications of the City Engineer of the City of Huntsville, Alabama, and the Huntsville Subdivision Regulations. It is certified that the information shown hereon is true and correct to the best of my knowledge. It is further certified that adequate storm drainage easements are provided, where necessary.

DATE	Engineer of Record Registration Number

I, _____, the City Engineer for the City of Huntsville, Alabama, approve of the design and the construction plans of the storm drainage and sanitary sewerage systems as shown in these plans.

DATE

City Engineer
City of Huntsville, Alabama

“FLOOD HAZARD CERTIFICATE”

I, _____, the engineer of record, certify that the subdivision shown hereon lies within the flood hazard area _____ as shown on the Federal Insurance Administration’s Flood Insurance Rate Maps for _____, _____.
(County/City) (State)
Firm Panel # _____
Dated _____

Based on the current designation of floodway and flood fringe as established and adopted by the City of Huntsville the minimum finished floor elevation shall be _____.

G. The Septic Tank Plan (if applicable). Where no sanitary sewer system is available, a septic tank plan shall be prepared showing:

- (i) Location and capacity of all septic tanks proposed within the subdivision.
- (ii) Soil type according to county soil survey.
- (iii) Depth of soil if less than six (6) feet.
- (iv) Location of percolation test holes and results of percolation tests.
- (v) Location of tile field and minimum length of tile runs.
- (vi) Certificates executed as shown below:

“SEPTIC TANKS”

I, _____, the engineer of record or licensed land surveyor, certify that the percolation tests made above meet Health Department procedures and standards. I further certify that the

above information is true and correct to the best of my knowledge.

DATE

Engineer of Record
Registration Number

From the septic tank information submitted to the _____ County Health Department for lots _____ of _____ Subdivision, the following recommendations are made:

- a) Lots ___ meet _____ County Health Department requirements and should operate satisfactorily;
- b) Lots ___ require further engineering and/or alternative septic system installation;
- c) Lots ___ were not tested.

Each lot or tract shall be investigated further and approved or disapproved on its own merits.

DATE

Health Officer
_____ County, Alabama

H. Utilities, Except Natural Gas. The following utilities plans and certifications shall be submitted:

- (i) Electric Plan. The electric plan shall show location of conduit/lines, junction boxes, transformers, and street lights with associated conduit locations.
- (ii) Water Plan. The water plan shall show line locations and fire hydrant locations.
- (iii) Construction Certifications. Each proposed subdivision shall receive a construction certification as described below for each of the following utility services requested:

County Water Authority
Huntsville Utilities Water Department

Huntsville Utilities Electric Department
Local Telephone Company
Local Cable TV Company

For each service requested, the engineer of record will provide the utility with a print and a reproducible copy of the proposed subdivision. The print will show: 1) elevations, 2) sanitary sewers, 3) storm drains, 4) sidewalks, 5) lot lines and measurements, 6) rights-of-way (with street names shown), 7) easements, 8) curbs and gutters, 9) lot and block numbers and 10) location of common trenches as required for subdivisions located within the Slope Development District as defined by the City of Huntsville Zoning Ordinance. The reproducible copy will show: 1) lot lines and measurements, 2) rights-of-way (with street names shown), 3) easements, and 4) lot and block numbers. For subdivisions requiring a geotechnical test, Huntsville Utilities will be provided with a copy of the Geotechnical Investigation and Testing Plan.

Each utility from which service is requested shall provide the following certification on a copy of the preliminary plat or a set of related construction plans:

“(Name of Utility) SERVICE”

The _____ has reviewed the required submission material for the proposed subdivision in sufficient detail to determine that service can be made available. When improvements are completed, “as built” construction plans will be submitted to (the Huntsville Engineering Department).

DATE

Name and Title
Name of Utility

Additionally, for subdivisions in the Slope Development District as defined by the City of Huntsville Zoning Ordinance, each utility from which service is requested shall provide the following certificate on a copy of the preliminary plat or a set of related construction plans:

- (6) Study of Preliminary Plat. The Subdivision Committee shall consider the preliminary plat and construction plans and render a report to the next meeting of the Planning Commission concerning the preliminary plat.
- (7) Preliminary Plat Approval. After the Planning Commission has reviewed the preliminary plat and construction plans, the report of the Subdivision Committee, public comments, and recommendations of involved agencies and officials, it shall approve or disapprove the preliminary plat.
- (8) Effective Period of Preliminary Approval. The approval of a preliminary plat shall be effective for a period of one (1) year at the end of which time final approval on the subdivision must have been obtained from the Planning Commission, although the plat need not yet be signed and filed with the County Judge of Probate. Any plat not receiving final approval within the period of time set forth herein shall be null and void, and the developer shall be required to resubmit a new plat for preliminary approval subject to all new zoning restrictions and subdivision regulations.

3.4 Final Plat.

- (1) Application Procedure. Following the approval of the preliminary plat, the owner of land or his representative shall file an application for approval of a final plat.

The application shall:

- A. Be made on forms available at the office of the Director of the Planning Department.
- B. Be accompanied by a minimum of three (3) copies of the final plat as described in these regulations and complying in all respects with these regulations.
- C. Be accompanied by the actual closure computations for the boundary traverse. Such boundary traverse shall close to a minimum accuracy of one (1) part in five thousand (5000).
- D. Be presented to the director of the Planning Department sufficiently in advance of the meeting of the Planning Commission to allow time for his review.
- E. Be accompanied by a performance bond, if required, in a form satisfactory to the City Attorney and in an amount established by the City Engineer based upon cost estimates of the engineer of record.

- F. Be accompanied by a digital submittal as described in Article 3.3 (3) S., in compliance with all final plat requirements to the Planning/GIS Division, with electronic notification to the Planning Division, Engineering Division and Huntsville Utilities.
- (2) Final Plat Requirements. The final subdivision plat shall be presented in india ink on tracing cloth or reproducible mylar. The final plat shall contain the same information shown on the preliminary plat, as well as the following:
- A. The names and deed book and page, or document number of all adjoining property owners of record, or the names of adjoining developments; the names of adjoining streets.
- B. Notation of any proposed streets and rights-of-way adjacent to the subdivision.
- C. Notation of any restrictions by plats.
- (i) Restricted use areas shall be shown giving dimensions and locations, and shall be labeled "Restricted Use Area."
- (ii) A geotechnical investigation and testing report has been prepared for _____
(name of development)
as shown hereon and is recorded with the Office of Probate Judge of _____ County as Document No. (or in Deed Book ____ Page ____.)

Due to the documented evidence of natural or man-made hazards and/or sensitive environmental features existing on or near lots _____, all required construction plans submitted for a building permit on any of the said lots shall be certified to by a geotechnical engineer as being adequate to meet the minimum required standards and practices for stability and bearing capacity as established by the regulations of the City of Huntsville, Alabama.

Prior to issuance of a certificate of occupancy on lots _____, all site construction and building construction shall be certified to by a geotechnical engineer as having been completed in compliance with the required standards and practices for stability and bearing capacity as established by the

regulations of the City of Huntsville, Alabama, and as set forth in the aforementioned certified construction plans.

- (iii) All Hazard Zone lands as defined by the Zoning Ordinance of the City of Huntsville, Alabama, shall be shown giving locations and dimension, and shall be labeled Hazard Zone.

- D. Subdivisions shall have the lot size for each lot on the final plat.
- E. All existing monuments and all monuments to be installed are to include the material of which the monuments, corners or other points are made and shall be noted at the representation thereof or by legend.
- F. Endorsements and certificates as follows:
 - (i) A certificate of accuracy by a surveyor licensed to practice in the State of Alabama and licensed with the City of Huntsville, Alabama.

STATE OF ALABAMA
_____ COUNTY

I, (owner's land surveyor), do hereby certify that I am a licensed land surveyor and licensed in Huntsville, Alabama, and that I have surveyed the lands embraced in the within plat or map designated as (subdivision name) all lying within _____ County, Alabama. It is further certified that said plat or map is a true plat or map of lands embraced therein, giving the length and bearings of the boundaries of each block and lot and block number; showing the streets, alleys and public grounds; giving the bearings, length, width and name of each street; showing the relation of the lands to the government survey; (or, in the case of a resubdivision, "showing the relation of the land to the survey of _____ as recorded in the Probate Office of _____, County, Document No. _____ (or Plat Book __, Page __)"); and that monuments shown hereon shall be installed at all lot corners and curve points prior to final inspection by the City Engineer of the City of Huntsville, Alabama.

- (ii) A certificate of title showing ownership of land.*

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

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

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

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

STATE OF ALABAMA
_____ COUNTY

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

(For Non-Corporate Ownership)

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

In witness whereof, I hereunto set my hand and seal, this the ___ day of _____, 20__.

(For Corporate Ownership)

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

In witness whereof, I hereunto set my hand and seal, this the ___ day of _____, 20__.

Notary Public

- (iv) A certificate by the geotechnical engineer of record, for subdivisions requiring geotechnical investigation and testing:

Due to the documented evidence of potential geologic hazards existing on or near the lots shown hereon, I, _____, the geotechnical engineer of record, having caused investigations and tests to be performed and based on the findings of said investigations and tests do hereby certify that all lots shown hereon exhibit no apparent geologic or geotechnical constraints which would render said lots unfit for development.

DATE

Geotechnical
Engineer of Record

- (v) For developments where construction is proposed on lands or portions of lands which are designated as Hazard Zone as defined by the Zoning Ordinance of the City of Huntsville, Alabama, the following certifications:

ENGINEER OF RECORD

I, _____, the engineer of record, certify that the proposed development shown hereon is designed in accordance with sound engineering standards and practices, and in accordance with all applicable development regulations. I further certify that I have caused prudent investigation testing

and inspections to be performed on all lands within the proposed development identified as Hazard Zone, as defined by the Zoning Ordinance of the City of Huntsville, Alabama, including geotechnical analysis and testing on all Hazard Zone lands and on lands upslope and downslope of the proposed development, and I have instructed the land surveyor as to those areas within the proposed development that fall within the Hazard Zone for inclusion in the development plats. Based upon the investigation, testing and inspections performed, as defined and discussed in the geotechnical analysis and report dated _____ and submitted in connection herewith, and further based upon any remedial measures taken in connection with the hazards defined therein, I certify that, within acceptable geotechnical standards, development of the property as shown on the plat will not diminish the stability of the slope or otherwise increase the likelihood of landslide or other slope failure and that the buildable areas designated hereon can meet a minimum safety factor of 1.5 for stability.

Date

Engineer of Record
Registration Number

OWNER

I, _____, owner/owners of the lands embraced hereon, hereby certify that I have caused investigation in accordance with sound engineering standards and practice to be made of Hazard Zone lands, as defined by the Zoning Ordinance of the City of Huntsville, Alabama, within the development as shown hereon. I further understand the potential and inherent danger of said lands and that landslides have originated in conditions that regularly exist on said Hazard Zone lands. With this knowledge, I hereby certify that I have caused all prudent measures to be taken in the design of the development as shown hereon, including an analysis of all lands upslope and downslope of the Hazard Zone lands, to assure that the site is safe for the proposed development, and within acceptable geotechnical standards the proposed development will not diminish the stability of the slope or otherwise increase the likelihood of landslide or other slope failure.

_____	_____
Date	Owner

(vi) A certificate for approval of City Engineer, City of Huntsville.

The undersigned, as City Engineer of the City of Huntsville, Alabama, hereby approved the within plat for the recording of same in the Probate Office of _____ County, Alabama, this the ____ day of _____, 20__.

City Engineer
City of Huntsville

(vii) A certificate for approval of Huntsville Utilities.

The undersigned, a duly authorized representative of Huntsville Utilities of the City of Huntsville, Alabama, hereby approves the within plat for the recording of same in the Probate Office of _____ County, Alabama, this the ____ day of _____, 20__.

Name and Title

(viii) A certificate for approval by the County Health Department for subdivisions not served by a sanitary sewer system.

From the septic tank information submitted to the _____ County Health Department for lots ___ of _____ Subdivision, the following recommendations are made:

- a) Lots ____ meet _____ County Health Department requirements and should operate satisfactorily;
- b) Lots ____ require further engineering and/or alternate septic system installation;
- c) Lots ____ were not tested.

Each lot or tract shall be investigated further and approved or disapproved on its own merits.

The undersigned, a duly authorized representative of the _____ County Health Department, hereby approves the within plat for the recording of same in the Probate Office of _____ County, Alabama, this the ___ day of _____, 20__.

Name and Title

(ix) A certificate for approval by the Planning Commission.

The within plat of (name of subdivision), _____ County, Alabama, is hereby approved by the Planning Commission for the City of Huntsville, Alabama, for recording of same in the Probate Office of _____ County, Alabama, this the ___ day of _____, 20__.

The recording must be accompanied by the ___ day of _____, 20__. If the plat is not recorded by this date, the approval of the plat by the Planning Commission shall be deemed to have expired.

Planning Commission for the
City of Huntsville, Alabama

By _____

Title _____

(x) A certificate for recording by the Probate Judge.

STATE OF ALABAMA
_____ COUNTY PROBATE JUDGE

I, _____, Judge of Probate of the county and state aforesaid, certify that the within and foregoing instrument of writing was filed for record in this office on the ___ day of _____, 20__ at _____ o'clock and duly recorded as Document No. _____ (or in Plat Book _____, Page ____.)

Judge of Probate

- (xi) A flood hazard certification as shown on the preliminary plat.
- (xii) A certificate indicating that either all required improvements have been installed or that sufficient bond exists to cover the cost of improvements.

OPTION 1 – IMPROVEMENTS INSTALLED

I hereby certify that I have inspected the water system improvements for the subdivision shown hereon and that the installation is in accordance with the approved construction plans and plat for this subdivision and meets the construction specifications of the Water Department.

Manager or Authorized
Representative City of
Huntsville Water Department,
County Water System, or
Local County Water system

I hereby certify that I have inspected the following improvements for the subdivision shown hereon: streets, sidewalks, storm drainage, sanitary sewer, traffic control devices, street markers, monuments. I find that these improvements have been installed in accordance with the approved construction plans and plat for this subdivision and meet the construction specifications of the City of Huntsville, Alabama.

Engineer of Record
Registration Number

I hereby concur with and approve of the engineer's certification above.

City Engineer
City of Huntsville, Alabama

OPTION 2 – POST BOND FOR IMPROVEMENTS

I recommend bond for assurance of installation of streets, storm drainage, sanitary sewers, sidewalks, traffic control devices and monuments as required in the approved construction plans and plat for the subdivision shown hereon shall be in the amount of \$_____.

City Engineer
City of Huntsville, Alabama

I recommend bond for assurance of installation of water improvements as required in the approved construction plans and plat for the subdivision shown hereon shall be in the amount of \$_____.

Manager or Authorized Representative
City of Huntsville Water Department,
County Water System, or Local
County Water System

I hereby approve bond for assurance of improvements described above as required by the Huntsville Subdivision Regulations for the subdivision shown hereon in the amount of \$_____.

City Attorney

I hereby received and placed on file with the City of Huntsville bond as initialed by the City Attorney in the amount of \$_____ for the subdivision shown hereon.

City Clerk-Treasurer

- (xiii) For planned developments and private subdivisions, additional certificates as necessary to insure adequate access for public protection and utilities as well as conformance to applicable plans and ordinance requirements. Restrictive covenants will be required in the final form at time of final plat submittal.
- (xiv) Every subdivision that has real property within the subdivision that is intended to be common area for the common benefit, enjoyment and use of the owners, occupants and guests of the lands contained within the subdivision, is required to enter into a **Common Area Maintenance Agreement**, which ensures that the common area is continually and properly maintained without the expenditure of municipal funds. In addition, each final plat must contain a **Common Area Maintenance Agreement Plat Note**, and if the land is mortgaged, a **Mortgagee’s Certificate**. The plat notes are as follows:

COMMON AREA MAINTENANCE AGREEMENT PLAT NOTE

By executing this Subdivision Plat, the owners of the real property embraced by and located within the same (the “Owner(s)”) and the City of Huntsville, Alabama (“City”), each agree and covenant, for themselves and their respective heirs, personal representatives, successors and assigns:

1. That the areas within this Subdivision denominated as “Common Area” and/or “Common Property” are subject to the agreements, covenants, provisions and terms of that certain Common Area Maintenance Agreement by and between Owner(s) and City dated _____ (the “Agreement”);
2. That the Agreement and each of its agreements, covenants, provisions and terms (a) are covenants “running with the land” thus (i) affecting and burdening the enjoyment and use of all real property embraced by and located within this Subdivision, (ii) binding upon all persons and entities presently or in the future owning any right, title, interest and/or claim in and to any of said real property and (iii) enforceable by the City, its successors and assigns, by all available legal,

equitable and other remedies and (b) by this reference are incorporated herein and made a part hereof as though set out herein in verbatim.

Dated as of the ____ day of _____, 20__.

OWNER(S):

_____,
an _____,
By: _____
As its: _____

Attest: _____
(Name of Clerk-Treasurer)
as Clerk-Treasurer of
City of Huntsville,
a municipal corporation
within the State of Alabama

CITY:
CITY OF HUNTSVILLE,
a municipal corporation
within the State of Alabama

By: _____
(Name of Mayor)
As its Mayor

STATE OF ALABAMA)
)
COUNTY OF _____)

I, _____, a Notary Public in and for said County in said State, hereby certify that _____, whose name as _____ of the _____, an _____, is signed to the foregoing Common Area Maintenance Agreement Plat Note, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing Common Area Maintenance Agreement Plat Note, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of the said _____, an _____, as of the day the same bears date.

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

_____,
an _____,
By: _____
As its: _____

STATE OF _____)
_____)
COUNTY OF _____)

I, _____, a Notary Public in and for said County in said State, hereby certify that _____ whose name as _____ of _____, an _____, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing instrument, _____, as such _____ and with full authority, executed the same voluntarily for and as the act of the said _____, an _____, as of the day the same bears date.

GIVEN UNDER MY HAND and official seal on this the _____ day of _____, 20__.

Notary Public
State of Alabama
County of _____ [SEAL]

My Commission Expires:

- (3) Planning Commission Review and Approval. After review of the final subdivision plat, the Planning Commission shall approve the plat for recording or shall disapprove the plat and state the reasons for disapproval. At the time of final plat approval, the Planning Commission may stipulate the time period when the required improvements shall be installed, but in no event shall the period of time for completion of required improvements exceed two (2) years from the date of final approval.

- (4) Copy of Final Plat to all Certifying Agencies. Following the Planning Commission approval of the final plat, one reproducible copy of the final plat as approved shall be presented by the owner or his representative to the Vice President of Operations of Huntsville Utilities. Any other agencies certifying the final plat shall be presented a print of the final plat as approved.

- (5) Recording of Plat. If the final plat as approved by the Planning Commission is not recorded within six (6) months of the date of final approval, the approval of the plat shall be deemed to have expired.

ARTICLE 4

REQUIREMENTS FOR IMPROVEMENTS AND DESIGN

4.1 General Requirements

- (1) Conformance to Applicable Plans, Rules and Regulations. In addition to the requirements established herein, all subdivision plats shall comply with the following plans, rules and regulations:
 - A. All applicable statutory provisions.
 - B. All elements of the Master Plan for the City of Huntsville, including all streets, drainage systems, and parks shown on the Master Plan, or individual elements thereof, as adopted.
 - C. The City Zoning Ordinance and building and housing codes, if applicable.
 - D. The requirements of the County and State Health Departments.
 - E. The rules of the Alabama Highway Department if the subdivision abuts a state highway.
 - F. The design and construction standards adopted by the City Engineer for the City of Huntsville, Alabama.
 - G. The geometric standards adopted by the City of Huntsville, Alabama.
 - H. All elements of the Huntsville Area Transportation Study adopted by the Metropolitan Planning Organization (MPO), if applicable.
- (2) Subdivision and Street Names. The proposed names of subdivisions and streets shall not duplicate, or too closely approximate phonetically, the name of any street or subdivision covered by these regulations. The Planning Commission shall have final authority to designate street and subdivision names where conflicts exist with other established streets and subdivisions.

4.2 Blocks

- (1) The lengths, widths and shapes of blocks shall be determined with due regard to:
 - A. Provisions of adequate building sites suitable to the special needs of the type of use contemplated;

- B. Zoning Ordinance and/or Health Department requirements as to lot sizes and dimensions;
 - C. Needs for convenient access, circulation, control and safety of street traffic; and
 - D. Limitations and opportunities of topography.
- (2) Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width may be permitted in blocks adjacent to major streets, railroads, waterways, or in order to overcome specific disadvantages of topography and orientation.
- (3) Block lengths in residential areas shall not exceed twenty-two hundred (2200) feet. Wherever practicable, blocks along all arterial and major collector streets shall not be less than one thousand (1,000) feet in length.
- (4) Pedestrian walkways not less than five (5) feet wide, all of which shall be constructed with concrete, shall be required across blocks where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, and other community facilities. Such walkways, along with sufficient right-of-way for maintenance purposes, shall be dedicated to the city for public use.

4.3 Lots

- (1) The lot size, width, depth, shape and orientation, and minimum building lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- (2) Lot dimensions shall conform to the requirements of the Zoning Ordinance and the requirements of the Health Department. In such cases where requirements may conflict, the larger requirements shall govern. In cases where no zoning requirements apply, all lots shall have no less than twenty-five (25) feet of street frontage and no less than fifty (50) feet of lot width at the required minimum building line.
- (3) Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for off-street parking and loading facilities required for the use contemplated.
- (4) Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation to both streets.
- (5) Each lot shall be provided with adequate access to a public street. Lots shall not, in general, derive access exclusively from any street designated as an arterial or

major collector street on the Major Street Plan. Additionally, if access must be obtained from an arterial or major collector street, single family residential driveways shall be designed and arranged to avoid requiring vehicles to back into traffic. Multiple family residential driveways and drives serving all nonresidential land uses shall be designed and arranged to avoid requiring vehicles to back into traffic on all streets.

- (6) Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from arterials and major collectors or so as to overcome specific disadvantages of topography and orientation. The subdivider shall provide a minimum fifteen foot (15) wide non-access reservation with screening planting, as defined herein, along the line of lots abutting such traffic collectors and arterials or other disadvantageous feature. If the subdivider chooses to provide a common area or alley right of way between the rear of the double or reverse frontage lots and the traffic collectors or arterials, then the minimum fifteen foot (15') wide non-access reservation with a screen planting, as defined herein, shall be required within a common area abutting said collectors or arterials.
- (7) In general, side lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot plan, as determined by the Planning Commission, and in no case shall a side lot line have more than one (1) directional bearing, except for physical features requiring more than one (1) directional bearing.

4.4 Monuments. The applicant shall place permanent reference monuments in the subdivision as required herein and as approved by a registered land surveyor.

- (1) Monuments shall be located on street right-of-way lines, at street intersections, angle points of curve and block corners. They shall be spaced so as to be within sight of each other, the sight lines being contained wholly within the street limits.
- (2) The external boundaries of a subdivision shall be monumented in the field by monuments of concrete, not less than thirty (30) inches in length, not less than four (4) inches square or four (4) inches in diameter, and marked on top with a cross, brass plug, iron rod, or other durable material securely embedded. In the event the surveyor finds an existing corner it will be at the surveyor's option whether it should or should not be replaced with a concrete monument; also, in the event that conditions exist that make concrete monuments impractical to install (such as solid rock), or impractical to witness, a survey marker with a chiseled cross, chiseled X, or chiseled point shall be securely embedded. These monuments shall be placed not more than one thousand four hundred (1,400) feet apart in any straight line and at all corners, at each end of all curves, at the point where a curve changes its radius, at all angle points along the meander line, said points to be not less than twenty (20) feet back from the bank of any river, stream, or major drainageway; except that when such corners or points fall within a street,

or proposed future street, the monuments shall be placed in the side line of the street. Location of such monuments shall be shown on the final plat.

- (3) A minimum of two concrete monuments as described in the preceding paragraph shall be placed in each separate block of the subdivision to be placed at lot corners within sight of each other for the purpose of horizontal control within the interior of the subdivision. Concrete monuments placed on the boundary of the subdivision falling within the limits of a block will serve to satisfy the above requirement.
- (4) All internal boundaries and those corners and points not referred to in the preceding paragraph shall be monumented in the field by iron pipes and rods at least 18 inches long and one-half (1/2) inch in diameter. These monuments shall be placed at all block corners and at each end of all angle points in any line.
- (5) The lines of lots that extend to rivers, streams or major drainageways shall be monumented in the field by iron pipes at least eighteen (18) inches long and one-half (1/2) inch in diameter or by round iron bars at least eighteen (18) inches long. These intersections shall be monumented by a witness corner established not less than twenty (20) feet back from the bank of the river, stream, or major drainageway.

4.5 Roads

- (1) Grading and Improvement Plan. Roads shall be graded and improved and conform to the construction standards of the City of Huntsville and shall be approved as to design standards by the City Engineer, in accordance with the construction plans required to be submitted prior to final plat approval. In no case shall cut or fill embankments, except in the case of stable rock cuts, exceed a maximum slope of two (2) feet horizontal to one (1) foot vertical unless retained by a structural wall or other approved retaining method.
- (2) Topography and Arrangement.
 - A. All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated rights-of-way as established by the Major Street Plan.
 - B. All thoroughfares shall be properly related to special traffic generators such as industries, business districts, schools, churches, and shopping centers; to population densities; and to the pattern of existing and proposed land uses.
 - C. Local streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of

streets necessary to provide convenient and safe access to property. A grid system of street layout is discouraged.

- D. Subdivisions which abut or have included within the proposed area to be subdivided any major collector or arterial street shall provide:
- (i) A marginal access street with a minimum fifteen (15) feet wide non-access reservation adjacent thereto with screening berms and screen plantings which shall include trees, shrubs and ground covers between the marginal access street and major collectors or arterial, or
 - (ii) Reverse frontage with a minimum fifteen (15) feet wide non-access reservation with screening berms and screen plantings which shall include trees, shrubs and ground covers along the rear property line, or
 - (iii) Deep lots with rear service drives, and a minimum fifteen (15) feet wide screen planting reservation along the front property line which shall include screening berms and screen plantings consisting of trees, shrubs and ground covers, or
 - (iv) Other treatment including screening fences or walls as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- E. In business and industrial developments, the streets and other accessways shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of truck loading and maneuvering areas, and walks and parking areas so as to minimize conflict of movement between the various types of traffic, including pedestrian.
- (3) Reserve Strips. Unusable reserve strips controlling access to streets shall be prohibited. Land shall not be subdivided in a manner which omits part of the original tract to avoid drainage improvements.
- (4) Dead End Roads.
- A. The arrangement of streets shall provide for the continuation of streets between adjacent properties when such continuation is necessary for convenient movement of traffic, coordinating the layout of the subdivision with the existing layout or most advantageous future development of adjacent tracts, effective access for emergency services including police, fire and ambulances, efficient provision of utilities, or where such continuation is in accordance with the Major Street Plan.

If the adjacent property is undeveloped and the street must be a dead end street temporarily, the street and right-of-way shall be extended to the property line. For temporary dead end streets that exceed more than three hundred feet in length from the centerline of the intersecting street and/or exceed eight consecutive lots, a temporary turn around shall be provided. The purpose of a temporary turn around is to provide maneuverability for oversized vehicles such as firefighting, sanitation, and road maintenance equipment. The turning area shall be a T-type turn around as illustrated by AASHTO and 5-foot all-inclusive easements shall be provided on either side of the 50-foot right-of-way to accommodate said turn around. A visual barrier shall be provided at the dead end portion of the street by means of three diamond reflectors (OM4-3) mounted on signpost. The diamond reflectors shall be evenly spaced across the width of the street pavement. A 'No Parking Anytime' sign (R7-1) shall be attached to the center signpost.

At the time development continues into adjacent property, the temporary turn around must be removed entirely and the roadway and applicable sidewalks must be extended through the former temporary turn around area at the expense of the developer of the adjacent property. Also, areas disturbed in the all-inclusive easement must be properly graded and landscaped at the expense of the developer extending the roadway.

Where floodplain district regulations require the elevation of land within a subdivision to be greater than a certain designated number of feet above the base flood elevation, which number is to be set by the City Engineer, a developer may request that the Engineering Department allow a dead-end road to terminate the minimum number of feet from the subdivision boundary sufficient to accommodate appropriate grading to be accomplished within the boundaries of the subdivision, unless the owner(s) of the adjacent property grants an easement to accommodate the necessary grading to construct the roadway to the subdivision boundary. If the adjacent owner(s) declines, sufficient right-of-way must be dedicated to the boundary of the subdivision to allow for the future extension of the roadway improvements and required sidewalks. At the time development continues into or upon said adjacent property, the road improvements and applicable sidewalks must be extended through the dedicated right-of-way and connected with the adjacent development at the expense of the developer of said adjacent property. In order to be eligible for this provision, a document must be submitted to the Planning Commission signed and notarized by the then-current adjacent owner(s), declining the developer's request for an easement to accommodate the necessary grading to construct the roadway to the subdivision boundary and acknowledging that said adjacent owner(s) understands that, at the time development continues into or upon said adjacent owner's property, the road improvements and applicable sidewalks must be extended through

the dedicated right-of-way and connected with said adjacent development at the expense of the developer of said adjacent property.

- B. Where 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. For greater convenience to traffic and more effective police and fire protection, and emergency medical services, permanent dead-end streets shall, in general, be limited in length in accordance with the design standards of these regulations.

(5) Design Standards.

- A. General Design Standards. In order to provide for roads of suitable location, width, and improvement, to accommodate prospective traffic and afford satisfactory access to police, firefighting, sanitation, and road-maintenance equipment, and to coordinate roads so as to compose a convenient system and avoid undue hardships to adjoining properties, the following design standards for roads are hereby required. Road classification shall be as indicated on the Major Street Plan or as determined by the Planning Commission.

TABLE 1
MINIMUM RIGHT-OF-WAY WIDTHS OR MAJOR STREETS (in feet)*

IMPROVEMENT	RESIDENTIAL	NONRESIDENTIAL
Major Arterial	120	120
Minor Arterial	120	120
Major Collector	80	80
Minor Collector	60	60

* Minimum right-of-way may be reduced when:

1. The road adjacent to the development is classified as a major collector or an arterial, and
2. The road has been constructed to its planned number of lanes, with necessary pedestrian and traffic facilities, and
3. No improvements are scheduled for the road in the Long Range Transportation Plan (20 year plan).

In no event shall required right-of-way for an arterial or major collector be reduced to less than 60 feet.

TABLE 2
MINIMUM LANE WIDTHS FOR MAJOR STREETS (in feet)*

IMPROVEMENT	RESIDENTIAL	NONRESIDENTIAL
Major Arterial	12	12
Minor Arterial	11	12
Major Collector	11	12
Minor Collector	11	12

*Minimum lane width may be reduced to ten (10) feet when in the judgement of the Planning Commission the road project and adjacent lands are best served by such a reduction without a loss to the road’s utility or safety. Consideration shall be given to the following issues, but is not limited to these issues:

1. Existing natural features and terrain in and adjacent to the proposed right-of-way;
2. Existing structures located in and adjacent to the proposed right-of-way;
3. Functional classification of the road;
4. Design speed of the road; and
5. Utilization of the road by truck traffic.

No reduction in lane width may be granted without written justification from the City Engineer and/or the Traffic Engineer stating the necessity of any requested reduction.

TABLE 3
MINIMUM RIGHT-OF-WAY AND PAVEMENT WIDTHS FOR OTHER STREETS (in feet)*

IMPROVEMENT	RIGHT-OF-WAY	PAVEMENT WIDTH
Local	50	26
Local in Slope Development District**	40	22
Marginal Access Street	40	22
Rear Service Road	25	15

* The Planning Commission may require an additional three (3) feet of pavement width upon recommendation by the Traffic Engineer pertaining to those local streets that either connect with

collector or arterial streets, or for local streets which will connect with other (as yet to be developed) property(ies).

**Cul-de-sacs exceeding 800 feet in length shall have a minimum right-of-way of fifty (50) feet and minimum pavement width of twenty-six (26) feet.

TABLE 4
MAXIMUM GRADES FOR ROADS (percent)

IMPROVEMENT	RESIDENTIAL	NONRESIDENTIAL
Major Arterial	5	5
Minor Arterial	5	5
Major Collector	6	6
Minor Collector	12	12
Local	12	12
Marginal Access Street	12	12
Rear Service Road (one way and two way)	12	12

Minimum Stopping Sight Distance; Minimum Curve Radius; and Minimum Sight Distance

Those geometrics dealing with vehicular safety shall be developed in accordance with the current edition of AASHTO (American Association of State Highway and Transportation Officials) geometric design policy for streets and highways which will include radius of curvature, length of vertical curve, and all applicable sight distances. Exceptions to AASHTO 25 m.p.h. design criteria requirements may be granted for cul-de-sacs and loop roadways serving 50 or fewer dwelling units in mountainous terrain.

Minimum Length of Tangents Between Reverse Curves Shall Be 100 Feet. For collector streets and arterial streets, minimum length of tangents will be increased according to AASHTO geometric design policy.

Maximum length of tangents on a local street shall be 500 feet except those designed and constructed under the Crime Prevention Through Environmental Design Standards [Article 4.5(6)] which shall be 700 feet. Where maximum tangent lengths exceed the above standards, traffic calming devices must be installed.

The following measures are examples of acceptable traffic calming devices. However this list is not all inclusive and other measures may be required given specific circumstances of each situation.

1. Chicane
2. Traffic Circle
3. Textured Pavement
4. Neck Down

- 5. Mid-block Median
- 6. Lane Narrowing
- 7. Turn Restriction
- 8. Partial Street Closure
- 9. Median Barrier

Maximum Length of Cul-De-Sac for residential and non-residential streets shall be 800 feet.

TABLE 5
MINIMUM RADIUS OF CUL-DE-SAC TURNAROUND (in feet)

LOCAL	RESIDENTIAL	NONRESIDENTIAL
At right-of-way	50	50*
At pavement	37.5	37.5*

*Unless other design dimensions are required by the Traffic Engineer based on AASHTO geometric design policy.

B. Parkway Design Standards

- (i) In order to be designated as a parkway by the Planning Commission, a roadway must conform with all applicable regulations of these Subdivision Regulations except the requirement for curbs and gutters and must meet the following additional requirements:

- a. Minimum required right-of-way* (in feet)

	<u>2 lanes</u>	<u>4 lanes</u>
Minor Collector	100	180
Major Collector	100	180
Minor Arterial	110	200
Major Arterial	110	200

* Right-of-way for four lanes may be required by the Planning Commission for parkways with initial two-lane construction if four lanes are to be required in the future based on projected traffic volume at full capacity.

- b. Minimum required median width for four-lane parkways.

No less than a twenty-foot (20') – wide strip, exclusive of clear zones, shall be planted and maintained as described in (iii) **Landscaping Requirements** (below), provided however that all such plantings shall comply with adequate sight distance requirements.

c. Minimum shoulder width (in feet)

Minor Collector	8
Major Collector	8
Minor Arterial	10
Major Arterial	10

d. Access shall be limited to intersections with arterial and collector roadways with a minimum separation of one-quarter (1/4) mile (1320 feet) from centerline to centerline.

(ii) Minimum storm drainage requirements including:

a. The side slope requirement on man-made earth lined ditches shall be no greater than four (4) feet horizontal to one (1) foot vertical.

b. Minimum grade along flow line of any constructed roadside drainage ditch shall be not less than one percent (1%). Drainage ditches that cannot meet this criteria shall be piped or concrete flumed.

c. The Engineer of Record shall prepare an Erosion Control Plan to indicate how erosion of bare ditches and drainage swales will be prevented. The entire drainage section shall be covered with an acceptable stand of grass and/or erosion control material approved by the City Engineer to prevent erosion and sedimentation during and after construction.

d. The City Engineer will require supporting data and calculations to determine that the drainage design conforms to the City of Huntsville regulations and requirements.

(iii) Landscaping Requirements.

Landscaped strips at least twenty feet deep and located on either side of the roadway at the periphery of the right-of-way shall be planted and maintained as follows:

Each planting strip shall contain the equivalent of one (1) tree per thirty-five (35) linear feet of length of said strip spaced no more than one hundred (100) feet on center and no less than fifteen (15) feet on center, a minimum of sixty percent (60%) of which shall be locally adapted large type deciduous shade trees. In addition, each planting strip shall contain grass, permanent mulch beds, or other permanent vegetative ground cover on all parts of each said strip except where physically impracticable. All required plants shall be arranged in such a manner as to provide a variety of plant materials and spacings so that straight single-species rows are minimized and vistas, view corridors, and spacial diversity are maximized. Additional plant materials are encouraged and may be planted, provided the minimum requirements for said plantings as listed above are met.

Existing vegetation may be credited in lieu of the required plantings so long as it can be proven that the existing vegetation is sound, in good health and meets or exceeds the landscaping intent of the minimum required plantings listed above.

Note: The term “maintained” shall mean the adequate performance of fertilizing, pruning, watering, and all other applicable actions including replacement, necessary to assure the health, soundness, vitality and good appearance of the required plantings for a minimum period of two (2) years.

(iv) Pedestrian Facility Requirements.

Pedestrian facilities separated from vehicular traffic shall be provided. The facilities shall be constructed of an all-weather surface material and shall conform to the topography of the roadway and cause minimal disturbance to the natural environment. The placement and type of facility shall be approved by the Planning Commission upon the recommendation of the traffic engineer.

C. Mini-farm Residential Subdivision Standards. A mini-farm subdivision must conform with all applicable regulations of these Subdivision Regulations except the requirement for curbs, gutters and sidewalks and must meet the following additional requirements:

(i) Density. Each lot must contain a minimum of five acres.

- (ii) Lot Widths. Each lot must have a minimum width of 200 feet measured at a point forty (40) feet back from the street right-of-way.

- (iii) Roads.
 - a. Minimum required right-of-way (in feet)

Minor Collector	100
Local	80

 - b. Minimum improved shoulder width (both sides, in feet)

Minor Collector	6
Local	4

 - c. Minimum lane width is twelve (12) feet.

- (iv) Minimum Storm Drainage Requirements.
 - a. The City Engineer will require supporting data and calculations to determine that the drainage design conforms to the City of Huntsville regulations and requirements.

 - b. Ditches shall be designed to carry the ten (10) year storm without flooding beyond the top of the ditch bank.

 - c. Existing drainage courses including channels, streams, creeks and other waterways determined by the City Engineer to be important for Stormwater Management in the City of Huntsville must be included within a utility and drainage easement. The width of the utility and drainage easement shall be specified by the City Engineer, but in no case shall the easement be less than the width of the drainage course from top of bank to top of bank plus twenty (20) feet.

 - d. The maximum difference between the centerline of roadway and ditch flowline shall be three (3) feet. On roadways with a design speed of 30 mph or less, roadside ditches shall have a minimum four (4) feet horizontal to one (1) foot vertical front slope and back slope. Roadways with a design speed of greater than 30

mph shall have a minimum front slope of six (6) feet horizontal to one (1) foot vertical and a minimum back slope of four (4) feet horizontal to one (1) foot vertical.

- e. Minimum grade along flowline of any constructed roadside drainage ditch shall be not less than one percent (1%). Drainage ditches that cannot meet this criteria shall be piped or concrete flumed.
- f. Driveway pipes shall be sized considering inlet control and outlet control to insure proper sizing. Minimum size of driveway pipes shall be 15 inches. City of Huntsville standard pipe headwalls shall be installed on all pipes according to city specifications. Safety ends or slope paved headwalls will be required.
- g. The Engineer of Record shall prepare an Erosion Control Plan to indicate how erosion of bare ditches and drainage swales will be prevented. The entire drainage sections shall be covered with an acceptable stand of grass and/or erosion control material approved by the City Engineer to prevent erosion and sedimentation during and after construction.

(v) Plat Restrictions.

- a. If a subdivision receives final approval as a mini-farm residential subdivision, plat restrictions shall be placed on the final plat to prohibit the further subdivision of such land into lots smaller than five (5) acres or having a lot width of less than 200 feet.
- b. No resubdivision of an approved mini-farm residential subdivision will be approved by the City of Huntsville Planning Commission which would create any lot less than five (5) acres in size or having a lot width less than 200 feet at the required minimum building line, unless the approved mini-farm residential subdivision streets are redesigned and constructed to the road design standards as stated in Article 4.5 of these regulations and the sidewalk standards as stated in Article 4.6 of these regulations.

(6) Crime Prevention through Environmental Design Standards.

- A. The following design standards may be used on local streets with a projected average daily traffic volume (ADT) of 1000 or less. The applicant shall provide estimates of ADT to the traffic engineer based on projected intensity of use. The subdivision street design must conform with all other applicable regulations of these Subdivision Regulations and be approved by the Planning Commission on recommendation of the City of Huntsville Traffic Engineer.

- B. Road Standards.
 - (i) Minimum right of way shall be 46 feet.
 - (ii) Minimum pavement width shall be 22 feet.

- C. Intersections. Minimum radii of intersections of property lines shall be 15 feet. Sidewalk curb ramps shall be constructed of reinforced concrete, 6 inches thick and be continuous around the radius to allow for emergency and oversize vehicles to negotiate the turning movement.

- D. Street Trees and Lawn. A minimum 10-foot wide landscape strip shall be located between the sidewalk and adjacent curb on both sides of the streets. The landscape strip shall contain plant materials planted and maintained as follows: One tree per 50 linear feet or roadway, spaced a minimum of 35 feet on center but no more than 65 feet on center and located 6 feet from the face of curb. Street trees shall not be located within side lot line easements as extended through the right-of-way to the back of curb. No single species of tree may constitute more than 25% of the total required, and trees of the same species shall not be planted next to each other. Grass or other permanent vegetative ground cover shall be planted within the landscape area. Trees shall be 1.5 – 2.0 inch caliper in size and shall be chosen from the following list:

BOTANICAL NAME	COMMON NAME
Acer buergeranum	Trident Maple
Acer campestre	Hedge Maple
Acer rubrum	Red Maple
Acer saccharum	Sugar Maple
Carpinus caroliniana	American Hornbeam
Fraxinus pennsylvanica	Green Ash
Ginkgo biloba(guaranteed male clones only)	Ginkgo
Ilex opaca	American Holly
Liriodendron tulipifera	Yellowpoplar
Magnolia acuminata	Cucumbertree, Cucumber Magnolia
Metasequoia glyptostroboides	Dawn Redwood
Ostrya virginiana	Eastern Hophornbeam, American Hophornbeam
Nyssa sylvatica	Blackgum, Black Tupelo, Sourgum
Quercus accutissima	Sawtooth Oak
Quercus alba	White Oak
Quercus falcate	Southern Red Oak
Quercus lyrata	Overcup Oak

Quercus michauxii	Swamp Chestnut Oak
Quercus muehlenbergii	Chinkapin Oak
Quercus parvifolia	Chinese Elm
Quercus rubra	Northern Red Oak
Quercus shumardii	Shumard Oak
Taxodium distichum	Baldcypress

Street tree planting shall be performed in accordance with the planting specifications as detailed in Appendix A, herein.

The selection of street trees shall conform with the Standards for Nursery Stock, as detailed in Appendix B, herein.

Note: The term “maintained” shall mean the adequate performance of fertilizing, pruning, watering, and all other applicable actions including replacement, necessary to assure the health, soundness, vitality and good appearance of the required plantings for a minimum period of 1 year from the date of final acceptance of the subdivision.

E. Sidewalks.

Concrete sidewalks 5 feet in width shall be located on both sides of the roadway within a five-foot wide pedestrian and utility and drainage easement located immediately adjacent to both sides of the right-of-way.

(7) Modification of Minimum Design Standards.

- A. Minimum design standards may be modified on a case-by-case basis for hardship or unique situation, provided that any modifications shall be consistent with vehicular speed and traffic expected on the subject street and that special conditions, such as special materials or signs and signals, may be prescribed in conjunction with modification of the standards.
- B. In no event shall minimum standards for local streets be modified to allow rights-of-way less than forty (40) feet or pavement widths of less than twenty-one (21) feet. Pavement width can be reduced to twenty-one (21) feet only in locations where additional off-street parking is provided for common use equivalent to the number of parking spaces that would have been accommodated at the curb on a street of full roadway width. Such common parking shall be of approved all-weather surfacing.
- C. In no event shall minimum standards be modified to allow any cul-de-sac to exceed 1200 feet in length.
- D. In no event shall minimum standards be modified to allow street grades greater than those listed below. The length of grade shall be the maximum distance allowed for the given grade and shall be based on AASHTO

geometric design policy. Length of grade shall be measured along a constant slope from the end point of the first vertical curve to the beginning point of the next adjacent vertical curve.

Improvement	Grade (in percent)
Major Arterial	11
Minor Arterial	11
Major Collector	15
Minor Collector	15
Local	16
Marginal Access Street	16
Rear Service Roads	16
Cul-de-sac	18

(8) Road Dedication and Reservations.

- A. The amount of right-of-way deemed reasonable to be required by dedication shall not exceed one hundred and twenty (120) feet in width. Along both sides of proposed arterial streets and major collector streets, it is also deemed reasonable to require an increased setback of up to twenty (20) feet more than that required by the Zoning Ordinance.
- B. Street systems in new subdivisions shall be laid out so as to eliminate or avoid new perimeter half streets. Where an existing half street is adjacent to a new subdivision, the other half of the street shall be improved and dedicated by the subdivider. The Planning Commission may authorize a new perimeter street where the subdivider improves and dedicates the entire required street right-of-way width within his own subdivision boundaries.

(9) Road Surfacing and Improvements.

- A. The applicant shall construct roadways in accordance with the standards prescribed in these regulations; provided, however, that the applicant shall not be required to pay the full cost of any arterial or collector street, but shall participate in the cost of these improvements in the amount that a local street would cost if situated where such arterial or collector street is located. Adequate provision shall be made for culverts, drains, and bridges.

- B. All road pavement, drainage improvements and structures, curbs, turnarounds, and sidewalks shall conform to all construction, design and geometric standards as adopted by the Planning Commission, Traffic Engineer, the City Engineer of the City of Huntsville, or the City of Huntsville and shall be incorporated into the construction plans required to be submitted by the applicant for plat approval.
- C. All roads, except as noted in these regulations and rear service roads, shall have standard “L” type curbs and gutters with appropriate underground drainage facilities placed on both sides of streets in accordance with the City of Huntsville specifications.
- D. When a proposed subdivision abuts an existing non-curb and gutter road that is classified as an arterial or collector street on the Major Street Plan of the City of Huntsville and no access to individual lots is permitted, curb and gutter for said road may not be required providing the following standards are met:

(i) Minimum right-of-way width (in feet)

Major Arterial	140'
Minor Arterial	140'
Major Collector	100'
Minor Collector	80'

- (ii) Sidewalks shall be constructed as required by these Subdivision Regulations and shall be located on the lot side of drainage ditches.
- (iii) All storm drainage facilities and systems shall be designed and constructed in conformance with the Stormwater Management Manual and the Standard Specifications for Construction of Public Improvements, and the following:
 - a. The side slope requirement on man-made earth lined ditches shall be no greater than four (4) feet horizontal to one (1) foot vertical.
 - b. The minimum grade along the flowline of any constructed roadside drainage ditch shall not be less than one percent (1%). Drainage ditches that cannot meet this criteria shall be piped or concrete flumed.
 - c. The Engineer of Record shall prepare an Erosion Control Plan to indicate how erosion of bare ditches

and drainage swales will be prevented. The entire drainage section shall be covered with an acceptable stand of grass and/or erosion control material approved by the City Engineer to prevent erosion and sedimentation during and after construction.

- d. The City Engineer will require supporting engineering data and calculations to determine that the drainage design conforms to the City of Huntsville regulations and requirements.

(10) Intersections.

- A. Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new streets at an angle of less than seventy-five (75) degrees shall not be acceptable. Not more than two (2) streets shall intersect at any one point unless specifically approved by the Planning Commission.
- B. Minimum radii of intersections of property lines at arterial and major street intersections shall be rounded with a radius of thirty-five (35) feet. An increased radius may be required by the Traffic Engineer based on AASHTO geometric design policy, when the angle of intersection is less than ninety (90) degrees or when the intersection involves an arterial or major street.
- C. Proposed new intersections along one side of an existing street shall not be closer than two hundred fifty (250) feet from centerline to centerline and, wherever practicable, shall coincide with any existing intersections on the opposite side of such street. Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall not be permitted, except where the intersected street is a divided highway without median breaks at either intersection.
- D. Intersections shall be designed to meet current AASHTO geometric design policy.
- E. Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting intersection sight distance, the developer shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to provide a sight distance consistent with design speed as specified by AASHTO geometric design policy.

(11) Traffic Control Devices and Street Name Signs.

A. Traffic Control Devices General

All traffic control devices installed on public streets or public rights-of-way shall conform to the Alabama Manual of Uniform Traffic Control Devices. All materials used in the construction of these devices shall meet the State of Alabama Highway Department Standard Specifications for Highway Construction, The State of Alabama Highway Department Special and Standard Highway Drawings, and current city standards.

B. Traffic Control Device Costs and Associated Easements

For developments within the City of Huntsville, a licensed contractor shall be employed by the developer to install the traffic control devices and street name signs as required in the approved construction plans.

All medians and traffic islands, reserved as common space and not considered right-of-way, must be noted on the final plat as a permanent traffic control easement. Such easements must be reviewed by and approved by the City Engineer.

At proposed signalized intersections, the first fifty (50) feet of a private drive or street approach must be dedicated as a permanent easement to the City as measured from the flowline of the cross public street to provide for traffic signal loop detector placement.

Modification or relocation costs of existing traffic control devices, approved by the City Engineer, will be the responsibility of the developer.

C. Striping Plans

In order to facilitate striping of new streets or restriping of existing streets necessitated by development, striping plans, prepared by a registered professional engineer, must be submitted as part of the construction plans for the public improvements for approval by the City. If these plans require the addition, relocation and removal of pavement markings, the cost of these items will be borne by the developer.

D. Street Name Signs

Street names must be no greater than twelve characters in length, including spaces, and not phonetically or grammatically similar to any street name within Madison County or the City of Huntsville. Street names greater than twelve characters may be approved by the Planning Commission upon recommendation of the Traffic Engineer.

Developers are required to provide and to have installed street name signs on public and private streets in their development conforming to City of Huntsville specifications.

- (12) Street Lights. Installation of street lights shall be required in accordance with design and specification standards approved by the Huntsville Utilities and City Engineer.

4.6 Sidewalks

- (1) Required Improvements.

- A. Except as noted in these regulations sidewalks shall be included within the dedicated right-of-way of all roads as shown in Table 2. Exceptions to this requirement may be permitted upon recommendation by the Traffic Engineer.
- B. Sidewalks shall be improved in accordance with the construction standards of the City of Huntsville Engineering Department. A median strip of grassed or landscaped area at least three and one-half (3 ½) feet wide shall separate all sidewalks from adjacent curbs; provided however, this distance may be reduced to two (2) feet upon recommendation by the City Engineer in order to overcome specific problems with topography or engineering design.
- C. Sidewalks abutting all streets shall be constructed with detectable warning curb ramps at intersections, and at other locations where curb cuts are made that would otherwise restrict access by wheelchair users.

- (2) Pedestrian Accesses. The Planning Commission may require, in order to facilitate pedestrian access from roads to schools, parks, playgrounds, or other nearby roads, perpetual unobstructed easements at least ten (10) feet in width. Easements shall be indicated on the plat.

TABLE 6
SIDEWALKS REQUIRED

Type of Road	Type of Development		
	Residential	Commercial	Wholesale/ Industrial
Arterial	Both Sides 5 ft. wide	Both Sides 5 ft. wide	*Optional
Major Collector	Both Sides 5 ft. wide	Both Sides 5 ft. wide	*Optional
Minor Collector	Both Sides 4 ft. wide	Both Sides 4 ft. wide	*Optional
Local**	Both Sides 4 ft. wide	Both Sides 4 ft. wide	*Optional
Marginal Access Street	One Side 4 ft. wide	One Side 4 ft. wide	*Optional

*Optional, except where pedestrian traffic is existing or anticipated from present developments or planned future developments, but where provided must conform to requirements of commercial development.

**For local streets located within the Slope Development District, sidewalks shall only be required on one side of the street and may only change sides of the street at intersections as recommended by the Traffic Engineer and approved by the Planning Commission.

4.7 Drainage and Storm Sewers.

(1) General Requirements.

- A. The Planning Commission shall not approve any plat of a subdivision which does not make adequate provision for drainage of storm or flood water in accordance with a plan approved by the City Engineer.
- B. Storm sewers and drainage facilities shall be designed according to the City of Huntsville specifications by a professional engineer registered in the State of Alabama in accordance with an acceptable method of design using good engineering practices as approved by the City Engineer. The design of the stormwater drainage systems shall insure the adequate handling of stormwater runoff and the adequate control of erosion and

sedimentation through the use of properly sized and positioned drainage structures and facilities.

- C. Lakes, ponds and similar facilities may be used to retain stormwater runoff to prevent or help drainage problems provided such facilities are in compliance with the Stormwater Management Regulations promulgated by the City Engineer and provided adequate provisions are made to control siltation and pollution. Lakes, ponds and similar areas may be accepted by the local government for maintenance as determined by the City Engineer, if sufficient land is dedicated as a necessary part of the drainage control system.
- D. Drainage improvements and installations shall be constructed within dedicated rights-of-way and utility and drainage easements shown on the subdivision plat as approved by the City Engineer.
- E. A licensed contractor shall be employed by the developer to install the drainage systems and facilities as shown in the approved subdivision. The work shall be accomplished according to the latest edition of the construction specifications and as directed by the City Engineer.

(2) Design Considerations.

- A. The drainage plan shall consider the ultimate development of the drainage areas as determined by the current zoning on plats within the city or projected development patterns for plats outside the city limits.
- B. Large drainage concentrations requiring large facilities or open ditches shall be avoided within the subdivision boundary if at all possible. Where existing natural concentrations containing significant drainage areas cross the proposed subdivision, the developer's engineer shall utilize the natural condition and dedicate sufficient easements through the subdivision to contain natural drainage courses.
- C. All drainage structures shall be sized in every case to accommodate the specified design runoff from the entire upstream drainage area, whether the area lies inside or outside the subdivision. The City Engineer shall evaluate the drainage facilities before approval to insure all drainage systems and facilities are sized correctly and comply with the construction specifications.
- D. Off-site drainage improvements to handle the increased runoff from the proposed subdivision into existing drainage facilities and off-site drainage easements may be required before approval by the City Engineer. New drainage facilities shall be planned as much as practical to discharge into existing adequate systems downstream. The City Engineer shall study the

effect of each subdivision on existing downstream drainage facilities outside the boundaries of the planned subdivision. In the case where the planned subdivision or development will overload existing facilities and/or increase existing drainage problems, the City Engineer may withhold approval of the drainage plan until provisions have been made to correct the drainage problems.

- (3) Flood Prone Areas. All local government rules and regulations pertaining to flood prone areas shall be observed when designing subdivisions. Particularly:
- A. Subdivisions lying in whole or in part within recognized flood hazard areas shall be subject to the provisions of the City of Huntsville Zoning Ordinance Floodway-Floodway Fringe Regulations or the applicable county flood damage prevention ordinance or other applicable regulations adopted by the City Engineer.
 - B. The boundaries of flood districts and hazard areas shall be as defined in the above-referenced ordinances. Any interpretation necessary shall be made by the City Engineer.
 - C. Lands within a floodway shall not be subdivided or developed except that certain minimal grading and construction may be allowed to provide for public utility service and/or roadways to cross said floodway.
 - D. The City Engineer shall prescribe on the plat minimum building floor elevations for structures located within flood districts where development is allowed.
 - E. In other areas determined to have poor drainage that is subject to periodic or possible flooding, the City Engineer may require the developer to fill to heights which will be above the elevation of the maximum design flood as determined by the engineer of record or the City Engineer.

4.8 Sanitary Sewer Facilities

- (1) General Requirements. Adequate sanitary sewer facilities shall be provided for all subdivisions in a manner prescribed by applicable construction standards and specifications. All plans shall be designed in accordance with the rules, regulations, and standards of the City Engineer, Health Department, and other appropriate agencies.
- (2) Public Sanitary Sewer Facilities. Where available, sanitary sewer facilities shall connect with public sanitary sewer facilities.

- A. Sewers shall be installed to serve each lot and service connection laterals shall be installed to the future right-of-way line or easement line.
- B. Sanitary sewer plans shall be made by a professional engineer registered in the State of Alabama in accordance with an acceptable method of design using good engineering practices as approved by the City Engineer. All sanitary sewer lines shall be designed to handle the fully developed ultimate tributary population.
- C. Installation of sanitary sewer facilities to be maintained by the local government shall be constructed within dedicated rights-of-way and utility and drainage easements shown on the subdivision plat as approved by the City Engineer.
- D. A licensed contractor shall be employed by the developer to install the sanitary sewer facilities as shown on the approved set of subdivision plans. The work shall be accomplished under the direction of and according to the construction specifications' latest edition and as directed by a qualified representative from the office of the City Engineer. All work shall comply with the grades, lines, and data shown on the approved set of subdivision plans. Stubout locations shall be staked.

4.9 Water Facilities

- (1) Where a public water system is accessible the subdivider shall install adequate water facilities (including fire hydrants) subject to the specifications of the local authorities.
- (2) In low-density development, if a public water system is not available, drilling individual wells must be approved by the Health Department and Huntsville Utilities Water Department Manager.
- (3) Fire hydrants shall be required for all subdivisions on public water systems. Fire hydrants shall be located no more than five hundred (500) feet apart and within two hundred fifty (250) feet of any structure.

4.10 Utilities

- (1) All utility facilities including gas, electric power, telephone and CATV cables shall be planned and installed in accordance with the specifications of the local government and governing utility boards or authorities.

- (2) All power and communication circuits within and installed directly to serve a development shall be placed underground and the developer shall make arrangements with the utility authorities for facilities to be placed underground as a condition to the approval of the subdivision plat or apartment site plan, provided, however, that underground wiring shall not be required if the Planning Commission finds that:
 - A. installation underground would cause a public safety hazard;
 - B. all relevant factors, when taken together, indicate that the plight of the property is unique in that it cannot be put reasonably to the requirement of underground wiring.
- (3) Proposed subdivisions located within the Slope Development District as defined by the City of Huntsville Zoning Ordinance shall locate all electric power, water utilities and natural gas if provided, and telephone and CATV cables in common trenches in accordance with the City of Huntsville Zoning Ordinance. Sanitary sewer may be located in the common trench upon approval by the City Engineer. The location, design and specifications of common trenches shall be shown on the preliminary plat or related construction documents and approved by the local government and governing utility boards and authorities.

4.11 Easements

- (1) Easements shall be dedicated to the local government for the purpose of maintaining utility and drainage facilities and courses and containing the various systems which lie outside of dedicated rights-of-way, including any easements necessary outside the boundaries of the proposed subdivision.
- (2) Easements shall be provided along front, side, and rear lot lines as necessary for the provision and maintenance of drainage and utility systems. Unless otherwise approved by the City Engineer and the General Manager of Huntsville Utilities, minimum easement widths shall be as follows:

Side Lot Lines....10 feet total or 5 feet per lot
Rear Lot Lines....10 feet total or 5 feet per lot
Front Lot Lines...10 feet total
- (3) Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, or if such a proposed drainageway is needed for future drainage plans, there shall be provided a drainage easement or right-of-way conforming substantially with the lines of such existing or planned drainageway. The width of such drainage easement or right-of-way shall be sufficient to contain the ultimate channel and maintenance way sized for the entire tributary area upstream.

- (4) Lots and easements shall be arranged in such a manner as to eliminate unnecessary easement jogs or off-sets and to facilitate the use of easements for drainage and other utility systems.
- (5) For subdivisions abutting any sensitive lands, as designated by the Planning Commission, a minimum fifteen (15) foot wide non-access reservation containing natural tree cover and a buffer planting as defined herein shall be provided along said boundary. In areas where sufficient natural vegetative screening exists within said reservation, screen plantings may be reduced.

4.12 Nonresidential Subdivisions

In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant for a nonresidential subdivision shall demonstrate to the satisfaction of the Planning Commission that the street, parcel, and block pattern proposed is specifically adapted to the uses permitted and takes into account other uses in the vicinity. The following principles and standards shall be observed:

- (1) Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development permitted, unless the plat restricts the uses, in which case the parcels shall be suitable to the uses as restricted.
- (2) Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
- (3) Special requirements may be imposed by the local government with respect to street, curb, gutter, and sidewalk design and construction.
- (4) Special requirements may be imposed by the local government with respect to the installation of public utilities, including water, sewer, and stormwater drainage.
- (5) Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing on existing or potential residential development and the provision of a screen planting as defined herein along said boundaries.
- (6) Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

4.13 Planned Development

Whenever the City Council authorizes a Planned Development which entails the subdivision of land, a plat must be approved according to the procedures set forth herein.

Requirements for improvements and design of such Planned Development shall conform to the provisions of the Zoning Ordinance and concept plan under which it was approved.

4.14 Building Restrictions

- (1) If the subdivision does not lie within the force and effect of an existing zoning ordinance, the Planning Commission may require provision for minimum front, side, and rear yards, based upon the standards of the Huntsville Zoning Ordinance and Health Department regulations.
- (2) A restricted use area shall extend a minimum of fifty (50) feet from the following features:
 - A. Landslides. Setback measured from mapped boundary of landslide.
 - B. Bluffs of greater than twenty (20) feet of vertical relief. Setbacks shall extend from a line defining the top and bottom of said bluff.
- (3) A restricted use area shall extend a minimum of twenty-five (25) feet from the following features:
 - A. Cave Entrances. Setback measured from edge of cave entrance.
 - B. Sinkholes. Setback measured from edge of those sinkholes that exhibit three (3) feet or greater depth of closed depression.
 - C. Perennial springs. Setback measured from perimeter of spring.
 - D. Abandoned quarries. Setbacks shall extend from the top and bottom of quarry face.
- (4) Historical and archeological sites. Setbacks shall extend from the boundaries of significant historical or archeological sites.

Areas within the above minimum setbacks shall be retained in their existing state and be restricted from all development except for hiking trails, provided such trails neither create nor increase a public hazard, and except for certain minimal grading within said setback, provided the following conditions are met:

- A. Minimal grading is required to construct public utility service and/or roadways to adjacent and/or additional properties;
- B. No technically feasible alternative route or construction method exists.

4.15 Standards for Geotechnical Investigations and Tests

- (1) Subsurface exploration.
- A. For all proposed structures other than roadways, acceptable subsurface explorations shall be performed at a minimum rate of two (2) per structure or four (4) per study if only one structure is proposed.
 - B. For each proposed lot acceptable subsurface explorations shall be performed at a minimum rate of two (2) per buildable area of each lot. Said subsurface explorations shall be adequately spaced to provide for a clear indication of the stability of the entire buildable area of each proposed lot.
 - C. For roadway construction, acceptable subsurface explorations shall be performed along the centerline of the proposed roadway at a maximum space of five hundred (500) linear feet throughout the length of the roadway. In cases where the proposed roadway is less than two thousand (2000) linear feet in length, a minimum of four (4) subsurface explorations shall be performed and spaced adequately to cover the length of the roadway.
 - D. Acceptable subsurface exploration methods include:
 - (i) Test pit excavations down to unweathered bedrock.
 - (ii) Soil (regolith) borings to unweathered bedrock.
 - (iii) Rock corings.
 - E. If unweathered bedrock is located at the surface of the buildable area of any proposed lot or any proposed area to be covered by a structure, as shown on the proposed plan, and no significant hazards have been documented or identified to exist within said area(s), the Planning Commission may waive the required subsurface explorations to be performed within those given buildable areas.
 - F. Rock corings shall include a minimum of five (5) feet of rock coring per boring.
 - G. Soil (regolith) and rock classification for each subsurface exploration shall be performed according to American Society for Testing and Materials (ASTM) procedures.
 - H. Each subsurface exploration shall be measured for groundwater. Where necessary or required, piezometers shall be placed in the borings and measured periodically for high/low ground water tables.

- I. Subsurface explorations shall be sufficient to reasonably determine thickness and type of all soils (regolith).

(2) Soil Properties.

Minimum soil properties tests shall be performed for each different soil or regolith type from each subsurface exploration having more than two (2) feet of soil above bedrock and shall include:

- A. Standard classification tests (ASTM).
- B. Consolidation tests.
- C. Shrink/swell potential.
- D. Triaxial shear tests.
- E. Atterberg liquid limit (measured for soil fraction smaller than the no. 40 sieve-fine sand and smaller).
- F. Approximate mobility index (ratio of saturated water content of in-place or undisturbed soil to its Atterberg liquid limit).
- G. A separate sample for each soil sample analyzed shall be held by the geotechnical engineer for a minimum of ninety (90) days or until all roadway construction is complete (whichever is longer) and shall be analyzed for additional tests if required or shall be made available for tests by an independent agency. Each soil sample shall be placed in a separate waterproof container to retain moisture and prevent contamination.

(3) Slope Stability and Structural Analyses (Multiple Analyses).

Multiple analyses shall be performed on all fill slopes and all cut slopes of greater than four (4) feet vertical relief in soil and should be performed on the best, worst, and average soil and embankment conditions as determined on site by the geotechnical engineer.

- A. Sliding wedge and slip circle analyses shall be performed on the uphill side of excavation embankments.
- B. Slip circle analyses shall be performed on all fill embankments.
- C. Based on the analyses, the lowest safety factors shall be reported for each method along with all of the design conditions.

- D. Structural performance should be analyzed with respect to bearing capacity and settlement.

4.16 Design Standards

- (1) A minimum safety factor for stability of 1.5 must be documented with adequate data, including triaxial shear tests, multiple analyses (sliding wedge, infinite slope and slip circle analyses) and confident ground water (piezometer) measurements and control.
- (2) A minimum safety factor of 3.0 shall be required for bearing capacity.

ARTICLE 5
ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

5.1 Improvements and Performance Bond.

- (1) Completion of Improvements. Before the plat is signed by the chairman of the Planning Commission, all applicants shall be required to complete, in accordance with the Planning Commission's decision and to the specifications of the City Engineer, all the street, sanitary, and other improvements including lot improvements on the individual lots of the subdivision as required in these regulations, specified in the preliminary and final subdivision plats, and as approved by the Planning Commission.

- (2) Bonds to Insure Performance.
 - A. The Planning Commission in its discretion may waive the requirement that the applicant complete all improvements prior to the signing of the subdivision plat, and provide that, as an alternative, the applicant post a cash bond (hereinafter referred to as "bond") or an irrevocable letter of credit from an approved lending institution, as approved by the Legal Department, at the time of application for final subdivision approval in an amount estimated by a registered professional engineer and approved by the City Engineer, Traffic Engineer, and by the local utilities as sufficient to secure to the local government the satisfactory construction and installation of the uncompleted portion of required improvements. The bond or letter of credit shall also secure all lot improvements on the individual lots of the subdivision as required in these regulations.

 - B. Such bond or letter of credit shall comply with all statutory requirements and shall be satisfactory to the local government as to form, sufficiency, and manner of execution as set forth in these regulations. A bare signature bond will not be accepted by the local government. The period within which required improvements must be completed shall be specified by the Planning Commission in the resolution approving the final subdivision plat and shall be incorporated in the bond or letter of credit. In any event, the duration of the bond or letter of credit shall not be less than six months or more than two years from the date of final approval excepting sidewalk improvements, the wearing surface on streets (hereinafter referred to as "wearing surface") and/or street trees, which shall not be more than three years from the date of final approval. If the improvements are not completed within the period specified by the Planning Commission, the approval may be deemed to have expired, or, with the consent of the City Council, the bond or the letter of credit shall be forfeited or invoked, as the case may be, to complete the improvements as provided by the final subdivision plat.

- C. Sidewalk improvements, the wearing surface and/or street trees may be secured by a bond or letter of credit for a period of one year after the initial three year bond or letter of credit has elapsed. Any such one year extension may only be made upon a finding by the City of Huntsville Inspection Department that no more than seventy five percent of the total lots as shown on the recorded subdivision plat have been issued certificates of occupancy. Also, in the case of sidewalks and wearing surface any such one year extension may only be made upon a finding by the City of Huntsville Traffic Engineer and City Engineer that the delay in the completion of sidewalk improvements and/or wearing surface will not be detrimental to the public safety and/or underlying infrastructure improvements. Requests to the Planning Commission for further one year extensions of bonds or letters of credit insuring the completion of sidewalk improvements, wearing surface and/or street trees may be made, however each request must be accompanied by the above-mentioned findings from the Inspection Department, City of Huntsville Traffic Engineer, and City Engineer.
- D. Existing subdivisions that have received final plat approval of the Planning Commission prior to June 20, 1989 but have not yet had their public improvements accepted for dedication by the local government may offer such improvements for dedication when all required public improvements, with the exception of sidewalks, have been completed and constructed in accordance with the standards and specifications as stated in the Subdivision Regulations. In such cases, the public improvements may be accepted for public dedication on the condition that the applicant post a bond or letter of credit that complies with all statutory requirements and is satisfactory to the local government as to form, sufficiency and manner of execution as set forth in this regulation and is in an amount sufficient to cover the cost of constructing the unbuilt portions of sidewalks.

The maximum duration of said bond or letter or credit shall be two (2) years from the effective date of said bond or letter of credit. An additional one (1) year bond or letter of credit may be posted to secure sidewalk improvements after the initial two (2) year bond or letter of credit has elapsed upon a finding by the City Inspection Department that no more than fifty percent (50%) of the total lots, as shown on the recorded subdivision plat, have been issued certificates of occupancy and a finding by the City of Huntsville Traffic Engineer that the delay in the completion of the sidewalk improvements will not be detrimental to public safety. Requests for further one (1) year extension of bonds or letters of credit insuring the completing of sidewalk improvements may be requested, however, each request must be accompanied by the above-mentioned findings from the City Inspection Department and City of Huntsville Traffic Engineer.

- (3) Cost of Improvements. Unless otherwise specified, all required improvements shall be made by the applicant, at his expense, without reimbursement by the local government or any improvement district herein.
- (4) Acceptance of Dedication Offers. Acceptance of formal offers of dedication of streets, public areas, easements, and parks shall be in accordance with the procedure established by the local government. The approval by the Planning Commission of a subdivision plat shall not be deemed to constitute or imply the acceptance by the local government of any street, easement, or park shown on said plat. The Planning Commission may require said plat to be endorsed with appropriate notes to this effect.

5.2 Inspection of Improvements.

- (1) General Procedure. The City Engineer shall provide for inspection of required improvements during construction and insure their satisfactory completion. If the City Engineer finds upon inspection that any of the required improvements have not been constructed in accordance with the standards and specifications as outlined in these regulations, the applicant shall be responsible for completing the improvements. Wherever the cost of improvements is covered by a letter of credit, the applicant and the institution shall be severally and jointly liable for completing the improvements according to specifications.
- (2) Certificate of Satisfactory Completion for Subdivisions with Public Improvements. The applicant shall state in writing to the City Engineer that to the best of his knowledge the public improvements have been completed as required. The applicant's engineer and his surveyor shall certify to the City Engineer, through the submission of a letter of acceptance and detailed "as-built" engineering drawings of the subdivision, indicating location, dimensions, materials, and other information required by the Planning Commission or City Engineer, that all public improvements have been constructed in accordance with the approved construction plans and with City of Huntsville specifications and that the improvements have been completed, are located within the dedicated and platted easements and/or rights-of-way, and are ready for dedication to the local government. For subdivisions where construction occurred on lands or portions of lands, which are designated as Hazard Zone as defined by the Zoning Ordinance of the City of Huntsville, Alabama, the following certifications shall be affixed to the letter of acceptance and the "as-built" engineering drawings of the subdivision:

ENGINEER OF RECORD

I, _____, the engineer of record, certify that the proposed development shown hereon is designed in accordance with sound engineering standards and practices, and in accordance with all applicable development

regulations. I further certify that I have caused prudent investigation, testing and inspections to be performed on lands within the proposed development identified as Hazard Zone, as defined by the Zoning Ordinance of the City of Huntsville, Alabama, including geotechnical analysis and testing on Hazard Zone lands and on lands upslope and downslope of the proposed development. Based upon the investigation, testing and inspections performed, as defined and discussed in the geotechnical analysis and report dated _____ and submitted in connection herewith, and further based upon any remedial measures taken in connection with the hazards defined therein, I certify that within acceptable geotechnical standards, development of the property as shown on the plat does not diminish the stability of the slope or otherwise increase the likelihood of landslide or other slope failure.

Date

Engineer of Record

OWNER

I, _____, owner/owners of the lands embraced hereon, am fully aware of the existence of Hazard Zone lands, as defined by the Zoning Ordinance of the City of Huntsville, Alabama, within the development as shown hereon. I further understand the potential and inherent danger of said lands and that landslides have originated in conditions that regularly exist on said Hazard Zone lands. With this knowledge, I hereby certify that I have caused prudent measures to be taken in the design of the development as shown hereon, including an analysis of lands upslope and downslope of the Hazard Zone lands, to assure that the site is safe for the proposed development, and within acceptable geotechnical standards the proposed development does not diminish the stability of the slope or otherwise increase the likelihood of landslide or other slope failure.

Date

Owner

Upon such approval and recommendation of the City Engineer, the local government may thereafter accept the improvements for dedication in accordance with the established procedure. However, the local government may accept for dedication a subdivision in which the required sidewalks, wearing surface, and/or street trees are incomplete on the condition that the construction and installation of such sidewalks and/or wearing surface are secured by a bond or letter of credit as defined in Section 5.1(2)A. and further provided that such bond or letter of credit guarantees completion of said sidewalks and/or wearing surface within three years of the date of final plat approval.

- (3) Certificate of Satisfactory Completion for Private Subdivisions. The applicant shall state in writing to the City Engineer that to the best of his knowledge the

improvements have been completed as required. The applicant's engineer and his surveyor shall certify to the City Engineer, through the submission of a letter of completion and detailed "as-built" engineering drawings of the subdivision, indicating location, dimensions, materials, and other information required by the Planning Commission or City Engineer, that all improvements have been constructed in accordance with the approved construction plans and with City of Huntsville specifications and that the improvements have been completed and are located within the platted easements and/or rights-of-way. For subdivisions where construction occurred on lands or portions of lands which are designated as Hazard Zone as defined by the Zoning Ordinance of the City of Huntsville, Alabama, the engineer of record and owner certifications shall be affixed to the letter of completion and the "as-built" engineering drawings of the subdivision as exemplified in sections 5.2(2) of these regulations:

The local government may approve a letter of completion for a subdivision in which the required sidewalks and/or wearing surface are incomplete on the condition that the construction and installation of such sidewalks, wearing surface, and/or street trees are secured by a bond or letter of credit as defined in Section 5.1(2)A. and further provided that such bond or letter of credit guarantees completion of said sidewalks and/or wearing surface within three years of the date of final plat approval.

- (4) Certificate of Completion for Subdivisions with Public and Private Improvements. For subdivisions with both public and private infrastructure improvements a certificate of satisfactory completion will be required for the public improvements following the procedure as stated in 5.2(2) and a certificate of satisfactory completion will be required for the private improvements following the procedure stated in 5.2(3).
- (5) Reduction or Release of Bonds. The bond or letter of credit covering all public improvements may be reduced upon acceptance of all public improvements by the City of Huntsville. The bond or letter of credit covering all private improvements may be reduced upon approval of the letter of satisfactory completion by the City of Huntsville. The City Engineer shall set the amount of the bond or letter of credit to be retained by the city for a period of at least twelve months following the date of acceptance of public improvements and/or approval of letter of satisfactory completion for private improvements. The bond or letter of credit shall be released only upon receipt by the City Engineer of a letter from the applicant's registered professional engineer stating that any improvements required by the City of Huntsville since the date of acceptance of public improvements and/or approval of letter of satisfactory completion for private improvements have been constructed in accordance with the approved plans and City of Huntsville specifications and are located within the dedicated and/or platted easements and/or rights-of-way. At such time, the City Engineer shall recommend in writing to the City Clerk that the bond or letter of credit be reduced or released. The City Engineer shall recommend the amount of the bond or letter

of credit to be held as deemed necessary to insure that the improvements are completed and/or repaired or replaced and made acceptable to the City of Huntsville.

A bond or letter of credit covering sidewalk improvements, if posted, shall be released upon receipt by the City Engineer of a letter from the applicant's registered professional engineer and land surveyor stating that the sidewalk improvements have been completed and have been constructed in accordance with the approved plans and City of Huntsville specifications and are located within the dedicated and/or platted easements and/or rights-of-way. At such time, the City Engineer shall recommend in writing to the City Clerk that the bond or letter of credit be released if, in his opinion, the sidewalks have been satisfactorily completed.

A bond or letter of credit covering the wearing surface, if posted, shall be released upon receipt by the City Engineer of a letter from the applicant's registered professional engineer and land surveyor stating that the wearing surface improvements have been completed and have been constructed in accordance with the approved plans and City of Huntsville specifications and are located within the dedicated and/or platted easements and/or rights-of-way. At such time, the City Engineer shall recommend in writing to the City Clerk that the bond or letter of credit be released if, in his opinion, the wearing surface improvements have been satisfactorily completed.

A bond or letter of credit covering the street trees, if posted, shall be released upon receipt by the City Engineer of a letter from the applicant's registered professional engineer and land surveyor stating that the street trees have been installed in accordance with the approved plans and City of Huntsville specifications and a minimum twelve-month time period has lapsed since the last tree was planted. At such time, the City Engineer shall recommend in writing to the City Clerk that the bond or letter of credit be released if, in his opinion, the street trees have been satisfactorily installed and are in good health.

- (6) Forfeiture of Bonds. If, during the period when the subdivision improvements are covered by a bond or letter of credit, the construction of said subdivision creates a situation that is harmful, dangerous or an unreasonable nuisance to an adjacent property owner and the applicant does not correct the situation in a timely fashion, or if the applicant responsible for constructing the subdivision improvements goes into receivership or is otherwise financially unable to complete said improvements, or if said applicant abandons or leaves said subdivision improvements uncompleted, then the City Council may, at the recommendation of the Planning Commission, invoke said bond or letter of credit and direct that such work be completed so as to eliminate any dangerous, harmful, or unreasonable nuisance.

5.3 Deferral of Required Improvements.

The construction of specific required improvements may be deferred if the Planning Commission finds that:

- (1) The improvement is likely to be destroyed while still in a good state of repair due to the planned upgrading or expansion of public facilities or to expected future private development adjacent to the site;
- (2) the improvement would be so situated that it would be likely to deteriorate before it was put into service because it could not presently be used for its intended purpose;
- (3) the improvement would require additional off-site easements or rights-of-way in order to be constructed to city standards;
- (4) the improvement, if constructed concurrently with the subdivision, could create a situation hazardous to the health and/or safety of the public because of the nature of adjoining public or private features; or
- (5) the City Engineer or Traffic Engineer recommends that such improvement be deferred due to a unique characteristic or situation that would have the effect of nullifying the intent and purpose of the improvement if it were constructed.

If the Planning Commission so finds, then the applicant shall pay to the local government prior to the signing of the final subdivision plat a sum of money equal to the cost of constructing the deferred improvement as estimated by a registered professional engineer and approved by the City Engineer.

ARTICLE 6

MINOR SUBDIVISION APPLICATION PROCEDURE AND PLAT REQUIREMENTS

6.1 Definitions.

For the purpose of this article, the following definitions shall apply.

Minor subdivision shall be defined as EITHER:

- (1) The division of a tract of land into no more than three (3) lots all fronting on an existing paved public road and not requiring the construction or extension of any new roads or streets, municipal facilities or public improvements except sidewalks or water main extensions; OR
- (2) The division of a tract of land into lots all fronting on an existing paved public road, each of which shall be ten (10) acres or more in size, for the purpose of selling said lots but not for the development of same, provided such subdivision shall not require the construction or extension of any new roads or streets, municipal facilities or public improvements except sidewalks or water main extensions.
- (3) The division of a tract of land for the sole purpose of recording by plat certain conditions offered by the owner of the property and accepted by the Planning Commission in conjunction with a zoning or rezoning of land by the City Council of the City of Huntsville.

Existing paved public road or street shall mean one that has been accepted or opened as or otherwise has received the legal status of a public street or corresponds with a street shown on the official Master Plan or with a street on a subdivision plat approved by the Planning Commission or with a street on a street plat made by and adopted by the Commission or with a street accepted by the City Council after submission to the Planning Commission.

Public Hearing Officer shall be the Director of the Huntsville Planning Department or his duly authorized representative. The Public Hearing Officer is authorized by the Huntsville Planning Commission to hold public hearings and grant final plat approval to Minor Subdivisions when the proposed plat has met all the provisions of these regulations and when the applicant requests that the approval procedure be conducted by the Public Hearing Officer.

6.2 Review and Approval Procedure.

Whenever any minor subdivision of land is proposed, and before any permit for the erection of a structure in such proposed subdivision shall be granted or before the transfer

of any lot shall be authorized, the subdividing owner, or his authorized agent, shall apply for and secure approval of such proposed minor subdivision in accordance with the following procedure.

6.3 Layout Plat.

- (1) Application Procedure. Prior to minor subdividing of land, an owner of land or his representative shall file an application for approval of a layout. The application for approval of a layout shall:
 - A. Be made on minor Subdivision Application forms available at the office of the Planning Department.
 - B. Include payment of an application fee of fifty (50) dollars plus one (1) dollar per proposed lot.
 - C. Be accompanied by a minimum of three (3) copies of the layout as described in these regulations and comply in all respects with these regulations.
 - D. Be accompanied by a vicinity map. For subdivisions within the city, the vicinity map shall show the existing streets, proposed subdivision boundaries, and surrounding area of the land to be subdivided, and shall be drawn on the City of Huntsville Planning Department zoning maps scaled four hundred (400) feet to the inch. For subdivisions outside the city, the vicinity map shall show generally the proposed subdivision boundaries and surrounding area of the land to be subdivided, and shall be drawn on a map scaled not greater than two thousand (2,000) feet to the inch.
 - E. Be presented to the Director of the Planning Department sufficiently in advance of the public hearing date to allow time for his review.
 - F. Be presented to the Traffic Engineer sufficiently in advance of the public hearing date to allow time for his review.
- (2) Layout Requirements. Layouts shall be drawn to a convenient scale of not more than two hundred (200) feet to an inch and shall show the following information:
 - A. Boundary lines of the subdivision.
 - B. Topography at five (5) foot contour intervals or less for subdivisions.
 - C. Location of existing streets and water courses.
 - D. Approximate locations and widths of rights-of-way.

- E. Approximate locations and dimensions of all proposed lots.
 - F. Name of the proposed subdivision and of any adjoining subdivisions.
 - G. Approximate location of adjoining property lines or subdivision boundaries, and names of adjoining property owners or subdivisions.
 - H. Locations of existing or proposed sidewalks. The requirements for sidewalks shall only apply when the subdivision adjoins the portion of a road that is scheduled to have a sidewalk installed according to the Sidewalk Improvement Plan as adopted by the Planning Commission of the City of Huntsville.
- (3) Study of Layout. The Subdivision Committee shall consider the layout and render a report to the next regular meeting of the Planning Commission concerning the layout, unless the applicant has requested approval by the Public Hearing Officer, in which case, the director and staff of the Planning Department shall review the layout for compliance with these regulations and report their findings to the Public Hearing Officer.
- (4) Public Hearing. If the proposed minor subdivision layout meets all the provisions of these regulations, the applicant may request that the required public hearing be held by the Public Hearing Officer; otherwise, the Planning Commission shall hold a public hearing prior to granting final approval. In either case, the owners of land immediately adjoining the platted land shall be notified by registered mail at least five (5) days in advance of the public hearing as to the time and place of such public hearing.
- (5) Review and Approval of Layout. If the layout is presented to the Planning Commission, that body shall study the layout, public comments, and the report of the Subdivision Committee, taking into consideration the requirements of the Subdivision Regulations. After review and discussion of this data, the Planning Commission will advise the applicant of the specific changes and additions, if any, it will require. If the layout is presented to the Public Hearing Officer, he shall study the layout, public comments, and reports of officials to ascertain that the layout is in conformance in all respects with the regulations.

6.4 Final Plat.

- (1) Application Procedure. Following the approval of the layout plat, the owner of land or his representative shall file an application for approval of a final plat. The application shall:
- A. Be made on forms available at the office of the Planning Department.

- B. Be accompanied by a minimum of three (3) copies of the final plat as described in these regulations and comply in all respects with these regulations.
 - C. Be accompanied by the actual closure computations for the boundary traverse. Such boundary traverse shall close to a minimum accuracy of one (1) part in five thousand (5000).
 - D. Be presented to the Director of the Planning Department sufficiently in advance of the meeting of the Planning Commission or of the Public Hearing Officer to allow time for his review.
- (2) Final Plat Requirements. The final minor subdivision plat shall be presented on reproducible mylar. The final plat shall contain the same information shown on the layout plat, as well as the following:
- A. The names and deed book and page of all adjoining property owners of record or the names of adjoining subdivisions; the name of adjoining streets.
 - B. Notation of any proposed streets and rights-of-way adjacent to the subdivision.
 - C. Notation of any restrictions by plats.
 - D. The area in square feet for each lot on the final plat.
 - E. Names of all streets.
 - F. Tie points to an accepted corner based on the U.S. Government Public Lands Survey System which shall show the relationship to the Huntsville Meridian; all monuments erected, all existing monuments, and all proposed monuments, corners and other points to be erected. The material of which the monuments, corners, or other points are or will be made shall be noted at the representation thereof or by legend, except that lot corners need not be shown.
 - G. Exact boundary lines of the tract indicated by a heavy line, or other acceptable control traverse, giving distances to the nearest hundredth of a foot and bearings to the nearest second of arc. Proper field techniques and survey equipment shall be used, along with an acceptable method of balancing the field data, to achieve a positional accuracy of 1/5000 for all monuments established, corresponding to third order accuracy.

- H. Street centerlines showing angles of deflection or bearing, angles of intersection, radii, length of tangents and rights-of-ways from each street centerline.
- I. Lot lines with distances to the nearest hundredth of a foot, bearings and angles sufficient to reproduce the survey, and chords and radii of rounded corners.
- J. Building setback lines, locations and depths.
- K. Lot and block numbers. Blocks shall be consecutively numbered or lettered in alphabetical order. Lots within each block shall be consecutively numbered.
- L. Easements, buffer strips and public service utility rights-of-way lines giving widths, locations, and purposes.
- M. Accurate outlines and descriptions of any areas to be dedicated or reserved for public use or acquisition with the purpose indicated thereon; and of any areas to be reserved by deed covenant for common use of all property owners.
- N. Acreage and number of lots within the subdivision.
- O. Names and addresses of the owner(s) of the land to be subdivided, the subdivider (if other than the owner), the engineer and surveyor.
- P. The date of the map, a reference meridian (designated on the plat either true or magnetic north), scale, title of the subdivision.
- Q. If within the 100-year flood elevation, the lowest allowable finished floor elevation for each lot.
- R. Endorsements and certificates as follows:
 - (i) A certificate of accuracy by a surveyor licensed to practice in the state of Alabama and licensed with the City of Huntsville, Alabama.
 - (ii) A certificate of title showing ownership of land.
 - (iii) A notary's acknowledgment of the certificates referred to in (I) and (ii) above.
 - (iv) A certificate for approval of City Engineer, City of Huntsville.

- (v) A certificate for approval of Huntsville Utilities.
- (vi) A certificate for approval of the City of Huntsville Traffic Engineer.
- (vii) A certificate for approval by the Planning Commission.
- (viii) A certificate for recording by the Probate Judge.
- (ix) A certificate for approval by the County Health Officer for subdivisions not served by a sanitary sewer system.
- (x) Flood certification stating the flood hazard areas located within the boundaries of the proposed subdivision.
- (xi) The endorsements, dedications, and certificates required in (i) through (xi) hereof shall be substantially as exemplified in Section 3.4(2)(F.) of the Subdivision Regulations, except for (vi) and (ix) which shall be substantially as follows:

“The undersigned, as Traffic Engineer of the City of Huntsville or his duly authorized representative, hereby approves the within plat for the recording of same in the Probate Office of _____ County, Alabama, this the ____ day of _____, 20__.”

Traffic Engineer

Date

“From the septic tank information submitted to the _____ County Health Department for lots ___ of _____ Subdivision, the following recommendations are made:

- a) Lots ___ meet _____ County Health Department requirements and should operate satisfactorily;
- b) Lots ___ require further engineering and/or alternative septic system installation;
- c) Lots ___ were not tested.

Each lot or tract shall be investigated further and approved or disapproved on its own merits.

The undersigned, a duly authorized representative of the _____ County Health Department, hereby approves the within plat for recording of same in the Probate Office of _____ County, Alabama, this the ____ day of _____, 20__.”

Name and Title

- (3) Planning Commission Review and Approval. After review of the final plat, the Planning Commission or the Public Hearing Officer shall approve the plat for recording or shall disapprove the plat and state the reasons for disapproval. The Public Hearing Officer shall be required to act on the proposed plats at the regularly scheduled meeting or at an announced continuation of said meeting. At the time of final plat approval, the Planning Commission may stipulate the time period when any required improvements exceed two (2) years from the date of final approval.
- (4) Appeal Procedure. Any decision rendered by the Public Hearing Officer may be appealed to the full Planning Commission at its next regularly scheduled meeting by the applicant or by any owner of land immediately adjoining the platted land. Such appeal must be filed in written form with the City Planning Director within one working day of the Public Hearing Officer’s decision. A final plat approved by the Public Hearing Officer shall not be recorded until the appeal period has lapsed.
- (5) Copy of Final Plat to all Certifying Agencies. Following the Planning Commission or Public Hearing Officer approval of the final plat, one reproducible copy of the final plat as approved shall be presented by the owner or his representative to the General Manager of Huntsville Utilities. Any other agencies certifying the final plat shall be presented a print of the final plat as approved.
- (6) Recording of Plat. If the final plat as approved by the Planning Commission or the Public Hearing Officer and signed by the Chairman of the Huntsville Planning Commission is not recorded within six (6) months of the date of final approval, the approval of the plat shall be deemed to have expired.

6.5 Requirements for Improvements and Design of Minor Subdivisions

Proposed plats for minor subdivisions must meet all applicable regulations of ARTICLE 4 of the Subdivision Regulations.

6.6 Assurance for Completion of Improvements

The provisions of ARTICLE 5 of the Subdivision Regulations shall be applicable.

ARTICLE 7

REQUIREMENTS FOR LAND CONVEYANCE AMONG IMMEDIATE FAMILY MEMBERS

7.1 Definitions. For the purposes of this article, the following definitions shall apply.

Immediate Family Member shall mean spouse, son, daughter, mother, father, grandparent, grandchildren, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law and daughter-in-law.

Public Hearing Officer shall be the Director of the Huntsville Planning Department or his duly authorized representative. The Public Hearing Officer is authorized by the Huntsville Planning Commission to approve conveyances of land among immediate family members when all the provisions of these regulations are met and when the applicant requests that the approval procedure be conducted by the Public Hearing Officer.

7.2 General Requirements.

- (1) The Public Hearing Officer may grant applicable conveyances of land among immediate family members, but is not mandated to do so.
- (2) Each lot must have frontage on a public paved street or road and conform to all applicable zoning standards for the district in which they are located.
- (3) The following documents must be presented to the Public Hearing Officer in order to qualify for consideration as land conveyance among immediate family members.
 - A. A notarized statement certifying to the family relationship of the parties involved in the land conveyance.
 - B. A survey of the subject property indicating the boundary of the entire parcel and the lots to be transferred to other family members certified by a land surveyor licensed to practice in the State of Alabama and licensed with the City of Huntsville.
 - C. A copy of a recorded deed for all necessary rights-of-way and easements as required by the City Engineer.
- (4) A public hearing on family land conveyance shall be held prior to approval of said land conveyance. If the proposed family land conveyance meets all of the provisions of these regulations, the applicant may request that the required public hearing be held by the Public Hearing Officer; otherwise the Planning

Commission shall hold a public hearing prior to granting approval. In either case, the owners of land immediately adjoining the surveyed land shall be notified by registered mail at least five (5) days in advance of the public hearing as to the time and place of such public hearing.

APARTMENT SITE PLAN SUBMISSION REQUIREMENTS

Plans for multiple family housing projects that contain two or more buildings per tract or lot, or that contain only one building with main entrances not oriented to directly face a street, shall be approved by the Planning Commission as required by the City of Huntsville Zoning Ordinance. The procedure for site plan review and approval by the Planning Commission shall be as follows:

- (1) Application Procedure. Before obtaining a building permit to construct multiple family housing projects described above, an owner of land or his representative shall file an application for approval of a site plan. The site plan application shall:
 - A. Be made on forms available at the office of the Director of the Planning Department.
 - B. Include payment of an application fee of one hundred dollars (\$100) plus five dollars (\$5) per proposed dwelling unit.
 - C. Be accompanied by a minimum of three (3) copies of the general plan as described in these procedures.
 - D. Be accompanied by one (1) copy of the certified construction plans as described in these procedures.
 - E. Be accompanied by a vicinity map as described in these procedures.
 - F. Be accompanied by three (3) copies of a boundary plat as described in these regulations.
 - G. Be accompanied by the actual closure calculations for the boundary traverse. Such boundary traverse shall close to a minimum accuracy of one (1) part in five thousand (5000).
 - H. Be presented to the Director of the Planning Department sufficiently in advance of the meeting of the Subdivision Committee of the Planning Commission to allow time for his review.
- (2) Vicinity Map. The vicinity map shall:
 - A. Be drawn on Planning Department zoning maps scaled four hundred (400) feet to the inch.
 - B. Show approximate boundary lines of the proposed project.
 - C. Show location of existing streets and water courses.

APARTMENT SITE PLAN SUBMISION REQUIREMENTS

- D. Show the name of the proposed project.
 - E. Show the names and locations of adjacent owners or developments.
- (3) General Plan. The general plan shall be drawn to a convenient scale of not more than fifty (50) feet to the inch and shall include the following:
- A. The date of the map, a reference meridian (designated on the map as either true or magnetic north), scale, title of the project.
 - B. Names of the owners of the land to be developed, the developer (if other than the owner), the engineer, architect or landscape architect (if any), and surveyor.
 - C. Tie point to an accepted corner based on the U.S. Government Public Lands Survey System which shall show the relationship to the Huntsville Meridian, all monuments erected, corners and other points established in the field in their proper places.
 - D. Exact boundary lines of the tract indicated by a heavy line, or other acceptable control traverse, giving distances to the nearest hundredth of a foot and bearings to the nearest minute or second.
 - E. Topography at five (5) foot contour intervals.
 - F. Names of all public streets (if any) and private drives.
 - G. Easements, buffer strips and public utility right-of-way lines giving widths, locations, and dimensions.
 - H. Locations of buildings, giving distances between adjacent buildings, between buildings and adjacent property lines, and between buildings and adjacent drives and parking areas.
 - I. Location and dimensions of internal circulation pattern and parking areas in order to determine adequacy of parking and accessibility to public services.
 - J. Detailed geometrics of any intersections with public streets, including details of any required median cuts and locations of any existing intersections adjacent to or across from the site.
 - K. Location of any internal public facilities, such as central solid waste collection containers or central mail facilities, not including facilities required in construction plans.

APARTMENT SITE PLAN SUBMISION REQUIREMENTS

- L. Location of public recreation and activity areas.
 - M. Location and dimensions of all proposed sidewalks in order to determine the adequacy of pedestrian circulation and accessibility to all proposed facilities.
 - N. Location and description of all proposed landscaping.
 - O. Location of any on-site flood hazard districts (including a Flood Hazard Certification).
 - P. A Density Table providing the following information: total square feet in the site, total square feet devoted to internal drives, total number of dwelling units allowed by the current zoning ordinance, total number of dwelling units proposed, total number of parking places required by the current zoning ordinance, total number of parking places proposed.
- (4) Construction Plans. The following shall be submitted:
- A. A street plan if any public street is proposed as part of the development. The plan shall conform to the requirements of street plans required for subdivision approval and shall be accompanied by a deed dedicating the proposed right-of-way to the public.
 - B. A grading and erosion and sedimentation control plan. The plan shall conform to the requirements of the grading and erosion and sedimentation control plan required for subdivision approval and shall show existing and finished elevations, including finished floor elevations for all buildings.
 - C. Plans and certifications for drainage, sanitary sewer, water, electricity, gas and telephone systems conforming to requirements for preliminary plat approval for subdivisions.
 - D. Other plans including slope map, site assessment map and report, geotechnical investigation and testing plan and report and vegetation plan as required by applicable regulations of Articles 3 and 4 of the Subdivision Regulations.
- (5) Boundary Plat. The boundary plat shall be drawn to a convenient scale of not more than one hundred (100) feet to the inch and shall include the following:
- A. The names and deed book and page of all adjoining property owners of record or the names of adjoining subdivisions; the names of adjoining streets.

APARTMENT SITE PLAN SUBMISION REQUIREMENTS

- B. Notation of any restrictions by plats, including the density table as described in section (3)P of this chapter.
- C. Names of all internal and adjacent streets.
- D. Tie points to an accepted corner based on the U.S. Government Public Lands Survey System which shall show the relationship to the Huntsville Meridian; all monuments erected, all existing monuments, and all proposed monuments, corners and other points to be erected. The material of which the monuments, corners, or other points are or will be made shall be noted at the representation thereof or by legend.
- E. Exact boundary lines of the tract indicated by a heavy line, or other acceptable control traverse, giving distances to the nearest hundredth of a foot and bearings to the nearest second of arc. Proper field techniques and survey equipment shall be used, along with an acceptable method of balancing the field data, to achieve a positional accuracy of 1/5000 for all monuments established, corresponding to third order accuracy.
- F. Street centerlines for all internal and adjacent public streets, showing angles of deflection or bearing, angles of intersection, radii, length of tangents and rights-of-ways from each street centerline.
- G. Easements, buffer strips and public service utility rights-of-way lines (if any) giving widths, locations, and purposes.
- H. Names and addresses of the owner(s) of the land included within the apartment site plan, the developer (if other than the owner), the engineer and surveyor.
- I. The date of the map, a reference meridian (designated on the plat either true or magnetic north), scale, title of the development.
- J. Endorsements and certificates as follows:
 - (i) A certificate of accuracy by a surveyor licensed to practice in the State of Alabama and licensed with the City of Huntsville, Alabama.
 - (ii) A certificate of title showing ownership of land and a written "Title Opinion" certified to by a licensed attorney that all names shown on the survey include all owners as of the date of signing and that the owners of the property are one and the same as those signing the plat.

APARTMENT SITE PLAN SUBMISION REQUIREMENTS

- (iii) A notary’s acknowledgment of the certificates referred to in (i) and (ii) above.
- (iv) A certificate for approval of City Engineer, City of Huntsville.
- (v) A certificate for approval of Huntsville Utilities.
- (vi) A certificate for approval of the City of Huntsville Traffic Engineer.
- (vii) A certificate for approval by the Planning Commission.
- (viii) A certificate for recording by the Probate Judge.
- (ix) A certificate for approval by the County Health Officer for developments not served by a sanitary sewer system.
- (x) Flood certification as exemplified in Article 3.4(4)F.(xii), “Flood Hazard Certification”.
- (xi) The endorsements, dedications, and certificates required in (i) through (xi) hereof shall be substantially as exemplified in Section 3.4(2)(F.) of the Subdivision Regulations, except for (vi) and (ix) which shall be substantially as follows:

“The undersigned, as Traffic Engineer of the city of Huntsville or his duly authorized representative, hereby approves the within plat for the recording of same in the Probate Office of _____ County, Alabama, this the ____ day of ____, 20__.”

Name and Title

“From the septic tank information submitted to the _____ County Health Department for lots ___ of _____ subdivision, the following recommendations are made:

- a) Lots ___ meet _____County Healthy Department requirements and should operate satisfactorily;
- b) Lots ___ require further engineering and/or alternative septic system installation;
- c) Lots ___ were not tested.

APARTMENT SITE PLAN SUBMISION REQUIREMENTS

Each lot or tract shall be investigated further and approved or disapproved on its own merits.

The undersigned, a duly authorized representative of the _____ County Health Department, hereby approves the within plat for recording of same in the Probate Office of _____ County, Alabama, this the ___ day of _____, 20__.”

Name and Title

- (6) Review and Approval of Site Plan. The Subdivision Committee shall consider the site plan and render a report to the next meeting of the Planning Commission. After the Planning Commission has reviewed the site plan, the report of the Subdivision Committee, the recommendations of involved agencies and officials, it shall approve or disapprove the site plan. Reasons for disapproval of any site plan shall be noted on the plan and returned to the applicant.
- (7) Copy of Site Plan to Certifying Agencies. After the Planning Commission has approved the site plan, one copy of the approved site plan shall be presented by the applicant or his representative to each of the agencies certifying the construction plans.
- (8) Deeds for Rights-of-Way and Easements. Prior to approval of the site plan by the Planning Commission, the owner shall submit the necessary properly executed deeds for rights-of-way and utility and drainage easements requiring dedication.
- (9) Effective Period of Apartment Site Plan Approval. The approval of an apartment site plan shall be effective for a period of three (3) years.
- (10) Recording of Boundary Plat. If the boundary plat as approved by the Planning Commission and signed by the Chairman of the Huntsville Planning Commission is not recorded within six (6) months of the date of approval, the approval shall be deemed to have expired. No building permit shall be issued until the recording of the boundary plat with the Judge of Probate.

APPENDIX A: PLANTING SPECIFICATIONS

Note: This describes procedures for planting trees individually; these instructions should be adapted for bedded areas including more than one tree, or a tree plus shrubs.

PLANTING PROCEDURES: Mark out a root zone 3-5 times the diameter of the root ball, centered on the intended planting site. Loosen the soil in this area to the same depth as the height of the plants' root balls; if planting a tree dug with a tree spade (i.e., with a conical root ball in a wire basket), loosen the soil to a depth of 12-18". If the soil is relatively poor, it may be advisable to add and thoroughly mix in soil amendments such as:

- a 2-3" layer of well-decomposed peat or other organic matter
- for dry sites a hydrophilic copolymer at the rate of 2 ounces per caliper-inch of the tree being planted.

Remove soil where the tree is to be located, deep enough so the top of the root ball will be at or slightly above the surrounding grade, with working room on the sides of the root ball.

Cut and remove the container, or the top half of the wire basket, plus any wire, rope, etc., holding fabric in place; remove standard burlap from at least the top half of the root ball; remove all synthetic decay-resistant fabrics, insofar as possible without major disturbance of the root system. Remove rope, etc., securing other parts of the tree. Roughen the sides of any crusted or glazed root ball. Set the tree in place, plumb and oriented to best advantage, and deep enough for the root ball to sit with its top at or slightly above the surrounding grade.

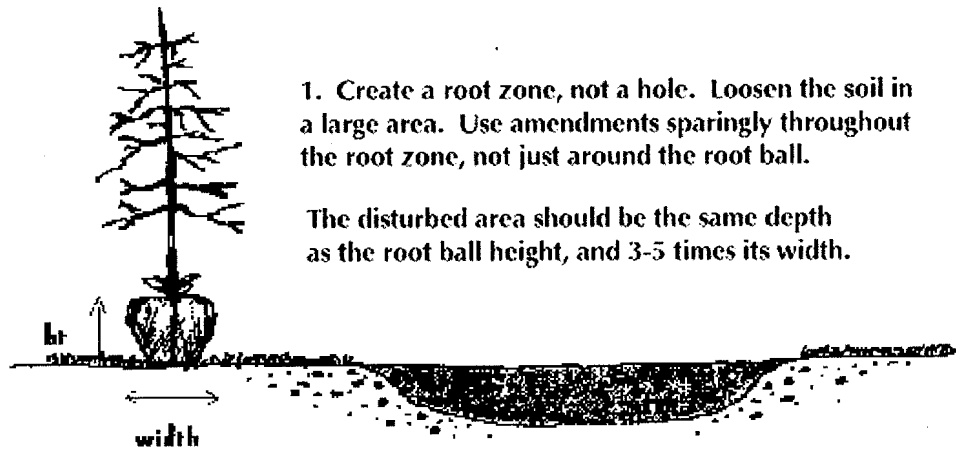
Backfill the root area, working soil around and under the root ball, packing gently to eliminate air pockets. Water plants in thoroughly, adding soil as needed around the root balls. Also add an appropriate mycorrhizal inoculum, if available, according to label instructions. Remove all stem-wrapping materials. Do not replace turf in the root zone.

MULCHING: Shape the area with clean edges. Rake the soil evenly over the entire area and cover it with mulch (bark chips, pinestraw, etc.) in a layer no more than two to three inches deep.

REMEDIAL PRUNING: Prune out damaged branches from the newly-planted tree, and trim loose bark from around any stem wounds, leaving rounded (not pointed) corners. Further pruning should not be done until about a year after planting, to give the tree an opportunity to become established. When removing a branch, make the cut just outside the collar at the base of the branch. Under no circumstances should any newly-planted tree be topped or receive other major pruning. **PREVENTIVE PRUNING** of newly-planted trees may be required, preferably in the spring of the second full growing season after planting, to eliminate damaged, poorly-placed and poorly-formed branches.

STAKING: On trees that may be unstable during strong winds, set 2 or 3 stakes into undisturbed soil; do not drive the stakes through the root ball. Use hose-padded 12-gauge wire to support the tree, low enough to permit the swaying motion necessary for proper taper development, and only tight enough to prevent the tree from tipping.

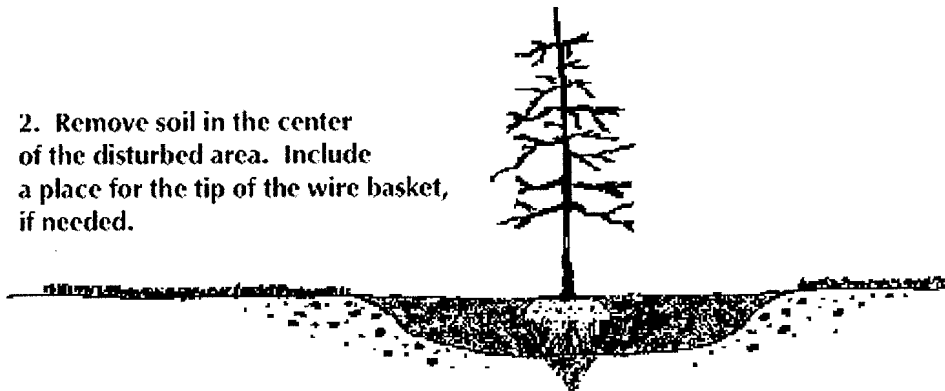
NOTE: Remove all wire and stakes after one year or less.



1. Create a root zone, not a hole. Loosen the soil in a large area. Use amendments sparingly throughout the root zone, not just around the root ball.

The disturbed area should be the same depth as the root ball height, and 3-5 times its width.

2. Remove soil in the center of the disturbed area. Include a place for the tip of the wire basket, if needed.



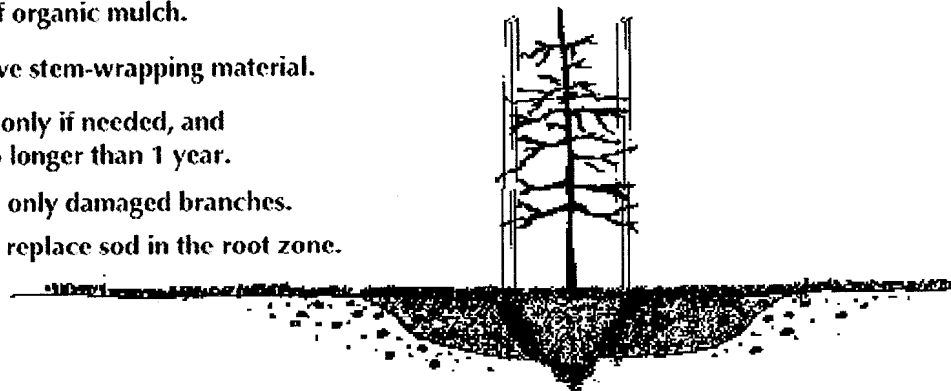
3. Backfill, water well, and add 2-3" of organic mulch.

Remove stem-wrapping material.

Stake only if needed, and for no longer than 1 year.

Prune only damaged branches.

Don't replace sod in the root zone.



APPENDIX B STANDARDS FOR NURSERY STOCK

1. EXCEPT BY SPECIFIC AUTHORIZATION OF THE CITY, EACH STREET TREE OBTAINED WILL HAVE:

- A tag identifying its species and the nursery that grew it.
- A single stem with a full, balanced crown.
- Well-formed branches, and no codominant (forked) stems.
- Caliper or height as specified.
- A root ball of a diameter and height appropriate to the caliper of the tree (according to American Nurserymen's Association standards), and neither broken apart nor separated from the tree's roots.

2. REPLACEMENT OF STREET TREES MAY BE REQUIRED PRIOR TO ACCEPTANCE OF A SUBDIVISION BY THE CITY OF HUNTSVILLE FOR ANY OF THE FOLLOWING REASONS:

POOR VIGOR OR FORM, such as:

- A sparse or chlorotic crown
- Inadequate root development within root ball.
- Abnormally sunken places in the bark, especially below branches.
- Narrow branch angles, especially those with included bark.

DAMAGE, such as:

- Open wounds on the trunk, branches, or roots (including below the soil line).
- Cracks or bark splits surrounded by inrolled callus.
- Dead, cracked, broken, or flush-cut major branches.
- Separating grafts.

IMPROPER PREPARATION, such as:

- Flush-cut pruning scars, or branch-stubs left at pruning.
- Evidence of topping
- Evidence of pruning done in an effort to "shape up" a derelict tree or shrub.
- Improperly prepared root ball (see above).

INSECT AND/OR DISEASE PROBLEMS, such as:

- Signs (e.g., eggs) or symptoms (damage) of harmful insects.
- Signs (e.g., vegetative or sporulating bodies growing on trunk, branches, or roots) or symptoms (damage) of pathogens.

APPENDIX C

ADOPTED AMENDMENTS TO SUBDIVISION REGULATIONS SINCE JULY 1991

<u>Resolution No.</u>	<u>Date</u>	<u>Subject</u>
10-91	September 24, 1991	<u>Amendment to Article 5.1(2)B., Bonds to Insure Performance</u> Duration of bonds
11-91	October 29, 1991	<u>Amendment to Article 5.1(2)C., and D., Bonds to Insure Performance</u> Extension of bonds insuring completion of sidewalks
17-91	January 8, 1992	<u>Amendment to Article 6.1, Definitions–Minor Subdivision</u> Definition of a minor subdivision
3-92	January 28, 1992	<u>Amendment to Article 6.1, Definitions–Minor Subdivision by adding (3)</u> Definition of a minor subdivision
13-92	June 23, 1992	<u>Amendment to Article 4.10 – Utilities</u> Underground wiring
14-92	July 28, 1992	<u>Amendment to Article 3 and Apartment Site Plan</u> Reorganization and compilation of required construction plans
19-92	July 28, 1992	<u>Amendment to Article 3.2 – Layout, 3.3(4)H. Construction Plans, Utilities, Except Natural Gas. 4.10 – Utilities.</u> Common trenching within the Slope Development District

<u>Resolution No.</u>	<u>Date</u>	<u>Subject</u>
15-92	September 22, 1992	Delete references to the planning jurisdiction and county engineer
17-92	December 22, 1992	<u>Amendment to Article 7 – Requirements for Land Conveyance Among Immediate Family Members</u> Requirement that a public hearing be held prior to a Family Land Conveyance
2-93	February 23, 1993	<u>Amendment to Article 4.5 – Roads (5) General Design Standards</u> Reduction in minimum right-of-way requirements
19-93	November 23, 1993	<u>Amendment to Article 4.5 – (5) General Design Standards</u> Reorganization of Table 1 and substitution of “lane widths” for “pavement widths” for major streets
20-93	November 23, 1993	<u>Amendment to Article 4.5(10) Traffic Control Devices and Street Name Signs</u> Adding standards for said devices and signs
22-93	December 21, 1993	<u>Amendment to Article 4.5(8) Road Resurfacing and Improvements</u> Requirement for curbs and gutters on existing non-curb and gutter streets
23-93	December 21, 1993	<u>Amendment to Article 2.2 Words and Terms Defined and Article 4.5(5) Design Standards</u> Definition and Standards for a Parkway

<u>Resolution No.</u>	<u>Date</u>	<u>Subject</u>
24-93	December 21, 1993	<u>Amendment to Article 3.3(3) Preliminary Plat Requirements</u> Requirements for geodetic control and references
4-94	August 23, 1994	<u>Amendment to Article 5.1(2) B., Bonds to Insure Performance</u> Allowing the initial posting of bonds for sidewalk improvements to be for a three (3) year period
5-94	August 23, 1994	<u>Amendment to Article 6.3(2) H., Layout Requirements</u> Deletion of sidewalk improvements in minor subdivisions unless the subdivision adjoins the portion of a road that is scheduled to have a sidewalk installed according to the Sidewalk Improvement Plan
8-94	December 20, 1994	<u>Amendment to Article 3.3(4)B.(vi), 3.3(4)D.(x), 3.3(4)E.(i)j., 3.4(2)F.(v), 5.2(2)</u> Certifications for Engineer of Record and Owner Delete references to Huntsville Department of Transportation and Director of Department of Transportation and change to Traffic Engineer
8-96	April 23, 1996	<u>Amendment to Article 4.5(5) Table 3</u> Requiring cul-de-sac exceeding 800' in length in Slope Development District to have 50' right-of-way and 26' pavement width.

<u>Resolution No.</u>	<u>Date</u>	<u>Subject</u>
8-96	April 23, 1996	<u>Amendments to Article 4.5(6) B,C, & D. Modification of Minimum Design Standards.</u> Allowing cul-de-sac length in excess of 1200' if 25 dwelling units or less gain access from said cul-de-sac.
9-96	April 23, 1996	<u>Amendment to Article 4.14(2) & (3) Building Restrictions.</u> Reducing minimum restricted use area setbacks to 25' on certain features.
9-96	April 23, 1996	<u>Amendment to Articles 3, 4 & 5.</u> Delete references to Mountainside Development District and ALevel K ≅ and change to Slope Development District and Hazard Zone.
13-96	November 26, 1996	<u>Amendment to Articles 3.3(4)G., 3.4(2)F and 6.4(2)R.</u> Certifications for County Health Departments.
3-97	January 28, 1997	<u>Amendment to Article 5.1(2)C.</u> Extension of sidewalk bonds allowable until over 75% of lots receive certificates of occupancy.
9-97	October 28, 1997	<u>Amendment to Article 3.3(4)G., 3.4(2)F, and 6.4(2)R.</u> Certifications for County Health Department.
9-97	October 28, 1997	<u>Amendment to Article 3.4(2)F(iii)</u> Notary acknowledgment of non-corporate ownership certificate

<u>Resolution No.</u>	<u>Date</u>	<u>Subject</u>
2-98	April 28, 1998	<u>Amendment to Article 4.5(5)</u> Add standards and requirements for mini-farm residential subdivisions.
4-98	May 26, 1998	<u>Amendment to Article 3.3(1), 3.3(3), 3.4(1)</u> Requiring digital submittals of subdivision plans.
8-98	July 28, 1998	<u>Amendment to Apartment Site Plan Submittal</u> Requiring boundary plat submittal.
10-98	November 24, 1998	<u>Amendment to Article 5</u> Add certificate of satisfactory completion requirements for private subdivisions
3-99	September 28, 1999	<u>Amendment to Article 3.2(3)C.(iii)h. and 4.14(3)E.</u> Delete reference to Alabama Historical Commission
8-99	November 23, 1999	<u>Amendment to Article 5</u> Extend time allowance for installation of wearing surface
1-02	March 26, 2002	<u>Amendment to Article 5</u> Delete option of Insurance Bonds for securing subdivision improvements

<u>Resolution No.</u>	<u>Date</u>	<u>Subject</u>
10-02	December 17, 2002	<u>Amendment to Articles 2,3,4,5 and Addition of Appendix A and Appendix B</u> Various minor changes including deletion of cul-de-sac length in excess of 1200 feet, addition of temporary turn around requirement, addition of traffic calming requirements and Crime Prevention Through Environmental Design Road Standards
4-05	February 22, 2005	<u>Amendment to Article 3.4(2)(xiv)</u> Add plat note for Common Area Maintenance
16-06	November 21, 2006	<u>Amendment to Article 4.5(4)</u> Modify extension requirement of stub street to adjacent property
6-07 / 7-07	May 22, 2007	<u>Amendment to Article 4.3 Lots. (6)</u> Modify screen planting to include common areas and alleyways abutting collectors or arterials roads <u>Amendment to Article 3.3(1) D. Preliminary Plat, Application Procedures</u> Sealed construction plans