

APPENDIX A

SUBDIVISION REGULATIONS

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ARTICLE I. IN GENERAL

Section I. Purposes.

(A) STATEMENT OF AUTHORITY AND INTENT.

These subdivision regulations are adopted under authority of Title 11, Chapter 52, of the Code of Alabama, 1975, as amended. It is the intent of these regulations to provide for the harmonious development of land within the subdivision jurisdiction; for the coordination of streets within subdivisions with other existing or planned streets or with other features of the master plan; for adequate and convenient open spaces for traffic, utilities, recreation, light and air; and for the distribution of population and traffic that will tend to create conditions favorable to health, safety, convenience or prosperity, and to minimize increases in the peak flow rates of stormwater runoff caused by urban development of watersheds within the subdivision jurisdiction.

(B) AREA OF JURISDICTION.

These regulations shall govern all subdivisions of land within the subdivision jurisdiction of the Florence City Planning Commission.

(C) APPLICATION OF REGULATIONS.

From and after the effective* of these subdivision regulations, every plat of land that is a subdivision as defined herein, shall be prepared, presented for approval, and recorded as required herein; and no plat shall be recorded or shall have any validity unless it shall have been approved by the Florence City Planning Commission as having fulfilled the requirements of these regulations.

If the proposed subdivision is designed according to the City of Florence regulations for a “Planned Residential Development,” then subdivision approval by the Florence City Planning Commission can be granted simultaneously with planning approval of the PRD plans.

Where it is determined that development of a subject area under review by the Planning Commission will significantly effect an increase in stormwater runoff, then these stormwater detention regulations shall apply. This determination will be based on:

- (1) Location and size of the development;
- (2) Slope and soil conditions;
- (3) Existing drainage facilities and drainage basins; and
- (4) Other considerations which may pertain to the discharge of stormwater from the development of the site.

These stormwater detention regulations shall apply to road and street construction, subdivision of property, and for those developments within the subdivision jurisdiction of the City of Florence requiring plat approval or plat review. Every development should handle its own increase in stormwater runoff, if that increase will cause problems in the immediate or distant future.. Where the development's storm drainage system outfall discharges directly into a main stream, neither detention facilities nor engineering computation in justification are ordinarily required; a statement that detention storage is not required for that reason is adequate.

Section II. Definitions.

For the purposes of these subdivision regulations, certain words and phrases used herein are defined as follows:

Alley. Any public space or thoroughfare twenty (20) feet or less in width which has been dedicated or deeded for public use.

Block. A parcel of land entirely surrounded y streets, streams, railroad rights-of-way, parks or other public spaces or by a combination thereof.

Building setback line. The line indicating the minimum horizontal distance between the street line and the face of buildings.

City Council. The chief legislative body of the City of Florence.

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

Development. The act of installing site improvements and building structures.

Easement. A grant by the owner of the use of a strip of land by others for specific purposes.

Engineering plans. The drawings on which the proposed subdivision improvements are shown and which, if approved, will be used for construction of the improvements.

Final plat. The final map or drawing on which the subdivision plan is submitted to the Planning Commission for approval and which, if approved, will be submitted to the office of the Judge of Probate of Lauderdale County for recording.

General approval. The approval by the Planning Commission of the general subdivision plan or plat, as such approval is required by these regulations.

General subdivision plan. The general plan and engineering drawings prepared based on the preliminary plan which, if approved, will be utilized for the preparation of the final plat and for the actual construction of the public improvements of the subdivision.

Health officer. The health officer of Lauderdale County or his authorized representative; the term may jointly mean the state health officer or his authorized representative.

Improvements. Street surfacing, with curb and gutter, sidewalks, water mains, sanitary sewers, storm sewers, utilities and monuments.

Lot. A portion of a subdivision intended as a unit for transfer of ownership or for development.

Main stream. A stream on which floods are controlled by the Tennessee Valley Authority's reservoir system, or a stream which has the channel capacity adequate to accommodate the ten-year frequency rainstorm without overflow as determined by the city engineer.

Master plan. The comprehensive plan made and adopted by the Florence City Planning Commission for the physical development of the City of Florence and surrounding area; the term includes any unit or component part of such plan separately adopted and any amendment to such plan or part thereof.

Municipal or municipality. The City of Florence and, where appropriate to the context, that area lying within the corporate limits of such city as such corporate limits exist or may exist in the future.

Plan for activities (land use plan). The component part of the master plan showing the areas recommended for residential, commercial, industrial or other purposes.

Plan for circulation (major street plan). The component part of the master plan showing the general locations of principal thoroughfares, railways, airports, waterways and other transportation facilities.

Plan for public services (community facilities plan). The component part of the master plan showing the general locations of parks, recreation areas, school sites and other public buildings and community facilities.

Planning Commission or Commission. The Florence City Planning Commission, as such commission was created heretofore by ordinances adopted by the City Council of the City of Florence, pursuant to Title 37, Chapter 16, of the Code of Alabama, 1940 (recompiled 1958 and as amended).

Preliminary subdivision plan. The preliminary map or drawing on which the proposed layout of a subdivision is submitted to the Planning Commission for consideration and approval.

Reserve strip. The strip of land smaller than a lot retained in private ownership for the purpose of controlling access to land dedicated or intended to be dedicated to street or other public uses.

Roadway. The portion of a street available for vehicular traffic; where curbs are laid, the portion between curbs.

Sidewalk. The portion of a street or crosswalkway, paved or otherwise surfaced, intended for pedestrian use only.

Street. A public right-of-way which provides vehicular and pedestrian access to adjacent properties.

“Closed-end street.” A short street having one end open to traffic and being terminated at the other end with a vehicular turnaround.

“Collector street.” A street, existing or planned, which serves or is intended to serve as a secondary trafficway, collecting traffic from minor streets and feeding it into major streets or to important generators of traffic.

“Major street.” A street, existing or planned, which serves or is intended to serve as a principal trafficway and which is designated on the plan for circulation (major street plan) as a limited access highway, major street, thoroughfare, parkway or other term to identify those streets comprising the basic structure of the street system.

“Marginal access street.” A street running parallel to and adjacent to or in the immediate vicinity of a major street, and which has as its principal purpose the relief of such major street from the local service of abutting properties.

Subdivision. The division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale or building development. The term includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

Subdivision jurisdiction. All land located in the City of Florence and all land lying within three (3) miles thereof and not located in any other municipality or its subdivision jurisdiction.

Ten-year frequency rainstorm. A rainstorm with a ten (10) percent chance of being equaled or exceeded in any given year.

Section III. Amendments.

(A) AMENDMENT POLICY.

These subdivision regulations are based on comprehensive planning studies and on the need for uniform standards of design and construction for subdivisions and improvements to carry out the objective of a sound, stable and desirable development. It is recognized that casual change or amendment to the regulations would be detrimental to the achievement of that objective, and it is therefore declared to be the policy of the Planning Commission to amend these regulations only when one (1) or more of the following conditions prevail:

- (1) *Error.* There is a manifest error in the regulations.
- (2) *Change in conditions.* Changed or changing conditions in a particular area, or in the planning jurisdiction, make a change in the regulations necessary and desirable.

(B) AMENDMENT PROCEDURE.

Amendments to these subdivision regulations may be requested by any person concerned with or affected by the application of the regulations. A request for amendment shall state the name, address and

interest of the person requesting the amendment, the nature and purpose of the amendment requested, and the need therefore.

Section IV. Interpretation and validity.

(A) INTERPRETATION.

In interpreting and applying the provisions of these regulations, they shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare. Whenever the provisions of these regulations require higher standards than are required in any other applicable statute, ordinance or regulations, the provisions of the regulations shall govern; whenever other applicable statutes, ordinances or regulations require higher standards, then the provisions of these regulations, such other applicable statutes, ordinances or regulations shall govern.

(B) VALIDITY.

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

ARTICLE II. SUBDIVISION CRITERIA

Section I. Procedures.

(A) GENERAL PROCEDURE.

The procedure for review and approval of a subdivision by the Planning Commission consists of three (3) consecutive steps, as follows:

- (1) Preparation and submission of a preliminary plan of the proposed subdivision, together with the attendant items required herein.
- (2) Preparation and submission for review and approval of a general subdivision plan, together with the attendant items required herein.
- (3) Preparation and submission for review and final approval of a final plat, together with the attendant items required herein.

In no event shall the preliminary plan or the general subdivision plan be considered as a submission of a plat for approval or disapproval as required by Code of Ala. 1975, 11-52-32, but only the final plat shall be so considered.

(B) PRELIMINARY PLAN.

(1) *Purpose.* The purpose of the preliminary plan is to develop a general design on which to base the preliminary subdivision plan, and thus to avoid having to revise such design to make it conform to

the master plan and to relate it to surrounding development. To this end, the subdivider should consult informally with the Planning Commission's technical staff on preparation of the preliminary plan.

(2) *Submission and review.* The subdivider shall submit to the Planning Commission eight (8) copies of the preliminary subdivision plan, together with all attendant items required herein, with written application for preliminary approval at least fifteen (15) days prior to the meeting at which it is to be considered. The preliminary plan shall be reviewed by the Planning Commission. The review shall take into consideration, in addition to the requirements set out in these regulations, the components of the master plan, especially the plan for circulation (major street plan) and the plan for public services (community facilities plan), the zoning ordinance and other plan, programs and regulations that might affect the area and the design and development of the subdivision.

(3) *Action on preliminary plan.* Within forty-five (45) days, the Planning commission or its staff shall inform the subdivider that the preliminary plan as submitted or as modified does or does not meet the objectives of these regulations. When the Planning Commission or its staff there find that the preliminary plan does not meet the objectives of these regulations, the reasons therefore shall be given, together with any changes recommended to be made.

(C) GENERAL SUBDIVISION PLAN.

(1) *Purpose.* The purpose of the general subdivision plan, together with the attendant items required herein, is to provide plans for the construction of the subdivision and its improvements. To this end, during preparation of the general subdivision plan the subdivider should consult with the Planning Commission's technical staff, with the City Engineer, county engineer, if appropriate, and with other officials and agencies concerned with the subdivision and the improvements. The general subdivision plan shall be based upon the general design shown on the preliminary plan, together with the recommended changes.

(2) *Submission and review.* The subdivider shall submit to the Planning Commission eight (8) copies of the general subdivision plan, together with the attendant items required herein, with written application for general approval at least fifteen (15) days prior to the meeting at which it is to be considered. The general subdivision plan, together with the attendant items required herein, shall be reviewed by the Planning Commission and will be referred for review and report to the (1) city engineer, (2) county engineer, if appropriate, (3) county health officer, (4) utility agencies, companies, or departments concerned with the tract or adjacent tracts, and other appropriate officials. The review shall take into consideration in addition to the plans and other factors considered in connection with the preliminary plan, the particular requirements and conditions affecting installation of improvements.

(3) *Action on general subdivision plan.* Notice of the time and place at which a general subdivision plan will be considered shall be sent by the Planning Commission to the subdivider and to the person whose name and address appears upon the plan as the owner of the land. At the regular monthly meeting next following the submission of a general subdivision plan, but in any event within forty-five (45) days, the Planning Commission shall act upon the general subdivision plan and shall communicate in writing to the subdivider its general approval or its disapproval. In the case of general approval, the Planning Commission shall state:

- (a) The specific changes required to be made in the general subdivision plan.
- (b) The character and extent of the required improvements.

In the case of disapproval, the Planning Commission shall state the grounds for disapproval.

(4) *Effect of approval.* General approval of a subdivision plan shall not constitute acceptance of the plat of the proposed subdivision, but shall be deemed only as an expression of approval of the plan submitted as a guide to preparation of the final plat, which final plat will be submitted for approval of the Planning Commission and for recording upon fulfillment of the requirements of these regulations and the conditions of general approval. General approval of a subdivision plan shall be effective for a maximum period of one (1) year unless, upon application by the subdivider, the Planning Commission grants an extension. If the final plat has not been submitted to the Planning Commission within this time limit, the general subdivision plan shall again be submitted for preliminary approval.

(D) FINAL PLAT.

(1) *Purpose.* The purpose of the final plat, together with the attendant items required herein, is to provide an accurate record of street and property lines and other elements being established on the land and the conditions of their use. The final plat shall be based upon the general subdivision plan, together with the required changes, but it may include only the portion of the approved general subdivision plan which the subdivider proposed to record and develop at the time, provided, however, that such portion conforms to all requirements of these regulations.

(2) *Submission and review.* The subdivider shall submit to the Planning Commission eight (8) copies of the final plat, together with the attendant items required herein, with written application for final approval at least fifteen (15) days prior to the meeting at which it is to be considered. The final plat, together with the attendant items required herein, shall be reviewed by the Planning Commission and will be referred for review and report to the city engineer, county engineer, if appropriate, the county health officer, the utility agencies, companies or departments concerned with the tract or adjacent tracts and other appropriate officials. The review shall take into consideration conformance to the approved general subdivision plan and fulfillment of any conditions of such approval and the proper installation of required improvements in conformance with the requirements of these regulations and other applicable standards and regulations.

(3) *Action on final plat.* Before acting on the final plat, the Planning Commission shall give notice by registered mail to the subdivider and owner of the land, whose name or names and address or addresses are shown on the plat, of the time and place of the hearing to be held on the plat, at least five (5) days before the date fixed for such hearing. Similar notices shall be mailed to the owners of land immediately adjoining the platted land, as their names appear in the directory of the City of Florence or on the tax records of Lauderdale County.

The Planning Commission shall act upon the final plat within thirty (30) days after its submission and shall communicate in writing to the subdivider its final approval or disapproval. In the case of approval, the Commission shall enter such approval upon the final plat by the appropriate certificate. In the case of disapproval, the Planning Commission shall state the grounds for disapproval.

(4) *Recording of plat.* After approval of a final plat, such plat shall thereafter be immediately filed by the Planning Commission for recording in the office of the Judge of Probate of Lauderdale

County. After recording, the original tracing of the final plat will be retained by the Planning Commission, unless the subdivider shall have filed also a photographic reproducible of the final plat, in which case the original shall be returned.

(5) *Effect of approval.* Approval of an final plat shall not constitute acceptance by the public of the dedication of a street or other public way, park or space. Approval of a final plat shall be effective for a maximum period of six (6) months unless, upon application by the subdivider, the Planning Commission grants an extension. If the final plat has not been recorded within this time frame, the general subdivision plans must be resubmitted for approval.

Section II. Documents.

(A) SPECIFICATIONS FOR PRELIMINARY PLAN.

(1) *General form.* The preliminary plan shall show in simple outline the general design of the proposed subdivision in relation to existing conditions and to its surroundings.

(2) *Information to be shown.* The preliminary plan shall contain the following information:

(a) Location map. A diagram showing the relation of the proposed subdivision to main traffic arteries, schools, recreation areas, business and industrial areas and other important features.

(b) Survey data. Contours or spot elevations required for the general subdivision plan or a sufficiently close approximation of such contours or spot elevations to determine necessary drainage.

(c) Miscellaneous data. The scale of the preliminary plan, north arrow and date, and the name and address of the owner, subdivider and the professional engineer or land surveyor.

(d) Streets. The street pattern in relation to existing and proposed streets, including those shown on the plan for circulation (major street plan) or on a neighborhood plan.

(e) Lots and blocks. The general arrangement of lots and blocks, with dimensions of typical lot widths and depths.

(f) Nonresidential sites. Identification of existing and proposed parks, recreation areas, schools or other public uses; sites, if any, for multi-family dwellings, shopping centers, churches, industry or other nonresidential uses.

(g) Utilities. The approximate locations and sizes of existing utility lines.

(h) Easements. The approximate locations, widths and purposes of existing easements.

(B) SPECIFICATIONS FOR GENERAL SUBDIVISION PLAN.

(1) *General form.* The general subdivision plan shall show accurately and in sufficient detail for construction of the subdivision and its improvements the design of the proposed subdivision in relation to existing conditions and its surroundings. It shall be drawn to a scale of not less than one (1) inch equals one hundred (100) feet and the sheet size shall not be larger than thirty-six (36) inches by twenty-four (24) inches, at least six (6) inches of which shall be provided on the left side for binding. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision.

(2) *Information to be shown.* The general subdivision plan shall contain the following information:

- (a) Location map. A diagram showing the location of the proposed subdivision.
- (b) Survey data. The boundary lines of the subdivision with length and bearing of lines; section and corporation lines; contours at intervals of two (2) feet, based on a datum plane that is mean sea level; where contours will not provide adequate information for drainage determinations spot elevations in sufficient number to show drainage conditions shall be given.
- (c) Miscellaneous data. Present tract designation according to the records of the office of the Judge of Probate of Lauderdale County; the title or name under which the proposed subdivision is to be recorded, with name and address of the owner and the subdivider; notations giving scale, (true) north arrow, datum, benchmarks, date of survey and name of the registered professional engineer or land surveyor.
- (d) Streets. The name, right-of-way width and location of streets and other public ways on and adjacent to the tract; the type width and elevation of surfacing; any legally established centerline elevations; walks, curbs, gutters, culverts and similar features; the name, right-of-way width and location of proposed streets with their approximate grades and gradients, and similar data for alleys, if any.
- (e) Lots and blocks. Lot lines, lot numbers and block letters, tabulation stating gross and net acreage of the subdivision, acreage of existing and proposed public areas within the tract, number of residential lots, typical lot size and lineal feet of proposed street.
- (f) Nonresidential sites. Sites to be reserved or dedicated for parks, recreation areas, schools or other public uses; if any, for multi-family dwellings, shopping centers, churches, industry or other nonresidential uses.
- (g) Utilities. The location, size and invert elevation of sanitary and storm sewers; the location and size of water mains; the location of gas lines fire hydrants, approximate locations of utility poles and street lights; if water mains are not on or adjacent to the tract; the direction and distance to, and the size of the nearest ones, showing invert elevation of sewers; the location of proposed utilities, if not show elsewhere.
- (h) Easements. The location, width and purpose of existing and proposed easements.
- (i) Building setback lines. Minimum building setback lines.

- (j) Adjoining land. The approximate direction and gradient of the ground slope, including any levees or embankments; the character and location of buildings, railroads, power lines, towers and other nearby nonresidential land uses or adverse influences; and names of recorded subdivision plats of adjoining platted land by record name, date and number and the names of record owners of adjoining unsplit land.
- (k) Other existing conditions. The locations of watercourses, marshes, wooded areas, isolated preservable trees one (1) foot or more in diameter, buildings or structures and other significant features on the tract.
- (l) Proposed public improvements. Highway or other major public improvements planned by public authorities for future construction on or near the tract.
- (m) Engineering plans. Plans shall be submitted showing the required information listed below. The cross sections and profiles of streets showing grades approved by the city engineer or county engineer, as appropriate, shall be drawn to city or county standards. Profiles shall be normally presented on a 1:10 ratio of vertical scale to horizontal scale; i.e., one (1) inch = five (5) feet vertical and one (1) inch = fifty (50) feet horizontal. Cross sections shall be normally presented on a 1:1 ratio of vertical scale to horizontal scale; i.e., one (1) inch = five (5) feet vertical and horizontal. Construction detail sheets may be drawn at the appropriate scale to portray the requirements, details and materials. Details of stormwater sewerage including sizes, type, alignment, grade, invert elevations, top elevation of street and field intake structures, etc., shall be shown. If installed by the subdivider, details of sanitary sewerage including size, type, alignment, grade, invert elevations, top of manhole elevations, stub-out locations, etc., shall be shown. A general subdivision map shall be furnished showing existing contours prior to development and the final contours after development on a horizontal scale on one (1) inch = one hundred (100) feet. All elevations shall be based upon the datum plane of mean sea level.
- (n) Subsurface conditions report. Location and results of soil percolation tests in individual sewage disposal systems are proposed.
- (o) Stormwater detention plan. Hydrologic and hydraulic computations utilized in the design of stormwater facilities as set forth in section III(B)(12), and contained herein.

(C) SPECIFICATIONS FOR FINAL PLAT.

(1) *General form.* The final plat shall show accurately the subdivision as established on the ground and in relation to its surroundings. It shall be drawn to a scale of not less than one (1) inch equals one hundred (100) feet, and the sheet size shall not be larger than thirty-six (36) inches by twenty-four (24) inches, at least six (6) inches of which shall be provided on the left side for binding. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions, the final plat may be submitted for approval progressively in continuous sections satisfactory to the Planning Commission.

(2) *Information to be shown.* The final plat shall contain the following information:

- (a) Location map. A diagram showing the location of the proposed subdivision.

- (b) Survey data. Primary control points, approved by the city engineer or county engineer, if appropriate, or description and ties to such control points, to which all dimensions, angles, bearings and similar data on the plat shall be referred; the boundary lines of the subdivision, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential lots and other sites with accurate dimensions, bearings or deflection angles, and radii, arcs and central angles of all curves; the location and description of monuments, according to state law; and statement of the closure error, which shall not, in accordance with criteria outlined in Manual of Practice for Land Surveying in Alabama, 1975, exceed one (1) part in five thousand (5,000).
- (c) Miscellaneous data. Notations giving scale, (true) north arrow, and date of final plat.
- (d) Streets. The name and right-of-way width of each street or other public way.
- (e) Lots and blocks. Identification by letter of each block and by number of each lot in each block.
- (f) nonresidential sites. The purpose for which sites, other than residential lots, are dedicated or reserved.
- (g) Utilities. The location and dimensions of any utility right-of-way or easements.
- (h) Easements. The location, dimensions and purpose of any other easements.
- (i) Certificate of survey. Building setback line. Minimum building setback line of all lots and other sites.
- (j) Adjoining land. The names of recorded subdivision plats of adjoining platted land by record name, date and number.
- (k) Certificate of owner. Notarized certification by the landowner of the adoption of the plat and the dedication of streets, utility easements and other public areas.
- (l) Certificate of survey. Certification by the registered professional engineer or land surveyor that the plat represents a survey made by him, that the monuments shown thereon actually exist as located, and that all dimensional and other data are correct.
- (m) Approvals. Space for certificates of approval of the Planning Commission, the city engineer, county engineer, if appropriate, and the county health office, where such approval is called for by these regulations.
- (3) *Attendant items.* The final plat shall be accompanied by the following items:
 - (a) Protective covenants. The protective covenants in form for recording.
 - (b) Engineering plans. (Conditions as required by Planning Commission or City Engineer may be including.)

- (c) Conveyances. A conveyance to the City of Florence or the County of Lauderdale by fee simple or by easement of land set aside for parks, recreation area or other public use, such conveyance to be without reservation of rights except for restriction that land is to be dedicated only to the specified purposes.
- (d) Plat review fee. A check payable to the City of Florence for the payment of the fee charged for review of the final plat.
- (e) Recording fee. A check payable to the office of the Judge of Probate of Lauderdale County for the payment of the fee charged for recording the final plat.
- (f) Stormwater detention facilities. Final design of detention facilities as approved by the city engineer. The design shall be in accordance with the provisions of Section III (B)(12) as contained herein.

Section III. Design Standards.

(A) PRINCIPLES OF ACCEPTABILITY.

(1) *Conformance to master plan.* In general, the subdivision shall conform to the master plan for the City of Florence and adjacent territory within the subdivision jurisdictions to the zoning ordinance (if the subdivision is within the City of Florence or the City's extraterritorial jurisdiction) and other applicable ordinances or regulations. If a suggested plan for the neighborhood in which the land to be subdivided is located has been made by the Planning Commission, the layout of the subdivision shall be in general conformance thereto.

(2) *Provisions for future subdivision.* If a tract is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged to allow the opening of future streets and logical further subdivision.

(3) *Land subject to flooding.* Land subject to periodic flooding, as shown in the Federal Emergency Management Agency Flood Insurance Study, City of Florence and Lauderdale County, 1981, and land deemed by the Planning Commission to be uninhabitable shall not be platted for residential occupancy nor for any use that may increase danger to health, life or property or aggravate the flood hazard. Such land within the tract to be subdivided shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory or unsanitary or unhealthy living conditions. If the land to be subdivided is located in an area having poor drainage or other physical impairment, the Planning Commission may approve the subdivision, provided the subdivider agrees to make such improvements as are necessary to render the area substantially safe for residential use, or in lieu of the improvements, shall furnish a surety bond or certified check covering the cost of the required improvements, as provided herein.

(4) *Natural features.* Natural scenic features of the land, such as streams, shall be considered community assets, and the design of the subdivision shall protect and utilize such natural scenic features.

(5) *Trees.* Because of their value in soil conservation, health and community appearance, large trees shall be preserved wherever possible. No tree or low bushy species, which might

obstruct vision, shall be placed within twenty-five (25) feet of the intersecting property lines at a street intersection.

(6) *Reserve strips.* There shall be no reserve strips controlling land dedicated or intended to be dedicated to street or other public use except where their control is placed in the appropriate governing body under conditions approved by the Planning Commission.

(7) *Buffer park strip.* Where a residential subdivision adjoins land zoned for or used for a railroad right-of-way, an industrial area, a commercial area or other land use which would have a depreciating effect on the residential use of the land, a buffer park strip may be required by the Planning Commission.

(8) *Names.* The name of the subdivision and new street names shall not duplicate nor closely approximate phonetically the name of any other subdivision or street in Lauderdale County. Street names shall be subject to approval of the Planning Commission. In general, the use of names associated with the history and development of the City of Florence and Lauderdale County is desirable.

(B) STREETS.

(1) *Street layout.* The street layout shall be devised for the most advantageous development of the entire neighborhood or neighborhoods in which the land to be subdivided is located. Existing streets that abut the subdivision shall be continued, and the continuations shall be at least as wide as the existing streets and in alignment with them. The street layout shall also provide for the future projection into unsubdivided lands adjoining of a sufficient number of streets to provide convenient circulation. The street layout shall conform to the applicable principles contained in A Policy on Geometric Design of Highway and Streets as published by the American Association of State Highway and Transportation Officials (AASHTO) except as amended by these regulations.

The following objectives shall also be applicable to the street layout::

- (a) Adequate vehicular and pedestrian access should be provided to all parcels.
- (b) Local street systems shall be designed to minimize through traffic movements.
- (c) The street pattern should minimize out-of-the-way vehicular travel.
- (d) Local circulation systems and land development patterns should not detract from the efficiency of bordering arterial routes.
- (e) Elements in the local circulation system should not have to rely on extensive traffic regulations in order to function efficiently and safely.
- (f) Traffic generators within residential areas should be considered in the local circulation pattern.
- (g) Planning and construction of residential streets should clearly indicate their local nature.
- (h) The local street system should be designed for a relatively uniform low volume of traffic.

- (i) Local streets should be designed to discourage excessive speeds.
 - (j) Pedestrian-vehicular conflict points should be minimized.
 - (k) A minimum amount of space should be devoted to street uses.
 - (l) The arrangement of local street should permit economical and practical patterns, shapes and sizes of development parcels.
 - (m) Local streets should be related to topography from the standpoint of both economics and amenities.
- (2) *Terrain classification.* For purposes of these regulations, the following are definitions of terrain classification:
- (a) Ordinary – Cross slope range of zero percent to eight (8) percent.
 - (b) Rolling – Cross slope range of greater than eight (8) percent to fifteen (15) percent.
 - (c) Hilly – Cross slope of over fifteen (15) percent.
- (3) *Development density.* For the purposes of these regulations, the following are definitions of development density in terms of gross land area:
- (a) Low – Two (2) or less dwelling units per acre.
 - (b) Medium – Greater than two (2) up to six (6) dwelling units per acre.
 - (c) High – Over six (6) dwelling units per acre.
- (4) *Major street.* Wherever a subdivision embraces a major street or thoroughfare, as shown on the plan for circulation (major street plan) component of the master plan, such major street shall be platted in the general location and of the width called for by such plan.
- (5) *Marginal access street.* Where a subdivision has frontage on a major street or thoroughfare, as shown on the plan for circulation (major street plan), a marginal access street shall be provided adjacent to and on each side of the major street. Within the right-of-way of the marginal access street, a separation strip at least twenty (20) feet wide shall be provided. Separation strip shall be provided with screen plating to provide protection from the noise and lights of the major street traffic; screen planting shall be so placed that it does not obstruct vision at intersections. The alignment and design standards shall be in accordance with the applicable requirements of A Policy on Geometric Design of Highways and Streets as published by the American Association of State Highway and Transportation Officials (AASHTO).
- (6) *Collector streets.* Collector streets shall be provided to collect traffic from local streets and feed it into major streets or to important generators of traffic, such as schools and shopping centers. In general, collector streets shall be located and approximately midway between major streets or in the form of a loop or partial loop within the neighborhood.

COLLECTOR STREET DESIGN STANDARDS

<i>Terrain classification</i>	<i>Ordinary</i>			<i>Rolling</i>			<i>Hilly</i>		
	<i>Low</i>	<i>Med.</i>	<i>High</i>	<i>Low</i>	<i>Med.</i>	<i>High</i>	<i>Low</i>	<i>Med.</i>	<i>High</i>
<i>Development density</i>									
Minimum right-of-way width (ft.)	_____			___	70	___	_____		
Minimum clear road width face to face, curb (ft.)	36	36	40	36	36	40	36	36	40
Type of curb	_____			vertical face			_____		
Sidewalk width (ft.)	_____			___	5	___	_____		
Sidewalk distance from back of curb (ft.)	_____			___	10	___	_____		
Minimum stopping sight distance (ft.)	___	250	___	___	200	___	___	150	___
Maximum grade (%)	___	7	___	___	9	___	___	12	___
Minimum grade (%)	_____			___	0.5	___	_____		
Minimum spacing along major traffic route (ft.)	_____			___	1300	___	_____		
Design speed (m.p.h.)	___	35	___	___	30	___	___	25	___
Minimum centerline radius (ft.)	___	350	___	___	230	___	___	250	___
Maximum superelevation (ft./ft.)	_____			___	0.04	___	_____		

(7) *Local streets.* Local streets shall be provided to facilitate access to neighborhoods and private property. They shall be arranged so that their use by through traffic is discouraged. The following table contains local street design standards.

LOCAL STREET DESIGN STANDARDS

<i>Terrain classification</i>	<i>Ordinary</i>			<i>Rolling</i>			<i>Hilly</i>		
	<i>Low</i>	<i>Med.</i>	<i>High</i>	<i>Low</i>	<i>Med.</i>	<i>High</i>	<i>Low</i>	<i>Med.</i>	<i>High</i>
<i>Development density</i>									
Minimum right-of-way width (ft.)	_____			___	50	___	_____		
Minimum clear roadway width face to face, curb (ft.)	_____			___	30	___	_____		
Type of curb	_____			_____			_____		
V = vertical face	R*/V	V	V	R*/V	V	V	V	V	V
R* = roll-type (unless otherwise determined by city engineer)									
Minimum sidewalk width (ft.)	_____			___	4	___	_____		
Sidewalk distance from	_____			___		___	_____		

back of curb (ft.)	_____			5.5	_____		
Minimum stopping sight distance (ft.)	200	_____	_____	150	_____	125	_____
Maximum grade (%)	7	_____	_____	10	_____	16	_____
Minimum grade (%)	_____			0.5	_____		
Maximum cul-de-sac length (ft.)	1000	600	600	1000	600	600	1000 600 600
Minimum cul-de-sac radius (ft.)	_____			50	_____		
Design speed (m.p.h.)	30	_____	_____	25	_____	20	_____
Minimum centerline radius (ft.)	250	_____	_____	175	_____	110	_____
Maximum superelevation (ft./ft.)	_____			0.04	_____		

(8) *Increase in street widths.* In front of schools and community activity areas and in front of areas zoned or designed for commercial or industrial uses, the minimum clear roadway width streets shall be increased on the side or sides on which the land for the school or community activities use is located by at least fifteen (15) feet to insure the free flow of traffic without interference by vehicles entering or leaving parking area. (This is not a parking space requirement and shall not affect requirements of the zoning ordinance or otherwise for off-street parking facilities; neither shall fulfillment of this requirement and its acceptance by the Planning Commission be deemed approval or endorsement of any amendment to the zoning ordinance necessary for such commercial or industrial uses.)

(9) *Half street.* No new half streets shall be platted. Where a tract of land to be subdivided abuts upon an existing half street, the other half of the street shall be platted.

(10) *Intersections.* Street intersections shall be right angles or nearly so. Where, for topographic or other reasons, an intersections cannot be at right angles, the intersection shall be so designed as to insure safety. There shall be a minimum number of intersections of minor streets with major streets. Intersections of local streets should be designed to operate without any traffic control devices.

STREET INTERSECTION DESIGN STANDARDS

<i>Terrain classification</i>	<i>Ordinary</i>	<i>Rolling</i>	<i>Hilly</i>
<i>Development density</i>	<i>All</i>	<i>All</i>	<i>All</i>
Approach design speed (m.p.h.)	25	25	20
Clear sight distance, length along each approach leg (ft.)	110	110	90
Vertical alignment within area (maximum grade, %)	Flat*	2	4
Minimum angle of intersection (degrees)	_____	75	_____
		90 degrees preferred	
Minimum curb radius (ft.)			
a. Local-local	_____	20	_____

b. Local-collector	_____	25	_____
Minimum centerline offset of adjacent intersections (ft.)			
a. Local-local	_____	150	_____
b. Local-collector	_____	150	_____
c. Collector-collector	_____	200	_____

*Vertical alignment within the limits of intersections shall be as near flat as feasible with the consideration given to drainage of surface runoff.

(11) *Street drainage.* The determination of the type of street drainage to be used depends on the topography of the area to be developed. The roadways shall be constructed so that stormwater runoff is directed into natural watercourses or existing storm drainage facilities.

(12) *Stormwater detention.* The calculated peak rate of stormwater runoff resulting from a ten-year return frequency, twenty-four-hour duration rainfall shall be no greater after development of the site than that which would result from a ten-year return frequency, twenty-four-hour duration rainfall on the same site prior to development of the site.

All hydrologic and hydraulic computations utilized in the design of stormwater facilities must be prepared by persons proficient in the field of hydrology and hydraulics. Major detention structures must be designed by an engineer licensed in the State of Alabama.

The required hydrologic and hydraulic computations for stormwater detention shall be in accordance with procedures outlined in the United States Department of Agriculture, Soil Conservation Service, Technical Release No. 55, entitled Urban Hydrology for Small Watersheds, and all subsequent revisions thereto, and the Soil Conservation Service (Soil Survey of Lauderdale County). Other computational procedures may be employed if approved by the city engineer.

Adequate attention must be given to safety and sanitation in the design of any detention facility. Sufficient information shall be shown on the plans to provide for proper construction of the detention facility. Sufficient information to show that the detention facility will operate as required will be provided to the city engineer for review and approval in accordance with these provisions. If a development is to be constructed in phases, stormwater detention for the entire development shall be addressed with the initial phase and shall be constructed with the development of each phase. the capacity of the detention facility shall be sufficient to control the volume of stormwater runoff resulting from a ten-year frequency, twenty-four-hour duration rainfall within the peak rate of flow requirements stated above.

For stormwater detention facilities less than one (1) acre-feet in design capacity, perpetual maintenance shall be the responsibility of adjacent landowners with dedication of easements for periodic inundation by stormwater runoff provided. For stormwater detention facilities equal to or greater than one (1) acre-feet in design capacity, perpetual maintenance shall be the responsibility of the City of Florence if within the city limits with dedication of property for these facilities and rights of entry provided, unless the topography of the basin is such that the basin area can be easily maintained b the adjacent landowners. In both cases, the structures shall be maintained by the City of Florence, and the city’s area of responsibility shall be delineated on the recorded plat. (A “structure” is defined, for purposes of these regulations, as any work of man requiring design and construction, but not the basins themselves.) Adequate erosion and

sediment control measures shall be employed during the development's construction phase and until adequate ground cover is reestablished to ensure that the stormwater drainage and detention facilities perform as designed.

The determination of the type of street drainage to be used depends on the topography of the area to be developed and the erosion characteristics of the soil which will exist in roadway ditches. The roadways shall be constructed so that the storm drainage system outfall discharges directly into a mainstream or proposed storm drainage facilities.

(C) BLOCKS.

(1) *Size and shape of blocks.* The lengths, widths and shapes of blocks shall be determined with consideration of the limitations and opportunities of topography, the provision of building sites suitable to the intended uses, and the need for convenient access, circulation, control of and safety from street traffic. In general, block lengths shall not exceed one thousand two hundred (1,200) feet and block lengths shall not be less than five hundred (500) feet; provided, however, that where site conditions make longer blocks necessary or desirable, such blocks may be as long as one thousand six hundred (1,600) feet.

(2) *Crosswalkways.* Crosswalkways shall be provided where necessary for convenient access to schools, playgrounds, shopping centers and other community facilities.

(3) *Block on major street.* When the proposed subdivision is adjacent to or contains a major street, the long dimensions of the blocks shall be parallel, or approximately parallel, to the major street.

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

(D) LOTS.

(1) *Size and shape of lots.* The size (width, depth, shape) and orientation of lots and the minimum building setback lines shall be appropriate to the location of the subdivision and the type of development and use contemplated. Every lot shall contain a suitable building site.

(2) *Minimum dimension.* Lots for residential use shall be at least sixty (60) feet wide at the building setback line and shall contain at least the following areas:

Where served by the municipal or an approved private water supply system and sanitary sewerage system – seven thousand two hundred (7,200) square feet.

Where served by the municipal or an approved private water supply system but not by the municipal or an approved private sanitary sewerage system – fifteen thousand (15,000) square feet.

Where served by neither the municipal or an approved private water supply system nor sanitary sewerage system – twenty thousand (20,000) square feet.

For the purpose of this regulation, individual wells and individual sewerage disposal systems are not considered to be approved private water supply and approved private sanitary sewerage systems.

(3) *Maximum depth.* The maximum depth of any lot, exclusive of unusable land, shall be three and five-tenths (3.5) times and (the) width of the lot at the building setback line.

(4) *Lot to abut on a street.* Every lot shall abut upon a dedicated street for at least thirty (30) feet.

(5) *Corner lots.* Corner lots for residential use shall be increased in width over the minimum specified herein, so that front yard distance can be provided on both streets, and the building setback line shall be so located.

(6) *Property lines at corners.* Where necessary by reason of curb radii, property lines at street intersection corners shall be arcs having radii of at least ten (10) feet or shall be chords of such arcs.

(7) *Sidelines of lots.* Sidelines of lots shall be approximately at right angles or radial to the street line.

(8) *Double frontage lots.* Double frontage lots will be permitted only where necessary to provide separation of residential development from major streets or to overcome specific disadvantages of topography and orientation. A buffer park strip at least ten (10) feet wide shall be provided along the line of lots abutting such major street or disadvantageous use. There shall be no right of access provided across a buffer park strip for double-fronting lots.

(E) PUBLIC SPACES

(1) *Parks, recreation areas and school sites.* Wherever a subdivision embraces a park, a combination playground and elementary school site, a combination playfield and junior high school site, or a combination athletic field and senior high school site, as shown on the plan for public services (community facilities plan) component of the master plan, such park, recreation area or school site shall be platted in the general location and of the size called for by the plan for public services (community facilities plan).

(2) *Utility easements.* Where easements are required for public utilities, they shall be at least twenty (20) feet wide, ten (10) feet on each side of rear or side property lines of lots. The width of easements shall be increased, or they shall be extended, where necessary to provide space for utility pole bracing or other construction. No new half easement for utilities shall be platted.

(3) *Drainage easements.* Easements for watercourses, drainageways or stream shall conform substantially with the lines of such watercourse and shall have such further width or construction, or both, as will be adequate for maintenance. Parallel streets or parkways may be required in connection with open drainageways.

Section IV Improvements.

(A) GENERAL REQUIREMENTS.

Street, utility and other improvements shall be installed in each new subdivision in accordance with the standards and requirements specified herein.

(B) ENGINEERING REQUIREMENTS.

Improvements required by these regulations shall be made in accordance with the specification and under the supervision of the city engineer, county engineer, if appropriate, county health officer, the utility agencies, companies, or departments concerned with the tracts or adjacent tracts, and other appropriate authorities.

The city engineer or a duly designated representative may enter during all reasonable hours any proposed or existing development and construction. These persons may make inspection of the required public improvements, including storm drainage and detention facilities for the purpose of determining plan requirements or compliance with the regulations.

(C) REQUIRED IMPROVEMENTS.

(1) *Monuments.*

- (a) Control corners. Whenever any person, firm or corporation shall divide any parcel of real estate into lots and lay off streets, it shall be the duty of the surveyor to cause two (2) or more monuments of such development to be designated as "control corners" and to place at such control corners monuments adequately marked which shall be of such material and affixed to the earth in such a manner as to assure a great degree of permanency. Any lot or lots sold or otherwise transferred and located in a subdivision and described by metes and bounds shall be described in a manner to include reference to the location of the lot or lots with respect to the subdivision's control if such exists.
- (b) Two monuments. In surveying subdivision, at least two (2) monuments designated as control corner should be placed in each block for the control of the block.
- (c) Other points. Suitable markers, metal stakes, or adequately described points should be set at all corners except those located by monuments. They should also be set at a point of curve, point of intersection, property line and point of tangency, unless a monument has already been placed at these points.

(2) *Roadways.* Roadways shall be surfaced for their entire width and shall have curb and gutter, as specified in Section III(B). The minimum acceptable all-weather surfacing shall be one and one-half (1-1/2) inches of hot asphalt on six (6) inches of compacted gravel to provide adequate subsurface drainage.

(3) *Sidewalks.* Sidewalks, where required, shall be four (4) feet wide and shall be located in the street right-of-way and on the property line. Crosswalkways, where provided, shall be paved walks

four (4) feet wide; sidewalks and paved walks of crosswalkways shall be concrete at least four (4) inches thick.

(4) *Water supply.* Where a public water supply is reasonable accessible, as determined by the board of water and sewer commissioners and the county health officer, the subdivider shall construct a water supply system with a water stub-out for each lot in the proposed subdivision. To avoid cutting pavement or roadway when connections are made, stub-outs shall extend from the main to points outside the roadway. Subsequent reimbursement by the board of water and sewer commissioners to the subdivider of the cost of the water supply installation shall be in accordance with the policy of the board of water and sewer commissioners.

Where a public water supply is not reasonable accessible, as determined by the board of water and sewer commissioners and the county health officer, and where the subdivider installs a private water supply system, such system shall be constructed in accordance with the requirements and under the supervision of the board of water and sewer commissioners and the county health officer.

(5) *Sanitary sewerage.* Where a public sanitary sewer is reasonably accessible, as determined by the board of water and sewer commissioners and the county health officer, the subdivider shall install a sanitary sewer system with a stub-out for each lot in the proposed subdivision and shall connect such system to the public sanitary sewer. To avoid cutting pavement or roadway when connections are made, stub-outs shall extend from the sewer line to points outside the roadway.

Where a public sanitary sewer is not reasonable accessible, as determined by the board of water and sewer commissioners and the county health officer, and where the subdivider installs a private sanitary sewer system, such system shall be constructed in accordance with the requirements and under the supervision of the board of water and sewer commissioners and the county health officer.

(6) *Street drainage.* The necessary facilities for drainage of surface water and roadways in the subdivision shall be installed in accordance with Section III(B)(11)

(7) *Stormwater detention.* Stormwater detention shall be provided in accordance with Section II(B)(12) of these regulations.

(8) *Utilities.* Above ground utilities shall be placed on rear or side property lines of lots along easements provided for this purpose.

(9) *Street signs.* Each intersection shall have sign on diagonally opposite corners identifying the streets which form the intersection. Construction and installation of street signs shall be in accordance with the requirements of the city engineer or county engineer, if appropriate.

(10) *Traffic control signs.* Construction and installation of traffic control signs shall be in accordance with the Alabama Manual of Uniform Traffic Control Devices.

(D) GUARANTEES OF PERFORMANCE

(1) *Completion of improvements.* The Planning Commission shall not approve the final plat of any subdivision for which improvements have been completed unless the improvements have been installed in accordance with the standards and specifications of these regulations and have been certified to the Planning Commission by appropriate officials and agencies of the city.

(2) *Performance bond.* In lieu of the completion of improvements, a performance bond executed by the subdivider with surety, as is hereafter specified, to secure to the municipality the actual construction and installation of such improvements, at a time and in accordance with the regulations of the Planning Commission, is required prior to submission of a plat for final approval.

Types of surety. One (1) of the following types of surety is required prior to the submission of a plat for final approval:

- (a) A performance bond executed by the subdivider with corporate surety licensed by the State of Alabama to act as surety on performance bonds.
- (b) An irrevocable letter of credit to the City of Florence from one (1) or more financial institutions, subject to state and federal regulations guaranteeing payment necessary to complete subdivision improvements in accordance with previously approved plans and specifications.
- (c) A loan agreement provided by the developer to the City of Florence from one (1) or more financial institutions, subject to state or federal regulations, confirming that funds necessary to complete all subdivision improvements in accordance with previously approved plans and specifications are available and guaranteed for disbursement to the appropriate party at agreed stages with each disbursement, including the final disbursement, being approved by the engineer/surveyor for the developer and the city engineer.
- (3) *Warranty.* In addition to the performance bond or completion of improvements, a warranty is required from the developer to the City of Florence guaranteeing the improvements against all defects in workmanship and materials for a period of one (1) year. The form of said warranty is to be approved by the city engineer.
- (4) ***Release of guarantees.* The performance bond and warranty shall be filed with the planning department which shall release performance guarantees upon written notification from the city engineer that all improvements or previously agreed subdivision phases of improvements have been completed in accordance with city standards. The city engineer will require written certification from a registered engineer that the appropriate construction requirements have been satisfied. Upon receipt of certification, the city engineer will give written notification to the planning commission or its authorized representatives. Release of guarantees shall be in the form of written notification to the developer and appropriate institutions(s) by the Planning Commission or its authorized representative.**

Section V. Dedications and reservations.

- (A) RIGHTS-OF-WAY.

(1) *Dedications.* The rights-of-way for all new crosswalkways and streets, except major streets or thoroughfares, as shown on the plan for circulations (major street plan), shall be dedicated for public use; the land required to widen the rights-of-way of any existing streets, including major streets, to the minimum widths called for by these regulations or by the plan for circulations (major street plan) shall be similarly dedicated for public use.

(2) *Reservations.* The right-of-way for a new major street or section thereof shall be dedicated for public use.

(B) EASEMENTS.

(1) *Utilities.* Where required, easements for utilities shall be provided, together with the right of ingress and egress.

(2) *Drainage.* Where required, easements for utilities shall be provided, together with the right of ingress and egress.

(C) PARKS, RECREATION AREAS AND SCHOOL SITES.

(1) *Proposed sites.* Where a proposed park, recreation area or school site shown on the plan for public services (community facilities plan), a component of the master plan, is located in whole or in part in a subdivision, the Planning Commission may require the dedication or reservation of such area within the subdivision in those cases in which the Planning Commission deems such requirement to be reasonable. In general, the Commission will require dedication of parks and recreation areas in a reasonable amount, but not to exceed ten (10) percent of the gross area of the tract to be subdivided; the Commission will require the reservation by the subdivider for future taking by the appropriate school board of school sites, and it shall be the responsibility of the subdivider to negotiate with the school board for purchase of the site; provided, however, that the land for school sites shall not be required to be held in such reserved status for an unreasonable length of time.

(2) *Large scale development.* Where deemed essential by the Planning Commission, upon consideration of the particular type of development proposed in the subdivision, and especially in large scale neighborhood unit developments, the Planning Commission may require the dedication or reservation of such other areas or sites of a character, extent and location suitable to the needs created by such development for parks, recreation, schools and other neighborhood purposes.

ARTICLE III. ESTATE-LOT SUBDIVISION

Section I. Purpose.

The estate-lot subdivision regulations are intended to allow design flexibility of required improvements for low density, large acreage residential developments.

All public improvements for estate-lot developments shall be in accordance with Article II of the City of Florence Subdivision Regulations with the exception of the requirements outlined herein.

Section II. Design Standards.

(A) STREET WIDTH.

The minimum right-of-way width shall be sixty (60) feet with a minimum cul-de-sac radius of sixty (60) feet.

(B) STREET DRAINAGE.

(1) The determination of the type of street drainage to be used depends on the topography of the area to be developed and the erosion characteristics of the soil which will exist in roadway ditches. The roadways shall be constructed so that stormwater runoff is directed into natural watercourses or existing storm drainage facilities. Elimination of curb and gutter or slope-paved ditches shall be based on all of the following criteria:

- (a) All lots in the subdivision must be three (3) acres or larger excluding public road right-of-way.
- (b) A healthy growth of grass shall be established on all slopes, ditches and shoulders. Sodding of these areas may be necessary in order to achieve a healthy growth of grass. Shoulders shall be designed to contain sufficient aggregate to support occasional parked vehicles, but not so much as to inhibit the growth of grass. Shoulder width shall be a minimum four (4) feet with a pitch of one (1) inch to the foot. The minimum pavement width shall be twenty (20) feet. The governing body accepting maintenance of the subdivision streets shall not be held responsible for the mowing of grass within the right-of-way; this shall be left up to the appropriate adjacent landowners. Ditches should be rounded to facilitate mowing, and should have a minimum bottom width of two (2) feet, a minimum depth of one (1) foot and a fore slope no steeper than 4:1. Back slopes should vary in accordance with the ultimate topography of the lots, but shall be no steeper than 2:5 to 1.
- (c) Since grassed ditches are not as hydraulically efficient as concrete curb and gutter, they should be designed to carry the anticipated runoff at lower velocities. For soils that are not easily erodible (clay), the velocity of runoff shall be between two (2) and six (6) feet per second. For soils that are easily erodible (sandy), the velocity of runoff shall be between two (2) and three (3) feet per second.
- (d) Pipe under driveways shall be of adequate size to accommodate anticipated runoff without overflowing the roadway shoulders.

If any or all of the above criteria cannot be met, the use of curb and gutter or slope-paved ditches shall be mandatory.

ARITCLE IV. ADMINISTRATION*

(A) GENERAL PROVISIONS.

These subdivision regulations shall be administered by the Florence City Planning Commission.

(B) MODIFICATIONS.

(1) *Hardship.* Where the Planning Commission finds that extraordinary hardships may result from strict compliance with these regulations, it may modify the regulations so that substantial justice may be done and the public interest secured; provided that such modification will not have the effect of nullifying the intent and purpose of the master plan or these regulations.

(2) *Large scale development.* The standards and requirements of these regulations may be modified by the Planning Commission in the case of a plan and program for a complete community or a neighborhood unit, which in the judgment of the Planning Commission provides adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated, and which also provides such covenants or other legal provisions as will assure conformity to and achievement of the plan.

(3) *Conditions.* In granting modifications, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so modified.

(C) ENFORCEMENT.

No plat of a subdivision of land lying within the subdivision jurisdiction shall be filed or recorded in the office of the Judge of Probate of Lauderdale County until it has been submitted to and approved by the Planning Commission and the approval entered upon the final plat by the appropriate certificates.

(D) PENALTIES.

Whoever, being the owner or agent of the owner of any land located within a subdivision, transfers or sells or agrees to sell or negotiates to sell any land by reference to or by exhibition of or by other use of a plat of a subdivision before such plat has been approved by the Planning Commission and recorded or filed in the office of the Judge of Probate of Lauderdale County, shall forfeit and pay a penalty of one hundred dollars (\$100.00) for each lot or parcel so transferred or sold or agreed or negotiated to be sold; and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided. The City of Florence may enjoin such transfer or sale or agreement

by a civil action for injunction brought in any court of competent jurisdiction or may recover the same penalty provided in this section by a civil action in any court of competent jurisdiction. Any person, firm or corporation violating any provisions of the stormwater detention regulations, as contained herein, shall be fined not more than five hundred dollars (\$500.00) for each offense; and a separate offense shall be deemed committed for each day a violation continues.

A notice of violation may be issued by the city engineer, whenever he determines that activity on a property does not comply with the approved storm drainage and detention facilities construction plans. The notice of violation of the provisions of the stormwater detention regulations, as contained herein, or of any rule or regulations adopted pursuant thereto shall be to the owner of the property or his agent and shall:

- (1) Be in writing;
- (2) Include a description of the property sufficient for identification of where said violation occurred; and
- (3) List the specific requirements of the approved plan which have been violated.

(E) FEES.

Upon submission of a final plat, the subdivider shall pay to the **Planning Department** a fee to partially cover the costs of review and approval. The amount of such fee shall be one hundred dollars (\$100.00), plus a unit charge of five dollars (\$5.00) per lot.

(F) **EFFECTIVE DATE**

These regulations shall take effect of the _____ day of _____, _____.

APPENDIX B

MOBILE HOME PARK SUBDIVISION REGULATIONS*

Art. I. In general, I – IV

Art. II Mobile Home Park Subdivision Criteria, I – IV

ARTICLE I. IN GENERAL

Sections I. Purposes.

(A) STATEMENT OF AUTHORITY AND INTENT.

These regulations are adopted under authority of Title 11, Chapter 52, of the Code of Alabama, 1975, as amended. It is the intent of these regulations to provide for the harmonious development of land within the subdivision jurisdiction; for the coordination of streets within subdivisions with other existing or planned streets or with other features of the master plan/ for adequate and convenient open spaces for traffic, utilities, recreation, light and air; and for a distribution of population and traffic that will tend to create conditions favorable to health, safety, convenience or prosperity; and to minimize increases in the peak flow rates of stormwater runoff caused by urban development of watersheds within the subdivision jurisdiction.

(B) AREA OF JURISDICTION.

These regulations shall govern all land designated as mobile home parks within the subdivision jurisdiction of the Florence City Planning Commission.

(C) APPLICATION OF REGULATIONS.

From and after the effective date of these regulations every plat of land that is a mobile home park, as defined herein, shall be prepared, presented for approval, and recorded as required herein; and no plat shall be recorded or shall have any a\validity unless it shall have been approved by the Florence City Planning Commission as having fulfilled the requirements of these regulations. Where it is determined that development of a subject area under review by the Planning Commission will significantly effect an increase in stormwater runoff, then these stormwater detention regulations shall apply. This determination will be based on:

- (1) Location and size of the development;
- (2) Slope and soil conditions;
- (3) Existing drainage facilities and drainage basins; and
- (4) Other considerations which may pertain to the discharge of stormwater from the development of the site.

These stormwater detention regulations shall apply to road and street construction, subdivision of property, and for those developments within the subdivision jurisdiction of the City of Florence requiring plat approval or plat review. Every development should handle its own increase in stormwater runoff, if that increase will cause problems in the immediate or distant future. Where the development's storm drainage system outfall discharges directly into a main stream, neither detention facilities nor engineering computation in justification are ordinarily required; a statement that detention storage is not required for that reason is adequate.

Section II. Definitions.

For the purposes of these regulations, certain words and phrases used herein are defined as follows:

Block. A parcel of land entirely surrounded by park streets, streams railroad right-of-way, parks or other public spaces or by a combination thereof or by the boundaries of the mobile home park.

City Council. The chief legislative body of the City of Florence.

Developer. Any person, group or corporation acting as a unit, or any agent thereof, developing or proposing to develop land so as to constitute a mobile home park as defined herein.

Development. The act of installing site improvements and stands for mobile home locations.

Easement. A grant by the owner of the use of a strip of land by others for specific purposes.

Engineering Plans. The drawings on which the proposed park improvements are shown and which, if approved, will be used for construction of the improvements.

Final Plat. The final map or drawing on which the mobile home park plan is submitted to the Planning Commission for approval and which, if approved, will be submitted to the office of the Judge of Probate of Lauderdale County for recording.

General Approval. The approval by the Planning Commission of the general mobile home park plan or plat, as such approval is required by these regulations.

General Park Plan. The general plan and engineering drawings prepared based on the preliminary plan, which if approved, will be utilized for the preparation of the final plat and for the actual construction of the mobile home park.

Health Officer. The health officer of Lauderdale County or his authorized representative; the term may jointly mean the state health officer or his authorized representative.

Lot. A parcel of land rented or sold for exclusive use of the occupants of a single mobile home.

Main Stream. A stream on which floods are controlled by the Tennessee Valley Authority's reservoir system, or a stream which has the channel capacity adequate to accommodate the ten-year frequency rainstorm without overflow as determined by the city engineer.

Mast Plan. The comprehensive plan made and adopted by the Florence City Planning Commission for the physical devilment of the City of Florence and surrounding area; the term includes any unit or component part of such plan separately adopted and any amendment to such plan or part thereof.

Mobile Home. A detached residential dwelling unit designed so that it may be licensed for travel, after fabrication, on streets or highways or on its own wheels or on a flatbed or other trailer and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities and the like. A travel trailer is not to be considered as a mobile home.

Municipal or Municipality. The City of Florence and, where appropriate to the context, that area lying within the corporate limits of such city as such corporate limits exist or may exist in the future.

Park. A parcel of land under single ownership, whether public or private, which has been planed and improved for the placement of mobile homes for non-transient use.

Park Street. A roadway which provides vehicular access to adjacent properties within the mobile home park.

Preliminary Park Plan. The preliminary map or drawing on which the proposed layout of the mobile home park is submitted to the Planning Commission for consideration and approval.

Roadway. The portion of a street between curbs available for vehicular traffic.

Setback Line. The line indicating the minimum horizontal distance between the street line, property lines and mobile home.

Stand. That part of a mobile home lot which has been reserved for the placement of the mobile home, appurtenant structures or additions.

Walk. A pedestrian was. A "common walk" is one intended for general pedestrian traffic, and a "private walk" is one serving only an individual mobile home stand.

Section III. Amendments.

(A) AMENDMENT POLICY.

These regulations are based on comprehensive planning studies and on the need for uniform standards of design and construction for mobile home parks and improvements to carry out the objective of a sound, stable and desirable development. It is recognized that casual change or amendment to the regulations would be detrimental to the achievement of that objective, and it is therefore declared to be the policy of the Planning Commission to amend these regulations only when one (1) or more of the following conditions prevail:

- (1) *Error.* There is a manifest error in the regulations.
- (2) *Change in conditions.* Changed or changing conditions in a particular area, or in the planning jurisdiction, make a change in the regulations necessary and desirable.

(B) AMENDMENT PROCEDURE

Amendments to these regulations may be requested by any person concerned with or affected by the application of the regulations. A request for amendment shall state the name, address and interest of the person requesting the amendment, the nature and purpose of the amendment requested, and the need therefore.

Section IV. Interpretation and Validity.

(A) INTERPRETATION.

In interpreting and applying the provisions of these regulations, they shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare. Whenever the provisions of these regulations require higher standards than are required in any other applicable statute, ordinance or regulations, the provisions of these regulations shall govern; whenever other applicable statutes, ordinance or regulations require higher standards than the provisions of these regulations, such other applicable statutes, ordinances or regulations shall govern.

(B) VALIDITY.

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

ARTICLE II. MOBILE HOME PARK SUBDIVISION CRITERIA

Section I. Procedures.

(A) GENERAL PROCEDURE

The procedure for review and approval of a mobile home park plan by the Planning Commission consists of three (3) consecutive steps as follows:

(1) Preparation and submission of a preliminary plan of the proposed mobile home park, together with the attendant items specified herein.

(2) Preparation and submission for review and approval of a general plan for the proposed mobile home park, together with the attendant items required herein.

(3) Preparation and submission of a final plan, together with the attendant items required herein. It is intended that this final plan shall also serve as the site plan required by the special exception procedure of the zoning ordinance; it is further intended that this final plan shall also serve as the final plan required by the regulations of the county officer and state department of public health.

(B) PRELIMINARY PARK PLAN.

(1) *Purpose.* The purpose of the preliminary plan is to develop a design on which to base the general and final plans, and thus to avoid having to revise such design to make it conform to the master plan, to the provisions of this ordinance and to other regulations, and to relate it to surrounding development. To this end, the developer should consult with the technical staff of the Planning Commission, the city engineer, the county health officer, the utility agencies, companies or departments concerned and other appropriate officials.

(2) *Submission and review.* Prior to the filing of an application for approval of the final plan, the developer shall submit to the Planning Department eight (8) copies of the preliminary plan of the proposed mobile home park, together with the attendant items specified here, with written application for preliminary approval at least fifteen (15) days prior to the Planning Commission meeting at which it is to be considered. The preliminary plan shall be reviewed by the Planning Commission.

The review shall take into consideration, in addition to the requirements set out in these regulations, the relation of the proposed mobile home park to the master plan and to other plans, programs and regulations that might affect the design and development of the mobile home park.

(3) *Action on preliminary plan.* Within forty-five (45) days, the Planning Commission or its staff shall inform the developer that the preliminary plan, as submitted or as modified, does or does not meet the objectives of these regulations. When the Planning Commission or its staff finds that the preliminary plan does not meet the objectives of these regulations, the reasons therefore shall be given together with any changes recommended to be made.

(C) GENERAL PARK PLAN.

(1) *Purpose.* The purpose of the general park plan, together with the attendant items herein, is to provide plans for the construction of the mobile home park and its improvements. To this end, during preparation of the general park plan, the developer should consult with the Planning Commission's technical staff, with the city engineer,

county engineer, if appropriate, and with other officials and agencies concerned with the mobile home park and the improvements. The general park plan shall be based upon the general design shown on the preliminary park, together with the recommended park changes.

(2) *Submission and review.* The developer shall submit to the Planning Commission eight (8) copies of the general park plan, together with the attendant items required here, with written application for general approval at least fifteen (15) days prior to the meeting at which it is to be considered. The general park plan, together with the attendant items required here, shall be reviewed by the Planning Commission and will be referred for review and report to the (1) city engineer, (2) county engineer, if appropriate, (3) county health officer, (4) utility agencies, companies, or departments concerned with the tract or adjacent tracts, and other appropriate officials. The review shall take into consideration, in addition to the plans and other factors considered in connection with the preliminary plan, the particular requirements and conditions affecting installation of improvements.

(3) *Action on general park plan.* At the next regular monthly meeting following the submission of a general park plan, but in any event within forty-five (45) days, the Planning Commission shall act upon the general park plan and shall communicate in writing to the developer its general approval or its disapproval. In the case of general approval, the Planning Commission shall state:

- (a) The specific changes required to be made in the general subdivision plan.
- (b) The character and extent of the required improvements.

In the case of disapproval, the Planning Commission shall state the grounds for disapproval.

(4) *Effect of Approval.* General approval of a park plan shall not constitute acceptance of the plat of the proposed mobile home park, but shall be deemed only as an expression of approval of the plan submitted as a guide to preparation of the final plat, which final plat will be submitted for approval of the Planning Commission and for recording upon fulfillment of the requirements of these regulations and the conditions of general approval. General approval of a park plan shall be effective for a maximum period of one (1) year unless, upon application by the developer, the Planning Commission grants an extension. If the final plat has not been submitted to the Planning Commission within this time limit, the general park plan shall again be submitted for preliminary approval.

(D) FINAL PARK PLAT.

(1) *Purpose.* The purpose of the final plat, together with the attendant items required herein, is to provide an accurate record of street and property lines and other elements being established on the land and the conditions of their use. The final plat shall be based upon the general park plan, together with the required changes, but it may include only the portion of the approved General park plan which the developer proposes to record and develop at the time; provided, however, that such portion conforms to all requirements of these regulations.

(2) *Submission and review.* the developer shall submit to the Planning Department eight (8) copies of the final plat, together with the attendant items required herein, with written application for final approval at least fifteen (15) days prior to the Planning Commission meeting at which it is to be considered. The final plat, together with the attendant items required herein, shall be reviewed by the Planning Commission and will be referred for review and report to the city engineer, county engineer, if appropriate, the county health officer, the utility agencies, companies or departments concerned with the tract or adjacent tract and other appropriate officials. The review shall take into consideration conformance to the approved general park plan and fulfillment of any conditions of such approval and the proper installation of required improvements in conformance with the requirements of these regulations and other applicable standards and regulations.

(3) *Action on final plat.* Before acting on the final plat, the Planning Commission shall give notice by registered mail to the developer and owner of the land, whose name or names and address or addresses are shown on the plat, of the time and place of the hearing to be held on the plat, as least five (5) days before the date fixed for such hearing.

(4) *Recording of plat.* After final approval of a final park plat, such plat shall thereafter be immediately filed by the Planning Commission for recording in the office of the Judge of Probate of Lauderdale County. After recording, the original tracing of the final plat will be retained by the Planning Commission unless the developer shall have filed also a photographic reproducible of the final plat, in which case the original shall be returned to him.

(5) *Effect of approval.* Approval of a final plat shall not constitute acceptance of the mobile home park; but shall be deemed only as an expression of approval of the plan submitted as a guide to construct. Final acceptance of the mobile home park for occupancy shall be in accordance with the procedure set out in the zoning ordinance for issuance of a certificate of zoning compliance.

Approval of a final park plan shall not constitute acceptance by the public of the dedication of a street or other public way, park or space.

Approval of a final park plan shall be effective for a maximum period of six (6) months unless, upon application by the developer, the Planning Commission grants an extension. If the mobile home park plat is not recorded within this time frame, the general and final park plans must be resubmitted to the Planning Commission for their approval.

Section II. Documents.

(A) SPECIFICATION OF PRELIMINARY PLAN.

(1) *General form.* The preliminary plan shall show in simple outline the general design of the proposed mobile home park in relation to existing conditions and to its surroundings.

(2) *Information to be shown.* The preliminary plan shall contain the following information:

(a) Location Map. A diagram showing the relation of the proposed mobile home park to main traffic arteries, schools, recreation areas, business and industrial areas and other important features.

- (b) Survey data. Contours or spot elevations required for the final plan or a sufficiently close approximation of such contours or spot elevations to determine necessary drainage.
- (c) Miscellaneous data. The scale of the preliminary plan, north arrow and date, and the name and address of the developer, the owner (if a person other than the developer) and the professional engineer or land surveyor.
- (d) Park streets and walks. The park street pattern in relation to existing public streets, including those shown on the plan for circulation (major street plan) or on a neighborhood plan, and the pattern of common walks and parking areas.
- (e) Lots and blocks. The general arrangement of mobile home lots and blocks, with dimensions of typical lot widths and depths.
- (f) Mobile home stands. The locations and grouping of mobile home stands.
- (g) Nonresidential sites. Identification of proposed recreation areas, service buildings and their sites, and any other nonresidential uses or sites; the general locations of nonresidential buildings.
- (h) utilities. The approximate locations and sizes of existing utility lines to which connections are proposed to be made.
- (i) Easements. The approximate locations, widths and purposes of existing easements.

(B) SPECIFICATIONS FOR GENERAL PARK PLAN.

- (1) *General form.* The general park plan shall show accurately and in sufficient detail for construction of the park and its improvements the design of the proposed mobile home park in relation to existing conditions and its surroundings. It shall be drawn to a scale of not less than one (1) inch equals one hundred (100) feet, and the sheet size shall not be larger than thirty-six (36) inches by twenty-four (24) inches at least six (6) inches of which shall be provided on the left side for binding. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire mobile home park.
- (2) *Information to be shown.* The general park plan shall contain the following information:
 - (a) Location Map. A diagram showing the location of the proposed mobile home park.
 - (b) Survey Data. The boundary lines of the park with length and bearing of lines; section and corporation lines; contours at intervals of two (2) feet, based on a datum plane that is mean sea level; where contours will not provide adequate information for drainage determinations, spot elevations in sufficient number to show drainage conditions, shall be given.

- (c) Miscellaneous Data. Present tract designation according to the records of the office of the Judge of Probate of Lauderdale County; the title or name under which the proposed subdivision is to be recorded, with the name and address of the owner and the subdivider; notations giving scale, (true) north arrow, datum, benchmarks, date of survey and name of the registered professional engineer or land surveyor.
- (d) Streets. The names, rights-of-way width and locations of streets and other public ways on and adjacent to the tract; the type width and elevation of surfacing; any legally established centerline elevations; walks, curbs, gutters, culverts and similar features; the name, right-of-way width and location of proposed streets, with their approximate grades and gradients, and similar data for alleys, if any.
- (e) Lots and Blocks. Lot lines, lot numbers and block letters, tabulation stating gross and net acreage of the mobile home park, acreage of existing and proposed public areas within the tract, number of residential lots, typical lot size and lineal feet of proposed streets.
- (f) Nonresidential Sites. Sites to be reserved or dedicated for parks, recreation areas, schools or other public uses; sites, if any, for multi-family dwellings shopping centers, churches, industry or other nonresidential uses.
- (g) Utilities. The location, size and invert elevation of sanitary and storm sewers; the location and size of water mains; the location of gas lines, fire hydrants, approximate locations of utility poles and street lights; if water mains are not on or adjacent to the tract, the direction and distance to, and the size of the nearest ones, showing invert elevation of sewers; the location of proposed utilities if not shown elsewhere.
- (h) Easements. The location, width and purpose of existing and proposed easements.
- (i) Building Setback Lines. Minimum building setback lines.
- (j) Adjoining Land. The approximate direction and gradient of the ground slope, including any levees or embankments; the character and location of buildings, railroads, power lines, towers and other nearby nonresidential land uses or adverse influences; and names of recorded subdivision plats of adjoining platted land by record, name, date and number; and the names of record owners of adjoining unsubdivided land.
- (k) Other Existing Conditions. The locations of watercourses, marshes, wooded areas, isolated preservable trees one (1) foot or more in diameter, buildings or structures and other significant features on the tract.
- (l) Proposed Public Improvement. Highways or other major public improvements planned by public authorities for future construction on or near the tract.
- (m) Engineering Plans. Plans shall be submitted showing the required information listed below. The cross sections and profiles of streets showing grades approved by the city engineer or county engineer, as appropriate, shall be drawn to city or county standards. Profiles shall be normally presented on a 1:10 ratio of vertical scale to horizontal scale; i.e., one (1) inch = five (5) feet; vertical and one (1) inch = fifty (50) feet horizontal scale; i.e., one (1) inch = five (5) feet vertical and horizontal. Construction detail sheets may be

drawn at the appropriate scale to portray the requirements, details and materials. Details of stormwater sewerage including sizes, type, alignment, grade, invert elevations, top elevation of street and field intake structures, etc., shall be shown. If installed by the developer, details of sanitary sewerage including size, type, alignment, grade, invert elevations, top of manhole elevations, stub-out locations, etc., shall be shown. A general mobile home park map shall be furnished showing existing contours prior to development and the final contours after development on a horizontal scale of one (1) inch = one hundred (100) feet. All elevations shall be based upon the datum plane of mean sea level.

- (n) Subsurface Conditions Report. Location and results of soil percolation tests if individual sewage disposal systems are proposed.
- (o) Stormwater Detention Plan. Hydrologic and hydraulic computations utilized in the design of stormwater facilities as set forth in Section V(C)(8) and contained herein.
- (3) *Attendant items.* The general park plan shall be accompanied by the following items:
 - (a) Water Supply and Sanitary Sewerage. If a private water supply or sanitary sewerage system is proposed to be constructed, a preliminary engineering report giving basic data from which the design of the system is to be developed.
 - (b) Improvements. A statement of the other utilities and the street and other improvements proposed to made.

(C) SPECIFICATIONS FOR FINAL PLAT.

(1) *General form.* The final plat shall show accurately and in sufficient detail for construction of the mobile home park and its improvements, the design of the park in relation to existing conditions and the surroundings. It shall be drawn to a scale of one (1) inch equals one hundred (100) feet or larger, and the sheet size shall not be larger than thirty-six (36) inches by twenty-four (24) inches, at least six (6) inches of which shall be provided on the left side for finding. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire mobile home park. For large developments, the final plat may be submitted for approval progressively in continuous sections satisfactory to the Planning Commission.

- (2) *Information to be shown.* The final plat shall contain the following information:
 - (a) Location. A diagram showing the location of the proposed mobile home park.
 - (b) Survey Data. Primary control points, approved by the city engineer or county engineer, if appropriate, or description and ties to such control points to which all dimensions, angles, bearings and similar data on the plat shall be referred; the boundary lines of the mobile home park, right-of-way lines of street, easements and other rights-of-way, and property lines of mobile home lots, and other sites with accurate dimensions, bearings or deflection angles, and radii, arcs and central angles of all curves; the location and description of monuments, according to state law; and statement of the closure error,

which shall not, in accordance with criteria outlines in manual of Practice for Land Surveying in Alabama, 1975, exceed one (1) part in five thousand (5,000).

- (c) Miscellaneous Data. Notations giving scale, (true) north arrow and date of final plat.
- (d) Park Streets and Walks. The name, location and right-of-way width of each park street and adjacent public rights-of-way and location of common walks and other walkways.
- (e) Lots and Blocks. Identification by letter of each block and by number of each mobile home lot in each block.
- (f) Mobile Home Stands. The location of each mobile home stand on its lot.
- (g) Nonresidential Sites. The purpose of which sites, other than mobile home lots, are dedicated or reserved.
- (h) Utilities. The locations and dimensions of any utility rights-of-way or easements.
- (i) Easements. The locations, dimensions and purposes of any other easements.
- (j) Building Setback Lines. Minimum building setback lines on all mobile home lots and other sites.
- (k) Adjoining Land. The names of recorded subdivision plats of adjoining platted land; the names of record owners of adjoining unsubdivided land.
- (l) Certificate of Owner. Notarized certification of the landowner of the adoption of the mobile home park plat.
- (m) Certificate of Survey. Certification by the registered professional engineer or land surveyor that the plat represents a survey made by him, and that the monuments shown thereon actually exist as located, and that all dimensional and other data are correct.
- (n) Approvals. Space for certification of approval of the Planning Commission, Judge of Probate, City Engineer, County Engineer, if appropriate, and the County Health Officer, where such approval is called for by these regulations.
- (3) *Attendant items.* The final plat shall be accompanied by the following items:
 - (a) Engineer Plans. (Conditions as required by Planning Commission or city engineer must be included.)
 - (b) Plat Review Fee. A check payable to the City of Florence for the payment of the fee charged for review of the final plat.
 - (c) Protective Covenants. The protective covenants in a form for recording.

- (d) Conveyances. A conveyance to the City of Florence or the County of Lauderdale by fee simple or by easement of land set aside for parks, recreation area or other public use, such conveyance to be without reservation of rights except for restriction that land is to be dedicated only to the specified purposes.
- (e) Stormwater detention facilities. Final design of detention facilities as approved by the city engineer. The design shall be in accordance with the provisions of Section V(C)(8) as contained herein.
- (f) Recording fee. A check payable to the office of the Judge of Probate of Lauderdale County for the payment of the fee charged for recording the final plat.

Section III. General Design Criteria.

(A) SELECTION OF SITE.

- (1) *Minimum area of site.* The minimum area of a tract to be developed as a mobile home park shall be eight (8) acres, and the minimum frontage on a public street shall be fifty (50) feet. The minimum number of mobile home lots completed and ready for occupancy, together with all required improvements and services before the first occupancy is permitted, shall be fifty (50).
- (2) *General location.* The location of the mobile home park shall be convenient to community facilities and services such as employment centers, shopping centers, schools and recreation areas. Police and fire protection shall be reasonable accessible or provisions shall be made assuring these facilities and services.
- (3) *Access to the site.* Direct vehicular access to the park shall be provided by means of an abutting improved public street of such width and construction as to be adequate for the vehicular traffic requirements of the park, as well as the other properties served by the access street.
- (4) *Character of the site.* The mobile home park site shall conform to the requirements of the zoning ordinance and the Flood Damage Prevention Regulations of the City of Florence. It shall be selected with consideration of the proximity and possible effect of environmental factors which exist or may result from the change in land use with regard to the health, safety or comfort of persons who are to reside in the park, or persons using land in the vicinity of the park. No site shall be used which does not either have municipal water supply or afford ample space or conditions suitable for the development of an acceptable water supply and which does not either have municipal sanitary sewerage or afford ample space or conditions suitable for the development of acceptable facilities for sewage disposal. No site shall be used which is subject to undue pooling of water, or air pollution by smoke, dust or fumes.

(B) DEVELOPMENT OF SITE.

- (1) *Nonresidential use.* Any nonresidential use is subject to the requirements of the zoning ordinance, if permitted by such zoning ordinance. Any nonresidential use shall be subordinate to

the residential use and character of the property and shall be such as not to adversely affect the desirability of the park or adjacent or neighboring properties for residential use for family occupancy.

(2) *Natural features.* Natural scenic features of the land, such as streams, shall be considered to be community assets; and the design of the park shall protect and utilize such scenic features.

Because of their value I soil conservation, health and community appearance, large trees shall be preserved wherever possible.

(3) *Buffer park strips.* Buffering of the mobile home site from streets and adjoining uses shall be provided around the perimeter of the site area. Buffering shall consist of a thirty-foot-wide landscaped strip with screen plating in sufficient density to afford protection from visual encroachment; height of planting shall not be less than eight (8) feet after two (2) years from planting. No part of the buffer planting strip shall be used for any purpose other than screen planting unless such planting is adjacent to the adjoining property and in sufficient depth and density to accomplish the purpose of protection, in which case as much as twenty (20) feet of the required thirty (30) feet may be used for parking or recreational purposes. Screen planting shall be maintained in a clean and neat condition.

Where a mobile home park fronts on a public street, a brick wall, evergreen hedge or decorative screen, approved by the Planning Commission, may be substituted for a landscaped planting area. Such screening shall have a minimum height of five and one-half (5-1/2) feet and a maximum height of eight (8) feet, placed five (5) feet inside the street property line. The area between the screening enclosure and property line shall be landscaped and maintained in neat condition.

(4) *Entrance signs.* Entrance signs shall be limited to two (2) displays not more than six (6) square feet in area for each sign.

Section IV. Site Planning.

(A) GENERAL CONSIDERATIONS.

(1) *Objective.* Site planning and improvements shall provide for the facilities and amenities appropriate to the needs of the occupants, for safe, comfortable and sanitary use by the occupants under all weather conditions, and for practical and efficient operation and maintenance of all facilities. The site, including mobile home lots, structures and all site improvements shall be harmoniously and efficiently organized in relation to topography, the shape of the site, and the shape, size and position of structures and common facilities and with full regard to use, appearance and livability.

(2) *Protection from adverse influence.* Adequate protection shall be provided against any undesirable off-site views or any adverse influence from adjoining streets and areas.

(B) PARK STREETS, WALKS AND PARKING.

(1) *Park street layout.* The park street layout shall be devised for the most advantageous development of the land. Park streets shall provide access to the mobile home lots and other sites. The street system shall provide convenient circulations. Closed-end streets (cul-de-sacs) shall be no longer than six hundred (600) feet and shall be provided at the closed end with a vehicular turnaround.

(2) *Alignment and gradient.* Park streets shall be adapted to the topography and shall have suitable alignment and gradient for safety of traffic, satisfactory surface and ground water drainage, and proper functioning of sanitary and storm sewer systems. The street layout shall conform to the applicable principles contained in A Policy on Geometric Design of Highways and Streets, as published by the American Association of State Highway and Transportation Officials (AASHTO).

(3) *Intersections.* Park street intersections shall be at right angles or nearly so. Where, for topographic or other reasons an intersection cannot be at right angles, the intersection shall be so designed as to ensure safety. Street jogs with centerline offsets less than one hundred twenty-five (125) feet shall be avoided.

(4) *Pavement widths.* Pavements shall be of adequate widths to accommodate the contemplated traffic load. The minimum widths of pavements shall be:

Park	
Streets.....	24 feet
Closed-end streets (turnaround diameter).....	80 feet

(5) *Common walks.* Common walks shall be provided where pedestrian traffic is concentrated and where necessary for convenient access to recreation areas, service buildings and other community use facilities. They should be located preferable through interior areas removed from the vicinity of streets. Where this is not feasible, they may be located as ordinary sidewalks along streets. In lieu of such sidewalks, streets may be widened two (2) feet. Width, alignment and

gradient of walks shall be appropriate for safety, convenience and appearance, and shall be suitable for use both by pedestrians and for the circulation of small-wheeled vehicles, such as baby carriages and service carts. Walks shall be at least three (3) feet wide. No common walk shall be used as a drainageway.

(6) *Individual walks.* Individual walks to each mobile home stand shall be provided from a common walk or paved street or from a paved driveway or parking space or area connecting to a paved street. Individual walks shall be at least one and one-half (1-1/2) feet wide.

(7) *Car parking.* Off-street parking shall be provided as required by the zoning ordinance for dwellings; provided, however, that required off-street parking may be located either on the mobile home lot or within two hundred (200) feet of such lot. The park streets of the mobile home park shall not be considered to answer the requirement for off-street parking spaces.

(C) BLOCKS AND MOBILE HOME LOTS.

(1) *Size and shape of blocks.* The lengths, widths and shapes of blocks shall be determined with consideration of the limitations and opportunities of topography, the provision of the mobile home lots and the need for convenient access, circulation, control of and safety from traffic. In general, block lengths shall not exceed eight hundred (800) feet and block lengths shall not be less than four hundred (400) feet. Common walks shall be provided across blocks longer than four hundred (400) feet.

(2) *Size and shape of mobile home lots.* The size, shape and orientation of mobile home lots and the minimum building setback line shall be appropriate to the location of the mobile home park and to the type of development and use contemplated. Mobile home lots shall be laid out at such angle with the street as to provide for placing of mobile homes to the best advantage.

(3) *Minimum width and area.* Mobile home lots shall be at least forty (40) feet wide at the building setback line and shall contain at least three thousand two hundred (3,200) square feet.

(4) *Setback (yards).* Mobile homes shall be placed no closer than ten (10) feet to any park street or to any park property line and no closer than five (5) feet to any mobile home lot line.

(5) *Spacing of mobile homes.* Mobile homes shall be placed not less than twenty (20) feet from any other mobile home. Mobile homes or their appendages shall not be placed over any part of the sewage disposal facilities.

(6) *Lot coverage.* The maximum lot coverage by the mobile home shall be thirty-five (35) percent. An unenclosed patio shall not be considered a part of the structure for the purpose of calculating lot coverage.

(D) PUBLIC SPACES AND FACILITIES.

(1) *Recreation areas.* Not less than eight (8) percent of the gross site area shall be devoted to recreational facilities, generally provided in a central location or, in the larger parks, decentralized. Recreation area includes space for community buildings and community use facilities, such as guest parking, adult recreation and child play areas, swimming pools, utilities and drying yards.

(2) *Utility easements.* All power, communication, television cable and other wiring shall be installed underground. Easements required for public utilities shall be at least ten (10) feet wide. Where easements fall along a common lot line, the lot line shall be the centerline of the easement. Width of easements shall be increased, extended or modified by the public agency affect.

(3) *Drainage easements.* Easements for watercourses, drainageways or streams shall conform substantially with the lines of such watercourses and shall have such further width or construction, or both, as will be adequate for maintenance.

(4) *Service buildings.* One (1) or more service buildings shall be provided at such locations as to be reasonably accessible to residents of the park. Service buildings shall include space and separation for a park manager's office, storage of maintenance equipment and supplies, and

recreation management. Service building space shall also be provided for tenant active storage of outdoor equipment, furniture and tools and for inactive storage of such material as is used only seasonally or infrequently. A minimum of ninety (90) cubic feet for general storage for each mobile home lot shall be provided on the lot or within one hundred (100) feet of the lot. Storage facilities shall be designed in a manner that will not detract from the appearance of the park and shall be constructed of suitable weather resistant materials. No service building shall be located closer than twenty (20) feet to any mobile home or other structure and shall not be placed over any collector sewer or sewage disposal facility.

Section V. Improvements.

(A) GENERAL REQUIREMENTS.

Street, utility and other improvements shall be installed in each mobile home park in accordance with the standards and requirements specified herein.

(B) ENGINEERING REQUIREMENTS.

Improvements required by these regulations shall be made in accordance with the specification and under the supervision of the city engineer county engineer, if appropriate county health officer, the utility agencies, companies or departments concerned with the tracts or adjacent tracts and other appropriate authorities.

The city engineer or duly designated representative may enter during all reasonable hours any proposed or existing development and construction. These persons may make inspection of the required public improvements, including storm drainage and detention facilities for the purpose of determining plan requirements or compliance with the regulations.

(C) REQUIRED IMPROVEMENTS.

(1) *Monuments.*

(a) **Control Corners.** Whenever any person, firm or corporation shall divide any parcel of real estate into lots and lay off streets, it shall be the duty of the surveyor to cause two (2) or more monuments of such development to be designated as "control corners" and to place at such control corner monuments adequately marked which shall be of such material and affixed to the earth in such a manner as to assure a great degree of permanency. Any lot or lots sold or otherwise transferred and located in a subdivision and described by metes and bounds shall be described in a manner to include reference to the location of the lot or lots with respect to the subdivision's control if such exists.

(b) Two (2) Monuments. In surveying mobile home parks, at least two (2) monuments designated as control corners should be placed in each block for the control of that block.

(c) Other Points. Suitable markers, metal stakes or adequately described points should be set at all corners except those located by monuments. They should also be set at a point of tangency, unless a monument has already been placed at these points.

(2) *Park streets.* Park streets shall be surfaced for their entire width and shall have vertical face curb at each edge. The minimum acceptable all-weather surfacing shall be one and one-half (1-1/2) inches of hot asphalt on six (6) inches of compacted gravel or equivalent base to provide adequate subsurface drainage.

(3) *Walks.* Common walks shall be concrete at least four (4) inches thick. Individual walks shall be concrete at least three (3) inches thick.

(4) *Car parking areas.* Car parking areas shall have all weather surfacing on compacted base the same as park streets.

(5) *Water supply.* Where a public water supply is reasonable accessible, as determined by the board of water and sewer commissioners and the county health officer, the developer shall construct a water supply system with a water stubout for each lot in the proposed subdivision. To avoid cutting pavement or roadway when connections are made, stubouts shall extend from the main to points outside the roadway. Subsequent reimbursement by the board of water and sewer commissioners to the subdivider of the cost of the water supply installation shall be in accordance with the policy of the board of water and sewer commissioners.

Where a public water supply is not reasonably accessible, as determined by the board of water and sewer commissioners and the county health officer, the developer shall install a private water supply system, constructed in accordance with the requirements and under the supervision of the board of water and sewer commissioners and the county health officer.

An individual water connection shall be provided for each mobile home stand. The connection shall consist of a riser terminating at least four (4) inches above the ground surface, with two (2) three-fourths-inch valved outlets.

(6) *Sanitary sewerage.* Where a public sanitary sewer is reasonable accessible, as determined by the board of water and sewer commissioners and the county health officer, the developer shall install a sanitary sewerage system connected to such public sanitary sewer. To avoid cutting pavement or roadway when connections are made, stubouts shall extend from the sewer line to points outside the roadway.

Where a public sanitary sewer is not reasonably accessible, as determined by the board of water and sewer commissioners and the county health officer, and where the subdivider installs a private sanitary sewer system, such system shall be constructed in accordance with the requirements and under the supervision of the board of water and sewer commissioners and the county health officer.

A three-inch sewer connection suitably located for connection to the mobile home shall be provided for each mobile home stand.

(7) *Street drainage.* The determination of the type of street drainage to be used depends on the topography of the area to be developed. The roadways shall be constructed so that stormwater runoff is directed into natural watercourses or existing storm drainage facilities.

(8) *Stormwater detention.* The calculated peak rate of stormwater runoff resulting from a ten-year return frequency, twenty-four-hour duration rainfall shall be no greater after development of the site than that which would result from a ten-year return frequency, twenty-four-hour duration rainfall on the same site prior to development of the site.

All hydrologic and hydraulic computations utilized in the design of stormwater facilities must be prepared by persons proficient in the field of hydrology and hydraulics. Major detention structures must be designed by an engineer licensed in the State of Alabama.

The required hydrologic and hydraulic computation for stormwater detention shall be in accordance with procedures outlined in the United States Department of Agriculture, Soil Conservation Services, Technical Release No. 55, entitled Urban Hydrology for Small Watersheds, and all subsequent revisions thereto, and the Soil Conservation Service (Soil Survey of Lauderdale County). Other computational procedures may be employed if approved by the city engineer.

Adequate attention must be given to safety and sanitation in the design of any detention facility. Sufficient information shall be shown on the plans to provide for proper construction of the detention facility. Sufficient information to show that the detention facility will operate as required will be provided to the city engineer for review and approval in accordance with these provisions. If a mobile home park is to be constructed in phases, stormwater detention for the entire development shall be addressed with the initial phase. The capacity of the detention facility shall be sufficient to control the volume of stormwater runoff resulting from a ten-year frequency, twenty-four-hour duration rainfall within the peak rate of flow requirements stated above.

For stormwater detention facilities less than one (1) acre-feet in design capacity, perpetual maintenance shall be the responsibility of adjacent landowners with dedication of easements for periodic inundation by stormwater runoff provided. For stormwater detention facilities equal to or greater than one (1) acre-feet in design capacity, perpetual maintenance shall be the responsibility of the City of Florence if within the city limits with dedication of property for these facilities and rights of entry provided, unless the topography of the basin is such that the basin area can be easily maintained by the adjacent landowners. In both cases, the structures shall be maintained by the City of Florence, and the city's area of responsibility shall be delineated on the record plat. (A "structure" is defined, for purposes of these regulations, as any work of man requiring design and construction, but not the basins themselves.) Adequate erosion and sediment control measures shall be employed during the construction phase of the mobile home park and until adequate ground cover is reestablished to ensure that the stormwater drainage and detention facilities perform as designed.

The determination of the type of street drainage to be used depends on the topography of the area to be developed and the erosion characteristics of the soil which will exist in roadway

ditches. The roadways shall be constructed, so that the storm drainage system outfall discharges directly into a mainstream or proposed storm drainage facilities.

(9) *Utilities.* Utilities, communication and other wiring shall be placed along streets or on rear or side lines of mobile home lots in easements provided for this purpose. Installations shall be constructed in accordance with the requirements and under the supervision of the utility agencies, companies or departments concerned. Street and mobile [home] park illumination level shall be as specified by the utility agency.

(10) *Street signs.* Each intersection shall have signs on diagonally opposite corners identifying the streets which form the intersection. Construction and installation of street signs shall be in accordance with the requirements of the city engineer or county engineer, if appropriate.

(11) *Traffic control signs.* Construction and installation of traffic control signs shall be in accordance with the Alabama Manual of Uniform Traffic Control Devices.

(12) *Landscaping.* Lawn and ground cover shall be provided for all exposed ground surfaces not paved or covered with other solid material or in such areas as woods and ravines, which are to be preserved in their natural state. Screen planting shall be provided as necessary to screen objectionable views such as laundry drying yards, garbage and trash collection stations, and rear yards of adjacent properties.

(D) GUARANTEES OF PERFORMANCE.

(1) *Completion of improvements.* The Planning Commission shall not approve the final plat of any mobile home park for which improvements have been completed unless the improvements have been installed in accordance with the standards and specifications of these regulations and have been certified to the Planning Commission by appropriate officials and agencies of the city.

(2) *Performance bond.* In lieu of the completion of improvements, a performance bond executed by the developer with surety, as is hereafter specified, to secure to the municipality the actual construction and installation of such improvements, at a time and in accordance with the regulations of the Planning Commission, is required prior to submission of a plat for final approval.

Types of surety. One (1) of the following types of surety is required prior to the submission of a plat for final approval:

(a) A performance bond executed by the developer with corporate surety licensed by the State of Alabama to act as surety on performance bonds.

(b) An irrevocable letter of credit to the City of Florence from one (1) or more financial institutions subject to state and federal regulations, guaranteeing payment necessary to complete subdivision improvements in accordance with previously approved plans and specifications.

(3) *Warranty.* In addition to the performance bond or completion of improvements, a warranty is required from the developer to the City of Florence guaranteeing the improvements

against all defects in workmanship and materials for a period of one (1) year. The form of said warranty [is] to be approved by the city engineer.

(4) *Release of guarantees.* **The performance bond and warranty shall be filed with the planning department,** which shall release performance guarantees upon written notification from the city engineer that all improvements or previously agreed mobile home subdivision phases of improvements have been completed in accordance with city standards. The city engineer will require written certification from a registered engineer that the appropriate construction requirements have been satisfied. Upon receipt of certification, the city engineer **will give written notification to the Planning Commission or its authorized representatives.** Release of guarantees shall be **in the form of written notification to the developer and appropriate institutions (s) by the Planning Commission or its authorized representative.**

Section VI. Administration.

(A) GENERAL PROVISIONS.

These mobile home park regulations shall be administered by the Florence Planning Commission.

(B) GENERAL PROVISIONS.

(1) *Hardship.* Where the Planning Commission finds that extraordinary hardships may result from strict compliance with these regulations, it may modify the regulations so that substantial justice may be done and the public interest secured; provided that such modification will not have the effect of nullifying the intent and purpose of the master plan or these.

(2) *Large scale development.* The standards and requirements of these regulations may be modified by the Planning Commission in the case of a plan and program for a complete community or a neighborhood unit, which in the judgment of the Planning Commission, provides adequate public spaces and improvements for the circulations, recreation, light, air and service needs of the tract when fully developed and populated, and which also provides such covenants or other legal provisions as will assure conformity to and achievement of the plan.

(C) ENFORCEMENT.

No mobile home park and no extension or enlargement of a mobile home park shall be constructed without having first been approved by the Florence Planning Commission and said approval entered on the final plat by the appropriate certificate.

(D) PENALTIES.

Violation of the provisions of this ordinance (these regulations) or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this ordinance (these regulations) or fails to comply with any of its requirements shall, upon convictions thereof, be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than six (6) months, or both, and, in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

The owner or tenant of any building, structure, premises or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

(E) FEES.

Upon submission of a final plat, the developer shall pay to the Planning Commission a fee to partially cover the cost of review and approval. The amount of such fee shall be based upon a charge of one hundred dollars (\$100.00), plus five dollars (\$5.00) per lot.

(F) EFFECTIVE DATE.

This ordinance (these regulations) shall take effect on the first day of September, 1989.