ARTICLE I

AUTHORITY AND TITLE

Section 1.1 AUTHORITY AND TITLE

The public welfare requiring it, and under authority granted by Title 11, Chapter 52, Article 2, Sections 30 through 36, inclusive, of the 1975 Code of Alabama, the Town of Summerdale, Alabama does hereby ordain that these regulations shall be known and may be cited as *THE SUBDIVISION AND DEVELOPMENT REGULATIONS OF THE TOWN OF SUMMERDALE, ALABAMA*.

Section 1.2 SHORT TITLE

These regulations and all subsequent amendments, attachments, and supplements thereto shall be known as the *SUMMERDALE SUBDIVISION REGULATIONS.*

ARTICLE II

PURPOSE AND JURISDICTION

Section 2.1 PURPOSE

WHEREAS, the Town of Summerdale, Alabama declares that the fundamental purposes of these regulations are to establish procedures for the subdivision and development of land for residential, commercial, and industrial purposes; to guide and regulate such land in a manner so as to meet the following requirements for orderly and harmonious growth; to encourage developers that land to be subdivided is of such character that it can be used safely without danger to health, or peril from fire, flood, erosion excessive noise, air pollution, or other menace; to provide for the proper provision of drainage, water supply, electricity, and other appropriate utility services; to provide a safe, convenient, and functional system for vehicular circulation, properly related to the Community Development Plan; to provide for the arrangement of streets, blocks, lots, and buildings so as to afford adequate light, view, and air, and to facilitate fire protection; and to ensure that land which is to be subdivided and developed with due regards to topography so that material beauty of the land and vegetation shall be protected and enhanced.

Section 2.2 JURISDICTION

WHEREAS, from and after the effective date hereof, these regulations shall govern the subdivision of all land located in the Town of Summerdale, Alabama, and in addition, shall govern the subdivision of land within the defined subdivision jurisdiction of the Town of Summerdale, Alabama.

NOW, THEREFORE BE IT RESOLVED that any owner of land, which lies within the area of jurisdiction, who wishes to divide or re-subdivide such land into two (2) or more lots, plats, sites, or other divisions, for the purpose, whether immediate or future, of sale, lease, or building development, shall submit to the Planning Commission a plat of the subdivision, which shall conform to the minimum requirements set forth in these regulations, for approval.

Notwithstanding the foregoing, in unincorporated areas where the citizens have not voted to come under the zoning jurisdiction of Baldwin County, the construction or placement of two or less primary structures or buildings on a single parcel of property shall not constitute a subdivision that is subject to these regulations. The placement of three or more dwellings,

buildings, units, or structures intended for occupancy on single parcel shall constitute a subdivision that must comply with these regulations.

No subdivider shall proceed with improvements or installation of utilities in a subdivision until such subdivision plat shall have been granted preliminary approval by the Planning Commission. For those subdivisions under Summerdale development review: following preliminary plat approval, the subdivision development permit shall be applied for and issued prior to any site work being performed.

No subdivider shall proceed with the sale of lots or erection of buildings within a subdivision until such subdivision plat shall have been granted final approval by the Planning Commission and such approval entered in writing on the plat and signed by the Chairman and Secretary of the Planning Commission, other signatures of dedication, endorsement, and certification as applicable and as required by Section 4-18-15, and recorded in the office of the Baldwin County Probate Judge.

ARTICLE III

DEFINITIONS

Section 3.1 GENERAL

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

Section 3.2 SPECIFIC DEFINITIONS

Administrative Officer. The person appointed by the Governing Body to enforce all provisions of these regulations.

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

Block. A tract or parcel of land entirely surrounded by public highways or streets, other than alleys.

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

Comprehensive Plan also Community Development Plan. Any part or element of the Comprehensive Plan of the Town. This may include, but is not limited to: Community Facilities Plan, Major Thoroughfare Plan, Land Development Plan, Capital Improvements Plan, Zoning Ordinance, Subdivision Regulations, etc.

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

Crosswalk. A public right-of-way four (4) feet or more in width along or between property lines, which provides pedestrian access to adjacent properties.

Depth of Lot. The mean horizontal distance between the front and rear lot lines.

Development. Includes, but is not limited to, the design work of lot layout, the construction of drainage structures, the construction of buildings and public use areas, the

planning and construction of public streets and public roads, and the placement of public utilities.

Double Front Lot. A lot having frontage on two (2) non-intersecting streets as distinguished from a corner lot.

Experimental Subdivision. A subdivision in which the use of experimental materials for required improvements or a new design concept in Summerdale appears promising. Special attention may be given to experimental subdivisions which are related to low cost housing design or energy conservation. (See Section 10.1.2)

Easement. A grant by the property owner of use, by the public, a corporation, or person(s) of a strip of land for specified reasons, or as created by operation of law.

Final Plat. A plat of a tract of land which meets the requirements of these regulations and is in form for recording in the office of the Probate Judge of Baldwin County, Alabama.

Group Development. A development comprising two (2) or more structures, built on a single lot, tract, or parcel of land, and designed for occupancy by separate families, firms, or other enterprises, and the land is not subdivided into the customary streets and lots.

Governing Body. The Mayor and the Town Council of Summerdale, Alabama.

Hardship. An unusual situation on the part of an individual property owner which will not permit him to enjoy the full utilization of his property which is given to others within the Town. A hardship exists only when it is not self-created, or when it is not economic in nature.

Health Department. The Baldwin County Health Department.

Lot. A portion of a subdivision or any other parcel of land intended as a unit for transfer of ownership or for the development or both.

Manufactured Housing. Single family detached housing that is built to the National Manufactured Housing Construction and Safety Standards Act of 1974 and shall include structures known as manufactured homes or mobile homes. Manufactured housing must be certified by the Alabama Manufactured Housing Commission prior to being occupied.

Mobile Home. A manufactured single-family dwelling unit with or without an undercarriage, axle(s) and wheels, capable of being towed or transported in any manner on a public street, whether or not axle(s) on wheels have been removed, and which meets the National Manufactured Home Construction and Safety Standards Act (42 USC Section 5401). This definition excludes self-propelled motor homes, recreational vehicles and transport trucks or vans equipped with sleeping space for a driver or drivers.

Mobile Home Park, Trailer Court or Trailer Park. Any area, tract, site, or plot of land thereupon a minimum of two (2) or more mobile homes are placed, located or maintained, and shall include all accessory buildings used or intended to be used in connection with the operation of a mobile home park.

Mobile Home Space. A plot of ground within a mobile home park designed for the accommodation of one (1) mobile home.

Modular Home. A factory fabricated transportable building consisting of units designed to be assembled and incorporated as a building on a permanent site on a permanent foundation into a permanent structure to be used for residential purposes and which bears a seal of compliance with regulations of the Alabama Manufactured Housing Commission.

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

Open Space. Any land wither publicly or privately owned which is designated as being permanently undeveloped and used for recreation, conservation, or preservation.

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

Planned Unit Development (PUD). An area of not less than ten (10) contiguous acres in size to be planned, developed, operated, and maintained as a single entity and containing one or more residential clusters, which may include appropriate commercial, public, or quasi-public uses primarily for the benefit of the residential development.

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

Plat. A map representing a tract of land showing the boundaries and location of individual properties and streets.

Final. A map of all or a portion of a subdivision or site-plan that is presented to the Planning Commission for final approval.

Preliminary. A map indicating the proposed layout of the subdivision or site-plan that is submitted to the Planning Commission for preliminary approval.

Sketch. A concept, informal map of a proposed subdivision ore site-plan of sufficient accuracy to be used for the purposes of discussion and classification.

Probate Judge. The Judge of Probate of Baldwin County, Alabama.
Recreational Vehicle. A self-propelled vehicle used for temporary housing of individuals

and families during travel. This category, in this Ordinance, is assumed to include also campers and camping trailers capable of being towed by a passenger motor vehicle and motor homes.

Recreational Vehicle Park. Any lot or parcel of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

Sidewalk. A walkway constructed for use by pedestrians.

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

*Site-Pla*n. The development plan for one or more lots on which is shown the existing and proposed conditions of the lot including topography, vegetation, drainage, flood plains, wetlands, waterways, landscaping and open spaces, walkways, means of ingress and egress, circulation utility services, structures and buildings, signs and lighting, beams, buffers, and screening devices. Surrounding development and other information that reasonably may be required by the Planning Commission in order that an informed decision may be made.

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

Streets are classified as follows:

a. *Major Street*. A street designed primarily to carry heavy volumes of local vehicular traffic.

b. *Collector Street*. A street designed to carry medium volumes of vehicular traffic, provide access to the major street system, and collect the vehicular traffic from the intersecting minor streets.

c. *Minor Street*. A street, the principal purpose of which is to provide vehicular access from properties abutting it to collector streets.

d. *Cul-De-Sac*. A short street designed to have one end permanently closed, the closed end terminated by a vehicular turn-around.

e. *Marginal Access Street*. A minor (service) street which parallels and is immediately adjacent to a major street or highway, and which provides access to abutting property.

Subdivider. The person(s), firm(s), or corporation(s) engaged in the process of creating a subdivision or having completed a subdivision of said land, as herein defined.

Subdivision. The division of a lot, tract, or parcel of land, for the purpose of sale or of building development, into two or more lots, tracts, parcels, sites or other division of land, whereas any lot or parcel resulting from such division has a gross area of less than five acres. The term subdivision includes the process of re-subdividing lands. There are two types of subdivisions recognized by the Planning Commission and are defined as follows:

Major Subdivision: a subdivision not classified as a minor subdivision, including but not limited to subdivisions of six (6) or more lots, or any size subdivision requiring any new streets or extension of the local governmental facilities, or the creation of any public improvements.

Minor Subdivision: a subdivision containing not more than five (5) lots fronting on an existing street, not involving any new street or road or the extension of public facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel of adjoining property. Our regulations are minimum standards and the installation of sidewalks and lighting by the developers are at the discretion of the Planning Commission.

Note: upon application for review of a proposed subdivision, the Town may issue an exemption from the subdivision requirements if the proposed division of property meets one of the following criteria:

(1) Where property is divided by probated family estates, where no streets or roadway access to the lots is involved and where lots are not less than the minimum lot size required by ordinance;

(2) Where property that is divided by an individual and given or sold to parents, spouses, sisters or brothers, children or grandchildren, either adopted or natural, where no streets or roadway access to the lots is involved and where lots are no less than the minimum lost size required by ordinance; If a family exemption is granted, the property must remain in that family name/possession for twenty-four months after the date of the recorded plan/ deed. If the property is sold to any other party, the exemption is void and penalties may apply.

(3) The public acquisition by purchase or gift of land for the widening or opening of streets or other public purposes.

(4) When two or more lots are combined to create one lot or parcel that meets the lot size requirements for the zoning district in which the lots

are located.

(5) Lot line relocating so long as it is not creating an additional parcel(s) that do not meet the parcel size requirements for the zoning district in which the lots are located.

(6) One time split into no more than 2 lots, where the resulting lots meet the lot requirements set forth in these regulations and the requirements for the zoning district in which the lots are located. The stricter of the two regulations apply. Proper access shall be required to both resulting lots and shall be to the discretion of the approving Planning staff. Any lot resulting from the split cannot be used in a "one time split" after.

Subdivision Jurisdiction. The territorial jurisdiction of the Town of Summerdale Planning Commission over the subdivision of land including all land located in the corporate limits and all land lying within one and one-half (1½) miles of the corporate limits of the Town and not located in any other municipality or its territorial jurisdiction.

Thoroughfare Plan, Major. The Major Thoroughfare Plan, prepared as an element of the Comprehensive Plan.

Town. Town of Summerdale, Alabama together with its subdivision jurisdiction.

Town Clerk. The duly designated clerk of the Town of Summerdale.

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

Town Engineer. A qualified and certified individual duly designated, appointed, or contracted to provide consultation to the Town of Summerdale on engineering-related matters.

Town Specifications. All construction specifications which have been adopted by the Town Council or as required by the Planning Commission and all utility departments.

Width of Lot. The mean horizontal distance between the two side lot lines.

Zoning Ordinance. The official Zoning Ordinance of the Town of Summerdale, Alabama.

ARTICLE IV

APPROVAL OF SUBDIVISION PLATS

Section 4.1 APPROVAL OF SUBDIVISION PLATS REQUIRED - EFFECT OF NON-COMPLIANCE

From and after the date of filing of a copy of these regulations with the Probate Judge of Baldwin County, no subdivision plat of land within the subdivision jurisdiction, as defined in Article II shall be filed or recorded until it shall have been submitted to and approved by the Planning Commission of the Town of Summerdale, and such approval entered in writing on the plat by the Planning Commission Chairman. The Probate Judge, upon receipt of a copy of these regulations, shall not thereafter file or record a plat of a subdivision of land located within the subdivision jurisdiction, as defined herein, without the approval of such plat as required herein. No street shall be accepted and maintained by the Town nor shall any street lighting, water or sewer be extended to or connected with any subdivision of land, nor shall any permit be issued by an administrative agent or department of the Town of Summerdale for the construction of any building or other improvement requiring a permit, upon any land concerning which a plat is required to be approved, unless and until the requirements set forth in these regulations have been complied with and the same has been approved by the Planning Commission.

Section 4.2 APPROVAL NOT ACCEPTANCE

The approval of a plat by the Planning Commission shall not be deemed to constitute or effect the acceptance by the Town of Summerdale or the public of the dedication of any street or other real property, lake, pond, creek, open space, public utility line, or other facilities shown upon the plat. Formal dedication by the subdivider and action by the Council is required for acceptance of property.

Section 4.3 GENERAL INFORMATION

Whenever a subdivision of land is proposed, the subdividing owner or his authorized agent shall apply for and secure approval for such proposed subdivision in accordance with the following procedure, which includes basically two (2) steps for a minor subdivision and three (3) steps for a major subdivision:

(1) Minor Subdivision
   a. Preliminary Plat
   b. Final Subdivision Plat

(2) Major Subdivision
   a. Pre-Application and Sketch Plan Review
      1. Pre-application Conference and Community Meeting
      2. Informal Sketch Review with the Planning Commission
   b. Preliminary Plat
   c. Final Subdivision Plat

Section 4.4 SKETCH PLAN REQUIREMENTS

1. Pre-application Conference and Community Meeting

Pre-Application Conference -All Subdividers for Major Subdivisions, Major Subdivisions, Recreational Vehicle Parks, Mobile Home Parks, and Multiple Occupancy Projects must attend a mandatory pre-application conference with Town departments. Prior to scheduling the required pre-application conference, the developer or representative must confirm the proposed development location and use meets current regulations, including the Comprehensive Plan Future Land Use Map. The purpose of the pre-application meeting is to obtain feedback from the Town departments regarding the proposed development: layout, general provisions, ingress/egress, etc. A pre-application conference with the Community Development Department may be scheduled at the mutual convenience of both parties. Pre-application meetings are valid for subdivision submittals within 60 days of the pre-application meeting.

Community Meeting – After the pre-application meeting and prior to making application for Major Subdivision, Recreational Vehicle Parks, Mobile Home Parks, and Multiple Occupancy Projects the Subdivider must conduct a community meeting to solicit public input.

Notice of the Community Meeting – The Subdivider shall notify all persons owning property adjacent to any specific property that is the subject of the application stating the date, time, location, nature and subject of the meeting. The location of the meeting shall be near the subject property, either onsite or at a publicly accessible facility unless the location of the development makes a public facility impracticable. Names and addresses shall be from the latest records of the county revenue office and accuracy of the list shall be the Subdivider's responsibility. Where land adjacent to the subject property involves leasehold property, the names and addresses of the landowner and the leasehold tenant shall be notified.

Upon application for a Major Subdivision, Recreational Vehicle Parks, Mobile Home Parks, and Multiple Occupancy Projects the following community meeting information must be provided:

i. Copy of notice mailed to adjacent properties for the community meeting stating date, time, location, nature and subject of the meeting.
ii. Copy of site plan or other descriptive information discussed.
iii. Attendance sign in sheet.

iv. Meeting minutes
iv. Written comments in lieu of attendance if provided.

2. Sketch Review by the Planning Commission

Following the community meeting, the subdivider shall submit to the Planning Department, at least thirty (30) days prior to a regularly scheduled meeting, four (4) copies of a sketch plan (if required) of the proposed subdivision, together with a sketch vicinity map and any other data which will convey his intentions as to the proposed layout and type of development. The sketch plan shall be drawn at an approximate scale of not less than 100 feet to one inch and shall show the tentative street layout, approximate right-of-way width, lot arrangements, the location of the nearest water line, water courses, existing structure, total acres, approximate number of lots, adjoining streets, north point, existing topography, and proposed use of land. All sketch plans will be reviewed by staff of the Town of Summerdale for approval, before being placed on the Planning Commission's agenda. All sketch plan requirements must be met as well as requirements proposed by the staff. All plans that do not meet sketch plan requirements will be returned to the developer for correction prior to being placed on the Planning Commission agenda.

The approval of a sketch plan does not constitute approval of a preliminary subdivision plat.

The approval of a sketch plan is good for 12 months from the date of approval with no extensions.

Section 4.5 PROCEDURE FOR PRELIMINARY PLAT APPROVAL

The secretary of the Planning Commission, prior to its review at the public hearing, shall transmit drawings of the preliminary plat to the Town Engineer, Water and Street Department, and other appropriate Town Departments for review and approval. Once the drawings for the preliminary plat are approved by all of the above departments, the preliminary plat will be placed on the Planning Commission agenda for a public hearing and approval.

The procedure for obtaining preliminary plat approval is as follows:

4.5.1 Submission of Preliminary Plat.

The subdivider shall submit to the Planning Commission Secretary or the Town Clerk of the Town of Summerdale at least thirty (30) days prior to a regularly scheduled meeting:

(a) The subdivider shall submit at least four (4) 24"x 36" copies of the proposed subdivision prepared in accordance with the plat requirements and shall submit four (4) 11"x17" copies of the plat, and a CD, flash/jump drive, or pdf, containing photographs of proposed

subdivision, surrounding property, and the plat of the proposed subdivision. Additional copies may be required when deemed necessary by the Planning Commission.

(b) The subdivider shall submit one (1) copy of the recorded ownership interests including liens, encumbrances, title certification in the form of current title policy, title opinion, or title report identifying all transactions for the past twenty (20) years up to the current owner. Warranty deeds will no longer be an acceptable submittal for proof of ownership. In the event of corporate ownership, a list of all directors, officers, and stockholders of the corporation owning more than five (5) percent of any class of stock must be submitted.

4.5.2 Filing, Advertising, and Review Fees

The subdivider shall pay to the Town Clerk the required fees:

- Sketch Plan - $15/lot less than 20,000 sq ft lots; $10/ lot more than 20,000 sq ft.
- Preliminary Plat - $250.00 plus $30.00 per lot
- Final Plat - $150.00 plus $20.00 per lot
- Engineer Fees**:** The developer of any proposed subdivision shall be responsible for all fees of Engineering Reviews and Engineering fees incurred from inspections and reports during the development stages.
- The developer shall pay per certified letter for public hearing notice to be issued to adjacent property owner(s).
- Subdivision Extension/Amendment - $250
- Comprehensive Plan Amendment - $500

4.5.3 Certification of Compliance.

Before acting on the preliminary plat the Planning Commission may request a report from any person or agency directly concerned with the proposed development, Documentation shall be required stating that the proposed plat was submitted to each utility company providing the required utility along with a written report from each documenting its ability and willingness to serve said development. This document shall also list any requested changes or requirements for the Preliminary Plat. Documentation of the following will be required in the written report to verify the ability to serve said development. The applicant shall supply any additional information that may be required.

1. Sewer:
   (i) Location, type, and size of sanitary sewer main adjacent to the

proposed development;

(ii) If sewer is not currently adjacent to the site, provide engineered plans showing the proposed sewer main extension required to serve the proposed development;

2. Water:

(i) Location, type, and size of water main adjacent to the proposed development.

(ii) Hydrant flow test at the nearest existing fire hydrant that includes Flow Data provided by the Town of Summerdale.

(iii) For subdivisions with more than 25 lots, provide design calculations that show projected pressure and flow of the most interior proposed hydrant within the development.

(iv) If water is not currently adjacent to the site, provide engineered plans showing the proposed water main extension required to serve the proposed development.

(v) If this information is not sufficient to determine the provider's ability to serve the proposed development, the Planning staff, Engineer, or designee reserves the right to require a detailed engineering study to evaluate the ability to adequately serve the proposed development.

4.5.4 Public Hearing and Notices.

Prior to the approval of the preliminary plat, the Planning Commission shall first hold a public hearing. Notice of such a public hearing shall be sent to all adjoining landowners by registered mail as their names appear upon the plats in the Baldwin County Tax Assessor's Office.

Such notices shall be sent at least five (5) days prior to the date of the public hearing. Any plat submitted to the Planning Commission shall contain the name and address of all persons to whom notices of a public hearing shall be sent.

4.5.5 Approval or Disapproval.

The Planning Commission will review the plat and decide approval, disapproval, or approval subject to minor modifications. If the Planning Commission disapproves the preliminary plat, the reasons for such action shall be stated in writing upon the records of the Commission, and reference shall be made to the specific sections of the regulations with which the preliminary plat does not comply. If approved subject to modifications, the nature of the required modifications shall be indicated.

4.5.6 Approval Within Thirty Days.

The planning Commission shall approve or disapprove a plat within thirty (30) days after the submission and public hearing as required thereof to it,

otherwise such plat shall be deemed to have been approved, and a certificate to that effect shall be issued by the Commission on demand; provided, however, that the applicant for the Commission's approval may waive this requirement and consent to an extension of such period.

4.5.7 Expression of Approval.

The approval of the preliminary plat shall not be deemed final acceptance but rather an expression of approval of the layout as submitted on the preliminary plat. One copy of the preliminary plat shall be retained in the Planning Commission files.

4.5.8 Effective Period.

Approval of the preliminary plat shall be effective for a period not to exceed one (1) year and shall thereafter expire and be considered null and void, unless a petition for an extension of time is submitted to and subsequently approved by the Planning Commission. No more than two (2), twelve (12) month extensions may be granted by the Planning Commission.

4.5.9 Changes or Modifications.

Any change of modification to a preliminary plat shall be submitted to the Planning Commission for approval and may be subject to public hearing if deemed necessary by the Planning Commission.

Section 4.6 PRELIMINARY PLAT REQUIREMENTS – **See Checklist in Appendix I**

The preliminary plat shall be clearly and legibly drawn at a scale of not less than 100 feet to one inch and may be drawn on a sheet size acceptable to the Probate Judge of Baldwin County. The preliminary plat shall show the following information:

4.6.1 Name of owner of record.

4.6.2 Proposed name of subdivision, date, north point, graphic scale, and location.

4.6.3 Name, seal and number of registered surveyor or civil engineer.

4.6.4 Vicinity map showing location of the subdivision.

4.6.5 Exact boundaries of the tract of land being subdivided, shown with bearings and distances.

4.6.6 Names and addresses of owners of record of all adjoining land and all property boundaries which intersect with the perimeter of the tract being subdivided.

4.6.7 Wooded areas, marshes, and any other conditions affecting the site.

4.6.8 The location of existing streets, buildings, water courses, railroads, transmission lines, culverts and drainpipes, water mains, jurisdiction lines and any public utility easements on and adjacent to the tract being subdivided.

4.6.9 Profiles of all streets showing natural and finished grades drawn to a scale of not less than one (1) inch equals one hundred (100) feet horizontal and one (1) inch equals twenty (20) feet vertical when required by the Planning Commission.

4.6.10 Proposed streets and alleys, rights-of-way, percent of finished grades and street names, shall be shown on the drawings. Street names will coincide with existing street names whenever possible. If streets, alleys, or right-of-ways are to remain private each shall be identified on the plat as "Privately Maintained".

4.6.11 Proposed rights-of-way or easement, location, widths, and purposes.

4.6.12 Proposed lot lines with bearings and distances, and lot and block numbers.

4.6.13 Proposed minimum building setback lines.

4.6.14 Proposed parks, school sites, or other public open spaces, if any.

4.6.15 Zoning classifications, both on the land to be subdivided and any adjoining lands.

4.6.16 Site data.

a. Acreage in total tract.

b. Smallest lot size.

c. Total number of lots.

d. Linear feet in streets.

4.6.17 Preliminary plan for surface drainage, storm drainage and/or other drainage structures. If any portion of the land being subdivided is subject to flood, the limit of such flood shall be shown.

4.6.18 Certificate of, or letter from the public sewer provider where deemed available and required by ordinance, or from the State and/or County Health Department indicating their approval when the proposed subdivision is not served by a public sewer facilities.

4.6.19 Certificate of or letter of approval from the Electric, Water, Gas, and any other interested Municipal, County or State Departments, including the authority having fire jurisdiction. A review by Baldwin County Hwy Dept is also required as well as proof of submittal to Baldwin County Board of Education.

4.6.20 Proposed street lighting plan. (See section 7.1.12)

4.6.21 Proposed sidewalk plan. (See section 7.1.4)

4.6.22 Location and type of mail kiosk.

Section 4.7 PROCEDURE FOR FINAL PLAT APPROVAL

Prior to submittal of a final plat:

Final Inspection: At the developer's expense: A final set of as-builts shall be submitted to all affected utility providers, as well as to the town engineer and Baldwin County Hwy Department for review. A final development inspection shall be scheduled by the developer consisting of, but not limited to, the developer, developer's engineer, town engineer, representative of the authority having fire jurisdiction, town water representative, town public works representative, representatives of all other utility providers, Baldwin County Hwy Department when County roads/rights-of-way are affected. All agencies shall provide a punch list of items needing to be corrected or noted. Punch list items shall be submitted to the developer for correction. Once items have been corrected, the agencies shall issue a letter confirming the completion and date/time of the final inspection. The list of agencies and representatives present for the final inspection shall be submitted, along with final inspection letters, as part of the Final Plat Approval Submittal Packet.

In accordance with Article IV of these regulations, no street shall be accepted and maintained by the Town nor shall any street lighting, water, or sewer be extended to or connected with any subdivision of land as defined herein, nor shall any permit be issued by an administrative agent or department of the Town, for the construction of any building or other improvement requiring a permit, upon any land concerning which a plat is required to be approved unless and until the final plat has been approved by the Planning Commission of the Town of Summerdale, Alabama. The procedure for obtaining final plat approval is as follows:

4.7.1 The subdivider shall submit to the Secretary of the Planning Commission at least thirty (30) days prior to a regularly scheduled meeting, the original tracing, and three (3) 24"x36" copies of the plat, one (1) 11"x17" copy and a CD or 3.5" diskette showing drawings and photographs of the subdivision.

4.7.2 The final plat shall be submitted to the Planning Commission within one (1) year of the date of preliminary plat approval and after all improvements have been installed or acceptable guarantees have been made by the subdivider that the improvements will be installed.

4.7.3 Prior to the approval of the final plat, a certificate must be obtained from the Town Clerk showing that a financial agreement has been posted available to the Town and in sufficient amount to assure the completion of the required town utility improvements.

4.7.4 The Planning Commission shall approve or disapprove a plat within thirty (30) days after such plat has been duly received by the Planning Commission; otherwise such plat shall be deemed approved unless the owner or his agent waives such requirement and consents to time extension.

Section 4.8 FINAL PLAT REQUIREMENTS – **See checklist in Appendix I**

Before submitting final plat application, please be sure to have completed all required final inspections and submitted all final inspection reports.

The final plat shall be drawn at a scale of one (1) inch equals 100 feet or greater. A shapefile of the As-Builts are required with submittal. The final plat shall be prepared by a registered surveyor or civil engineer and shall show the following information:

4.8.1 Name of owner of record.

4.8.2 Name of subdivision, date, north point, graphic scale, and location.

4.8.3 Name and seal of registered surveyor or civil engineer.

4.8.4 Exact boundaries of the tract of land being subdivided, shown with bearings and distances.

4.8.5 Names of owners of record of all adjoining land and all property boundaries which intersect with the perimeter of the tract being subdivided.

4.8.6 Streets and alleys, rights-of-way, percent of grades and street names. If streets, alleys, or right-of-ways are to remain private each shall be identified on the plat as "Privately Maintained".

4.8.7 Rights-of-way or easement, location, widths, and purposes.

4.8.8 Lot lines and lot and block numbers.

4.8.9 Minimum building setback lines.

4.8.10 Parks, school sites, or other public open spaces, if any.

4.8.11 Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line, whether curved or straight, and including true north point. This shall include the radius, central angle, point of tangency, tangent distance and arcs and chords of all curved streets and curved property lines.

4.8.12 All dimensions should be to the nearest one-tenth (1/10) of a foot and angles to the nearest minute.

4.8.13 Accurate description of the location of all monuments and markers.

4.8.14 Utility layouts showing lines, easements, etc. (Shapefile of As-Builts)

a. Water, Size of Line.

b. Gas, lines, easements, etc.

c. Percolation test for septic tanks.

d. Storm drainage and culverts.

e. Electric.

4.8.15 The following endorsements, dedications, and certificates as required shall be placed on the final plat, see Appendix for sample certificates:

a. Surveyor's Certificate and Description of Land Platted.

b. Dedication.

c. A Notary's Acknowledgment of the Dedication Certificates.

d. A Certificate of Approval by Riviera Utilities or Baldwin County Electric Membership Corporation.

e. A Certificate of Approval by the Water and Sewer Board of the Town of Summerdale.

f. A Certificate of Approval by the local Gas Districts.

g. A Certificate of Approval by the Town Engineer of the Town of Summerdale or the County Engineer of Baldwin County as applicable.

h. A Certificate of Approval by the Planning Commission of the Town of Summerdale and Baldwin County(where applicable).

i. A Certificate of Approval by public sewer provider where deemed available and required by ordinance, or the Alabama Department of Transportation.

j. A Certificate of Approval by the Baldwin County Health Department. (If septic tanks and/or wells are necessary).

k. A Certificate for Recording by the Probate Judge.

l. A Certificate of Approval by E-911 GIS/Addressing

m. Engineer's Certificate by the Project Engineer
The above certificates shall be lettered or rubber stamped on the final plat in such a manner as to ensure that said certificates will be legible on any prints made therefrom.

4.8.16 The street lighting plan.

4.8.17 The sidewalk plan.

4.8.18 The location and type of mail kiosk.

ARTICLE V

DEVELOPMENT STANDARDS

Section 5.1 EXCEPTIONS

The following planning and design standards shall be compiled with and no higher standard may be required by the Planning Commission, except where because of exceptional and unique conditions of topography, location, shape, size, drainage or other physical features of the site, or minimum standards specified herein would not reasonably protect or provide for public health, safety, or welfare. Any higher standard required shall be reasonable and shall be limited to the minimum additional improvements necessary to protect the public health, safety or welfare, provided, however, that no greater right-of-way widths or any additional land to be dedicated for public open space shall be required.

Section 5.2 GENERAL REQUIREMENTS

5.2.1 *Conformity to Existing Maps or Plans*. The subdivision or development plat shall conform to the Comprehensive Plan or the Zoning Ordinance of the Town and meet the requirements of the Major Thoroughfare Plan for the Town of Summerdale as approved by the Planning Commission and adopted by the Town Council.

5.2.2 *Reserve Spaces*. To ensure development of the community in accordance with the general principles set forth in the official plans and maps of the Town of Summerdale, county and region, the Planning Commission may require that the developed area reserve open spaces for parks, schools, fire stations, playgrounds, or any other use deemed essential to the welfare of the community. However, no more than ten percent (10%) of the total development may be required by donation either in land or in cash value thereof.

5.2.3 *Compensation for Additional Spaces*. If additional area over the ten percent (10%) of a proposed development is necessary to fulfill the requirements of the community facilities plan, the additional area shall be offered for sale to the Town at or below the fair market value. Such offer shall extend for a period of not less than ninety (90) days from the date of receipt by the Town of such written offer.

5.2.4 *Continuation of Adjoining Street System*. The proposed street layout shall be coordinated with the existing street system of the surrounding area. Where possible, proposed streets shall be the extension of existing streets.

5.2.5 *Access to Adjacent Properties*. Where, in the opinion of the Planning Commission, it is desirable to provide street access to an adjoining property, proposed streets shall be extended by dedication to the boundary of such property and a temporary turnaround shall be provided.

5.2.6 *Private Streets and Reserve Strips*. Due to the potential for liability to the Town, there shall be no private streets or reserve strips platted in any subdivision where abutting properties will be sold or otherwise conveyed, whether immediately or in the future, to the public; however, in certain circumstances, the Planning Commission may approve private streets provided they are constructed according to the standards of the Town of Summerdale.

In the event that the planning Commission does approve a private street, the Planning Commission may require the developer to install a sign of reasonable size stating that the street is a private street and is not subject to public maintenance by the Town of Summerdale. Such a statement shall also be shown on the preliminary and final plats.

5.2.7 *Large Tracts or Parcels*. Where land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future streets and logical further re-subdivision.

5.2.8 *Lots*. All lots shall front upon a public street. Double-frontage lots shall be avoided whenever possible.

5.2.9 *Alleys*. Alleys shall be provided to the rear of all lots used for other than residential purposes. Alleys are prohibited in residential blocks unless such are approved by the Planning Commission. All dead-end alleys shall be provided with a turnaround.

5.2.10 *Contour Map*. A contour map shall be provided if requested by the Planning Commission. The contour interval required will depend upon topographic and drainage characteristics and shall be specified by the Planning Commission.

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

5.2.12 *Suitability of the Land*. Land which the Planning Commission has found to be unsuitable for development due to flooding, bad drainage, and features

likely to be harmful to the safety, health, and general welfare of the future residents shall not be subdivided or developed unless adequate methods approved by all public agencies concerned are formulated by the developer for meeting the problems created by such development of the land.

Section 5.3 DESIGN STANDARDS

The following design standards shall be considered minimum requirements:

5.3.1 *Street Standards*. The standards for streets are set forth in Table 1, which is hereby made part of these Regulations. The minimum street pavement thickness requirement is 2 ½" and shall consist of 1 ½" bituminous binder layer and 1" bituminous surface course placed over a minimum of 8" stabilized base. Streets shall meet the Town of Summerdale's latest approved technical specifications for streets.

5.3.2 *Intersections*. Angles at intersections of street center lines are set forth in Table 1.

a. Intersections with a major thoroughfare shall be at least eight hundred (800) feet apart measured from center line to center line, wherever possible.

b. Property lines at street intersections shall be rounded with a minimum radius of twenty (20) feet. Where a Town street intersects a state highway, the design standards of the State Highway Department shall apply.

5.3.3 *Cul-de-sacs*. Permanent dead-end streets shall not exceed six hundred (600) feet in length and shall be provided with a turnaround having a roadway diameter of at least eighty (80) feet and a right-of-way diameter of at least one hundred (100) feet. Temporary dead-end streets shall be provided with a turnaround having a forty (40) foot radius. Cul-de-sacs shall not be used to avoid connection with an existing street or to avoid the extension of an important street.

5.3.4 *Blocks*. The maximum and minimum length and width of blocks shall be as follows:

a. *Length*. Block lengths shall not be less than three hundred (300) feet and shall only increase in increments of three hundred (300) feet not to exceed a maximum length of fifteen hundred (1,500) feet. Where deemed necessary by the Planning Commission, a pedestrian crosswalk of at least four (4) feet in width may be required.

b. *Width*. Blocks shall have sufficient width to allow two tiers of lots of minimum depth. Blocks may be one lot in depth where single-tier lots are required to separate residential development from through vehicular traffic or non-residential uses.

Table 1
MINIMUM DESIGN STANDARDS FOR STREETS

	Major Street	Collector Street	Minor Street	Cul-De-Sac	Marginal Access Street
Minimum Right-Of-Way Width	100'	80'	50'	50'	50'
Maximum Grade	6.0%	12.0%	15.0%	12.0%	12.0%
Minimum Grade	0.5%	0.5%	0.5%	0.5%	0.5%
Minimum Radius of Curves	1000'	500'	200'	200'	200'
Minimum Tangent Length Between Reverse Curves	200'	100'	100'	100'	100'
Minimum Grades Within 100' of Center Line Intersections	5%	5%	5%	5%	5%
Minimum Distance Between Center Line Offsets at Street Jogs	*	125'	125'	125'	125'
Angle at Intersections of Street Center Lines	90º	80-100º	80-100º	80-100º	80-100º
Minimum Pavement Width	Varies 12' per lane; 8-10' shoulders; 12-24' medians	44'	36'	25'	25'
Minimum Pavement Thickness**	2 ½"	2 ½"	2 ½"	2 ½"	2 ½"

* No standard or not applicable.
** See Section 5.3.1 for minimum design standards for streets.

5.3.5 *Lots*. The size, shape and orientation of non-residential lots shall be such as the Planning Commission deems appropriate for the type of development and use contemplated. Residential lots shall comply with the following requirements:

a. Lot Sizes of Land Subject to Zoning - The lot size, width, depth, side and rear yard setbacks depend upon the requirements of the zoning district. For further details refer to the Summerdale Zoning Ordinance. The applicant shall furnish the commission site drawings

to demonstrate compliance. Lots not in compliance shall not have building permits issued unless combined with other lots and reconfigured so as to comply with zoning requirements.

b. Lot Sizes of Land not Subject to Zoning –
Subdivisions must follow, as closely as possible, the specifications within the Town of Summerdale adopted Summerdale Master Plan, also known as the Comprehensive Plan and Future Land Use Map. This shall apply to ALL properties touching or partially included in the future land use map area provided said property is also within the Planning Jurisdiction of the Town of Summerdale. Prior to any approval of development not meeting this plan, the plan must be reviewed and updated.

1. Where public water and sewage are available, all lots shall have a frontage of not less than 100 feet, a 35 feet front and rear setback, an interior side yard setback of 10 feet, a street side yard setback of 25 feet, and a minimum area of not less than 20,000 square feet.

2. Where public water is available but public sewerage is not, lot areas and widths shall conform to the requirements of the Baldwin County Health Department, but in no case shall be less than 100 feet in width, with a 35 feet front and rear setback, an interior side yard setback of 10 feet, a street side yard setback of 25 feet, and a minimum area of not less than 25,000 square feet.

3. Where neither public water nor public sewerage is available, lot areas and widths shall conform to the requirements of the Baldwin County Health Department, but in no case shall be less than 120 feet in width, with a 35 feet front and rear setback, an interior side yard setback of 10 feet, a street side yard setback of 25 feet, and a minimum area of not less than 43,560 square feet.

4. Each lot shall contain a building site not subject to flooding and outside the limits of any existing easement or building setback lines.

5. A traffic study may be required by the Planning Commission for developments containing 10 or more dwellings.

c. Multi-family housing (3 or more dwelling units) developments not subject to zoning.

1. Maximum Density: 12 Dwelling units per acre

2. Minimum Lot Size: Multi-family: 1 acre (43,560 square feet). Minimum lot width at building line (setback line): 200 feet.

3. A minimum of twenty-five percent (25%) of the land area shall be set aside for amenities, open space, or common areas, not including parking. Stormwater retention areas are not included in this 25% open space requirement, unless it is properly designed and determined to be acceptable open space by the Planning Commission.

4. Minimum Yard Size (setbacks): Multi-family: Front 40 feet; rear 35; interior side yard 25 feet; street side yard 40 feet; Where multi-family dwelling units (complex) are located adjacent to single family residential uses; the minimum rear yard and side yard shall be 50 feet. Setbacks for accessory structures for the use and operation of the complex shall be 5 feet side yard; 5 feet rear yard, 50 feet front yard. (50') feet.

5. Maximum Height: Thirty-five (35) feet.

6. Parking: Two (2) spaces per dwelling unit for multi-family units; Parking shall not be located in the front yard of the development. The parking shall be located behind the street setback to the side and rear of the buildings, wherever possible. Where communal parking is required by the Planning Commission, communal parking shall be at a ratio of 1: 10 (Min 10% of total units).

7. A traffic study may be required by the Planning Commission for developments containing 10 or more dwellings.

c. General Planning Standards.

1. Side lot lines shall be substantially at right angles or radial to street lines.

2. The subdivision plan shall provide each lot with satisfactory

access to an existing public street or to a subdivision street that will be deeded to public use at the time of final plat approval.

3. Excessive depth in relation to width shall be avoided. A proportion of 2½ to 1 will normally be considered maximum.

5.3.6 *Trees and Natural Features*. Reasonable requirements for the preservation of outstanding natural features may be specified by the Planning Commission. These include large trees or groves, water courses, exceptional views, and similar irreplaceable assets.

5.3.7 *Easement*. Utility and other easements shall be provided as follows.

a. Utility easements centered on rear or side lot lines shall be provided where deemed necessary by the Planning Commission and shall be at least ten (10) feet in width.

b. Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such other easements and/or construction, or both, as may be adequate for the purpose of drainage.

c. Lakes, ponds, creeks, and similar areas within a subdivision will be accepted for maintenance only if such acceptance is recommended by the Planning Commission and approved by the Town Council.

Section 5.4 DRAINAGE AND INUNDATION - Stormwater Drainage Design and Construction Standards

Erosion and Sediment Control:

Developments shall adhere to the ADEM current edition for the design of the Construction Best Management Practice Plan and the implementation, maintenance and inspection of adequate, effective Best Management Practices for the control of erosion and sedimentation.

Drainage Report and Site Plan:

A drainage and grading plan, prepared and certified by a Professional Engineer licensed in the State of Alabama, shall be submitted to the Planning Department prior to the issuance of a Land Disturbance Permit. This should include a description of soil conditions, forest cover, topography, wetlands, and other native vegetative areas on the site as well as the location and

boundaries of other natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks (e.g. drinking water well setbacks, septic setbacks, etc.). Particular attention should be paid to environmentally sensitive features that provide particular opportunities or constrains for development. The plan shall include the following information as a minimum:

- Drainage narrative;
- Existing and proposed contours in 1 foot increments;
- Locations of roads, parking areas and building footprints along with their proposed
- finished floor elevations;
- Flood Zone Designation;
- Traffic Impact Study;
- Elevation of the regulatory lowest floor level, including basement, of all proposed
- structures;
- Elevation to which any nonresidential structures will be flood proofed;
- Drainage basin boundaries, showing direction of flow and including total tributary drainage areas entering the improved area and taking into account any off site runoff being routed through or around the project in its undeveloped condition;
- Size, location, slopes, inverts, types and general configuration of all primary drainage facilities required to route, collect, treat and dispose of stormwater runoff, generated by or passing through the development;
- Location of onsite water bodies and wetlands with details of size and vegetative cover to include normal water elevation, side slopes, and depths of water bodies and for wetlands, the general surface elevation and the wet season water elevation;
- Calculations for sizing of basin to collect first flush and sediment forebay.
- All acres solely for water management purposes shall be noted and the legal method to ensure areas remain devoted;
- Proposed start up and completion date for the project;
- Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development, if applicable;
- Design storms used including depth, duration, and distribution;
- Stage storage calculations for the project and stage discharge computations for the outfall structure(s);
- Runoff routing calculations showing discharges, elevations and volumes retained/detained during applicable storm events;
- Draw down calculations for detention;
- Base flood elevation data, if applicable;
- Calculations required for determination of minimum building floor and road elevations;
- Calculations for flood plain encroachment, if applicable;

- Acreages in the following format:

	Existing (acres%)	Proposed (acres%)
Total Area	_____	_____
Impervious	_____	_____
Pervious	_____	_____
Wetlands	_____	_____

- Plans and drainage report shall be signed and sealed by a professional engineer with a current license to practice in the State of Alabama.

Upon development completion, a hard copy and electronic as-builts shall be submitted to the Planning Department. A final inspection shall be scheduled and performed by the Town, or their consultant, prior to Final Plat or Certificate of Occupancy application.

Design and Construction of Stormwater Management Areas:

- General Design Criteria

For development plans up to 40 acres, the Rational Method may be used for modeling the pre and post run-off hydrographs. For development plans encompassing over 40 acres, the NRCS TR-55 method (or equivalent third-party software) shall be utilized for modeling pre- and post-runoff hydrographs.

Grady pond wetlands shall not be designated as stormwater management facilities.

- Functional Design of Stormwater Drainage Systems

The drainage system shall at a minimum accommodate peak flows from at least a 25 year frequency design storm.

The drainage system shall at a minimum accommodate peak flows from at least a 25-year frequency design storm.

All roadway cross drain and side drain pipe shall be the equivalent of the minimum size of fifteen (15) inches in diameter. All piping within the ROW shall be reinforced concrete and all joints shall be wrapped with geotextile filter fabric. Alternate pipe materials may be

approved by the Town outside the roadway prism on a case-by case basis. The minimum cover for drainage pipes shall be according to the pipe manufacturer specifications.

Roadway cross-drains for all local and collector streets shall be designed for a 25-year frequency storm, providing that the roadway is not overtopped by the 100-year frequency storm and that no structures are flooded by the 100-year frequency storm.

Roadway cross-drains for arterial streets or higher street classification shall be designed for a 50-year frequency storm, providing that the roadway is not overtopped by the 100-year frequency storm and that no structures are flooded by the 100-year frequency storm.

Minimum design velocities for storm drainage systems shall be at least 12 feet per second to ensure that the system has some capability for self-cleaning.

The minimum internal diameter of manholes or junction boxes shall be 48 inches.

Design of Open Channels

Front slopes within the ROW shall be 4:1 maximum. A maximum of 3:1 side slopes and flat bottom ditch is required otherwise, unless the approval is received by the Planning Department for a variation. Where proposed lots gain access across an existing or proposed ditch, calculations shall be submitted that shows the required size of future driveway culverts.

Headwalls and endwalls shall be installed on all street culverts with the use of flared headwalls or slope paved headwalls (4:1 slope or flatter) used within any public right-of-way.

The applicant/owner shall be required to carry away by pipe or open ditch any spring or surface water that may exist either previously to, or as a result of the development. Such drainage facilities shall be located in the road right-of-way.

Design of Curb and Gutter and Inlets

For curb and gutter application on proposed roadways, inlets shall be spaced such that flood from a 25-year design storm does not result in ponding water covering more than ½ the width of the outermost traveling lane.

Curb inlets shall be designed so that surface water shall not be carried across any roadways nor for a distance of more than five hundred (500) feet in the gutter or valley. Inlets shall be located at uphill corners of each street intersection to prevent sheet flow of stormwater through the intersection. In addition, double-wing inlets shall be placed at all vertical sags in the roadway.

Analysis of Upstream and Downstream System

The layout shall include an appropriate conveyance of offsite flows that does not pass through required detention areas. Stormwater discharges from a developed site must be routed to an existing natural or manmade stormwater channel with adequate capacity. Calculations must be submitted that show the capacity of the receiving stormwater channel to handle the required design storms. The routing calculations must extend at least as far as the second downstream street crossing or to a named water body. Routing calculations must extend even further downstream, if the Planning Department has reasonable concern about the capacity of a downstream stormwater channel based on scientific or engineering evidence.

Analysis of the downstream system shall include flow capacity and velocity for existing and proposed flow conditions, using Manning's equation at a minimum.

Detention Design and Construction

All site development projects requiring a Land Disturbance Permit shall incorporate stormwater detention to reduce flooding potential and preserve or improve water quality. Stormwater detention is not required in the following situations:

- Stormwater detention for a project site is either unwarranted or impractical. The design engineer shall submit complete hydrologic and hydraulic computations to support this conclusion. This conclusion must be affirmed by the Planning Department. Typically this might occur in the very lowest downstream reaches of a major watershed, if it can be proved that undetained stormwater should be discharged quickly to avoid peak discharge timing for the entire watershed. The hydrologic analysis should include more than one representative downstream location for comparing hydrographs.

Even of stormwater detention is waived for the above situation, the site development must still provide first flush treatment of the runoff in order to protect water quality.

The detention basin shall detain the first 1.00 inch of runoff (Rational Method) from a storm event and released the subsequent runoff water at a predevelopment rate. There should also be adequate sizing of the detention basin to store an accumulation of sediment during construction. The first flush volume for any stormwater detention structure must be contained and then slowly released over a minimum time period of 24 hours and maximum time period of 72 hours.

All stormwater detention structures must attenuate the post development peak flow rates from the 2 year, 5 year, 10 year, 25 year, 50 year and 100 year 24-hour design storms to release a graduated discharge at or below pre development peak flow rates.

Outfalls of detention areas shall be installed at least 25 feet from any property line to allow velocity dissipaters to be installed if necessary, for the prevention of offsite erosion. Exceptions may be approved by the Planning Commission for outfalls to approved drainage features such as an encased storm sewer system.

Dry Detention Basins

Routing calculations must be used to demonstrate that the storage volume is adequate.

Vegetative embankments shall be less than 20 feet in height and shall have no side slopes steeper than 3:1. Riprap protected embankments shall be no steeper than 2:1. Geotechnical slope stability analysis is required for embankments greater than 10 feet in height. The maximum depth of the basin should not exceed 10 feet. The detention basin shall be set back such that the outward toe of the berm is a minimum of 25 feet from the property line.

A low flow or pilot channel across the facility bottom from the inlet to the outlet is recommended to convey low flows and prevent standing water.

Inflow channels are to be stabilized with flared riprap aprons, or the equivalent.

The outlet structure shall be sized based on hydrologic routing calculations and can consist of a weir, orifice, outlet pipe, combination outlet, or other acceptable control structure that achieves the required graduated discharge.

Riprap, plunge pools or pads, or other energy dissipaters are to be placed at the end of the outlet to prevent scouring and erosion.

An emergency spillway is to be included in the stormwater pond design to safely pass the extreme flood flow. A minimum of 1 foot of freeboard must be provided, measured from the top of the water surface elevation for the extreme flood, to the lowest point of the dam embankment not counting the emergency spillway.

Retention Ponds

Geotechnical analysis shall be required to ensure proper retention and design.

A retention pond shall also provide the required storage above the permanent pool and meet the specified graduated allowable release. Stormwater ponds shall also be used to provide detention to control the required event. Where this is not required, the pond structure shall be designed to safely pass extreme storm flows.
Minimum setback requirements for stormwater pond facilities:

- 10 feet from property line to outward toe of berm

- 100 feet from private wells
- 50 feet from a septic system tank/leach field

Proper geometric design is essential to prevent hydraulic short-circuiting which results in failure of the pond to achieve adequate levels of pollutant removal. The minimum length-to-width ratio for the permanent pool shape is 1.5:1 and should ideally be greater than 3:1 to avoid short-circuiting. In addition, ponds should be wedge-shaped when possible so that flow enters the pond and gradually spreads out, improving the sedimentation process. Baffles, pond shaping, or islands can be added within the permanent pool to increase the flow path.

The maximum depth of the permanent pool should generally not exceed 8 feet to avoid stratification and anoxic conditions. The minimum depth for the pond bottom shall be 4 feet.

Side slopes to the pond shall not exceed 3:1.

The perimeter of all 5' deep or greater pool areas should be surrounded by two benches: safety and aquatic. For larger ponds, a safety bench extends approximately 15 feet outward from the normal water edge to the toe of the pond side slope. The maximum slope of the safety bench should be 6%. An aquatic bench extends inward from the normal pool edge (15 feet on average) and has a maximum depth of 18 inches below the normal pool water surface elevation.

Riprap, plunge pools or pads, or other energy dissipaters are to be placed at the outlet of the barrel to prevent scouring and erosion. An emergency spillway is to be included in the stormwater pond design to safely pass the extreme flood flow. The emergency spillway must be located so that downstream structures will not be impacted by spillway discharges. A minimum of 1 foot of freeboard must be provided, measured from the top of the water surface elevation for the extreme flood to the lowest point of the dam embankment, not counting the emergency spillway.

A maintenance right-of-way must be provided to a pond from a public or private road. Maintenance access shall be at least 15 feet wide, having a maximum slope of no more than 15% and be appropriately stabilized t5o withstand maintenance equipment and vehicles. The maintenance access must extend to the forebay, safety bench, riser, and outlet and, to the extent feasible, be designed to allow vehicles to turn around.

The principal spillway opening shall not permit access by small children, and end walls above pipe outfalls greater than 48 inches in diameter shall be fenced to prevent access. Warning signs should be posted near the pond to prohibit swimming and fishing in the facility.

<u>Operation and Maintenance of Stormwater Facilities</u>

All stormwater management facilities shall be restored to original approved design upon construction completion. All stormwater management facilities shall be inspected and certified by the design engineer prior to final plat approval.

Any liability associated with the design, performance and operation of the facility remains with the owner and the owner's engineer.

Operation and maintenance of the stormwater management facility(s) is the responsibility of the property owner. The design engineer shall be responsible for instructing the owner in the proper operation and maintenance of the facility(s). Transfer of the common area(s) to another entity (i.e.) Homeowner's association) shall not occur until maintenance operations have restored facility(s) to the design specifications.

If deemed necessary, inspections shall be conducted by the Town of stormwater management areas and outfalls within the Town of Summerdale. These inspections shall note the condition of the detention/retention basin and outfall integrity, maintenance, erosion, or sedimentation. Entry to the stormwater facilities shall be granted by the owner, developer, or property owners association. Deficiencies of the stormwater facilities will be communicated to the owner, developer, or property owner's association and those deficiencies shall be corrected within fourteen days or as practicable as conditions may allow.

Drainage and Maintenance Common Areas

Drainage and maintenance of common areas shall be recorded on the plats for all stormwater management facilities.

- Maintenance Common Areas

  All stormwater management areas with the exception of parking lots shall be included as part of the common area of the development. The limits of the common area shall extend ten) 10 feet beyond the maximum anticipated ponding area for a base flood event.

- Drainage Common Areas

  Drainage common areas with a minimum width of fifteen (15) feet shall be provided within the stormwater management area connecting the tributary pipes and the discharge system along the most suitable routing for elimination of the stormwater. Also drainage common areas shall be required for areas traversed by an existing waterway and may be required for areas traversed by an existing watercourse.

MAINTENANCE SCHEDULE

The following is a general maintenance schedule that can be used as a reference by the property manager. This schedule includes the maintenance action to be taken and when the action is to occur.

Site Component	Action	Timeline to Complete
Catch Basins/Manholes	Quarterly inspections with cleaning, removal of sediments, oils, and floatable	Quarterly
Pavement Areas	Sweeping of paved areas, disposal of sweepings in a legal manner; removal of trash and litter from pavement	Monthly
Swales, forebays, detention basins, and landscaped areas	Removal of windblown trash and litter from the entire property	Bi-annually
Subsurface infiltration basins	Inspect for accumulated sediment	Bi-annually
Subsurface Infiltration basins	Inspect for standing water for periods in excess of 72 hours	After each storm greater than 1" for 3 months after construction. Then, Bi-annually
Drainage flared end outlets	Removal of trash and sediment from drainage outlets	Bi-annually

Section 5.5 Open Space, Landscaping and Buffers

5.5.1 Open Space General Requirement

The following regulations are intended to create, within new developments, private recreation areas for the purpose of meeting the informal recreational needs of its residents.

For developments with twenty-five (25) or more lots/units, and lot/unit sizes of 30,000 SF or less:
All new developments, or new phases of existing developments that have not received Preliminary Plat approval, that meet the following requirements shall provide open space consistent with these regulations:

5.5.2 Area and Use Requirements

(a) Calculating open space

1. Subdivisions. Subdivisions meeting the requirements specified in 5.5.1 shall set aside open space according to the formula below. The land shall be labeled as "Open Space" on the plat, and adequate provision shall be made for the ownership and maintenance of such areas.

- TOTAL open space = 1,000 SF per lot
- USABLE open space (a portion of the total open space above)
  - Lots 15,000 SF or smaller, set aside 600 sq ft per lot
  - Lots 15,000 – 30,000 SF, set aside 400 sq ft per lot

Example: A 120-lot subdivision has 60 lots that are 15,000 SF or smaller, and 50 lots between 15,001 and 30,000 SF:

120 lots X 1,000 = 120,000SF Total Open Space
(60 lots x 600 = 36,000 SF) + (50 lots x 400 = 20,000 SF) = 56,000 SF of the 120,000 SF Total Open Space shall be usable

b) Use and division.

Designated open spaces shall not be converted to another use without the prior approval of the Summerdale Planning Commission and all property owners within the development or, where applicable, the Property Owners Association. If it is determined to be beneficial to residents of the development, the Planning Commission may approve the division of required open space into more than one site.

5.5.3 Ownership and Maintenance

(a) Ownership. Open space shall be held in common ownership or by a Property Owners Association that shall assume full responsibility for its maintenance and prevent its development and subsequent use for purposes other than open space.

(b) Conservation. Any open space set aside for conservation shall be subjected to deed restrictions or a conservation easement granted to a qualified land trust, conservation organization, or government agency. Such conservation easement shall be in legal form satisfactory to the Summerdale Attorney.

(c) Maintenance plan. For all developments proposing the creation of common open spaces or facilities, the Applicant shall submit a Maintenance and Operation (O&M) Plan that:

1. Establishes the common ownership or Property Owners Association, and explains ownership and membership requirements;
2. Establishes Articles of Incorporation and by-laws.
3. Lists items owned in common including but not limited to roads, recreation facilities, parking, open space, stormwater management facilities, and utilities;
4. Allocates responsibility and provides guidelines for the maintenance and operation of the common open space and facilities, including provisions for ongoing maintenance and for long-term capital improvements;
5. Specifies the time at which the Developer will turn responsibility over to the Owners or Property Owners Association;
6. Provides that any changes to the plan be approved by the Planning Commission or designee.
7. Provides for enforcement of the plan.

5.5.4 Design Requirements

(a) To be credited toward the minimum usable open space requirement, designated usable open space areas:
1. Shall provide centrally located community gathering areas and play spaces that are integral to the livability of the development;
2. Be of appropriate size as illustrated in Figure 5.5 to accommodate active and passive recreational activities;
3. Be accessible to all lots or units within the development. Lots or units should face or be adjacent to open space. Non-adjoining lots or units shall be provided with safe and convenient pedestrian access to open space;

(b) Types of Open Space
1. Usable Open Space. A portion of the total open space as calculated in Section 5.5.2 shall be usable and accessible for passive or active recreation purposes such as parks, recreational facilities, or pedestrian ways as illustrated in Figure 5.5.

2. The following will be counted as open space, but NOT usable: highway construction setbacks, landscape buffers, jurisdictional wetlands, and natural wetland buffers.

3. The following will NOT be counted as open space: internal street rights-of-way, driveways, off-street parking areas, off-street loading areas, or other impervious surfaces that are not designated for recreational use.

4. Land utilized for drainage and stormwater management shall NOT be counted as open space unless the stormwater management area is a wet pond and contains amenities such as walking paths that will safely activate the area, with Planning Commission Approval.

c) Phasing.
For developments where phasing is proposed, a proportional amount of open space shall be provided for each phase of construction. The above design requirements shall apply to each phase unless a deviation is approved by the Planning Commission.

5.5.5 Landscaping and Buffers
These regulations establish minimum standards for the provision, protection, installation, and maintenance of landscape plantings.

5.5.6 General Requirements

(a) For developments with a total of fifty (50) or more lots/units, and lot sizes of 30,000 SF or less: All new developments, or new phases of existing developments that have not received Preliminary Plat approval, that meet the following requirements shall provide landscaping consistent with these regulations.

(b) All developments under PUD Zoning, RV parks, mobile home parks, shall meet the landscaping requirements, regardless of the number of sites/units.

5.5.7 Types of Required Landscaping and Buffers

(a) Landscaping requirements for Subdivisions

1. Road and adjacent parcel landscape buffers. A minimum ten (10) foot wide landscape buffer shall be provided between the subdivision and adjacent roads and parcels. In zoned planning districts, the width of road and adjacent parcel buffers will comply with the Zoning Ordinance. If no buffer is specified in the Zoning Ordinance, these requirements shall apply. Where subdivision lots front on adjacent roads rather than internal subdivision streets, road buffers are not required.
   (i) Landscape buffers shall be planted in common areas and outside any public rights-of-way.
   (ii) Landscape buffers shall extend the full length of the subdivision along the adjacent roads and parcels.

2. Stormwater ponds.
Stormwater ponds shall be landscaped with three (3) canopy or understory trees per one hundred (100) feet around the perimeter of the stormwater pond and be designed as natural features by

including native deep-rooted shoreline plantings to stabilize soil, slow run-off, facilitate infiltration, and decrease erosion. Plantings for these areas shall allow access for maintenance.

(b) Landscaping requirements for Planned Unit Developments:

1. Road landscape buffers. A minimum ten (10) foot wide landscape buffer shall be provided between the development and adjacent roads.
   (i) Landscape buffers shall be provided in common areas and outside of any public rights-of-way.
   (ii) Landscape buffers shall extend the full length of the development along the adjacent roads.

2. Adjacent parcel buffers. A minimum ten (10) foot wide landscape buffer shall be provided between the development and adjoining properties.
   (i) Landscape buffers shall be provided in common areas and outside of any public rights-of-way.
   (ii) Landscape buffers shall extend the full length of the development along the adjacent properties.

3. Stormwater ponds. Stormwater ponds shall be landscaped with three (3) trees per one hundred (100) feet around the perimeter of the stormwater pond and be designed as natural features by including native deep-rooted shoreline plantings to stabilize soil, slow run-off, facilitate infiltration, and decrease erosion. Plantings for these areas shall allow access for maintenance.

5.5.8 Design and Materials

(a) Definitions

1. Canopy/Overstory Trees. A canopy tree species has an average mature crown spread of fifteen (15) feet or greater when growing in Baldwin County and a trunk(s) that at maturity can be maintained in a clean condition, clear of lateral woody growth between existing grade and a height of eight (8) feet.
   (i) At planting, canopy tree species shall be a minimum height of eight (8) feet with a minimum two (2) inch diameter (caliper).
   (ii) Trees having an average mature crown spread of less than fifteen (15) feet may be grouped to create the equivalent of a fifteen (15) foot crown spread.
   (iii) A grouping of three (3) large growing palms will be equivalent to one (1) required canopy tree. All trees

shall be located no closer than three (3) feet from the edge of any designated planting area.

2. Understory trees. An understory tree species shall be a minimum height of four (4) feet with a minimum one (1) inch diameter (caliper) at planting.
3. Shrubs. A shrub is any self-supporting woody evergreen or flowering species generally growing or maintained at a height of five (5) feet or less. At planting, shrubs shall be a minimum of twenty-four (24) inches in height and planted a maximum of thirty-six (36) inches on center.

(b) Plant and Structure Location

1. Required plantings should generally be in an irregular line and spaced at random intervals to achieve maximum growth for each plant and tree species.

2. To avoid powerline conflicts, vegetation that exceeds a height of twenty-five (25) feet at maturity shall not be within thirty (30) feet of the vertical plane of an existing powerline.

3. Buffers should be planted in accordance with one of the following standards:
   (i) A minimum of one canopy or understory tree and multiple shrubs for every 25 linear feet (See Figure 5.5.1). Multiple alternating rows of plantings may be necessary to achieve the required buffer width (See Figure 5.5.1); or (ii) Preserve existing vegetation where native or non-invasive exotic species of varying heights provide the desired buffer protection. Additional plantings may be required to enhance the natural vegetation; or,
   (iii) Staggered rows of evergreen plantings that will grow into a nearly impervious visual barrier within three years;
   (iv) Additional plantings and/or buffer width may be required at the discretion of the Planning Commission to address site-specific buffering needs.

(c) Use of Landscape Buffers

1. The following uses shall not be permitted in landscaped buffers:

(i) Playfields, stables, swimming pools, tennis courts, parking lots and vehicle use areas, dumpsters, equipment storage and other open storage, buildings or overhangs.

(ii) Stormwater retention/detention facilities shall not encroach into landscaped buffers.

2. The following uses are permitted in landscaped buffers:

(i) Ingress and egress to the proposed use and utilities may cross the buffer provided they minimize the amount of buffer devoted to this use.

(ii) Lighting, fences, walls and identification signs may be located within the required buffer.

(iii) Sidewalks, walkways, and paths may be allowed within the required buffer, provided that the width of the buffer is maintained, and all other requirements of these regulations are met.

5.5.9 Landscape Plans

When the provisions of this section apply, a landscaping plan shall be submitted for review with an application for Preliminary Subdivision Plat or Planned Unit Development Site Plan as herein provided.

(a) To the extent practicable, native vegetation shall be used. Landscape plans shall identify plants that are native species. See the Recommended Species List;

(b) Plans must be prepared by a Alabama: registered landscape architect, architect, engineer, or a state certified landscape designer.

(c) Plans must be drawn to scale, with a narrative and any necessary calculations, and include the following:

1. Dimensions and north point;
2. Preserved trees;
3. Locations of proposed signs and lighting.
4. Locations of proposed sidewalks or other paths and ingress and egress locations and widths;
5. Proposed location and spacing of all required plantings;
6. Overhead and underground utilities, existing and proposed;
7. Identify all open space areas required by this section and show which areas are to be used for active recreational activities;

8. Where applicable, subject property zoning and adjoining property zoning;
9. Include a maintenance plan.

5.5.10 Maintenance and Responsibility

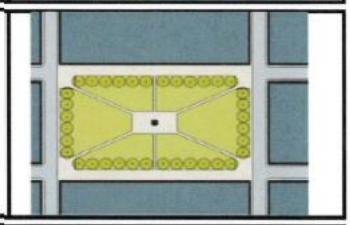
Landscape buffers shall be the maintenance responsibility of the Owners or Property Owners Association. Dead or dying trees or shrubs shall be replaced as soon as practicable to provide the intended screening and buffering effect. Prior to the issuance of Final Plat or Site Plan approval, or Certificate of Occupancy (CO) where applicable, the Planning and Zoning Department shall conduct an inspection to ensure buffers are installed as required.

FIGURE 5.5

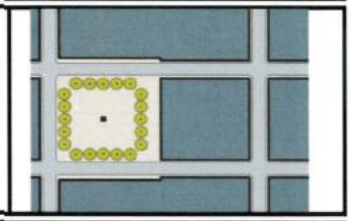
a. **Park:** A natural preserve available for unstructured recreation. A park may be independent of surrounding building frontages. Its landscape consist of paths and trails, meadows, water bodies, woodland and open shelters, all naturalistically disposed. Parks may be linear, following natural corridors. The minimum size should be 5 acres.

b. **Green:** An Open Space available for unstructured recreation. A Green may be spatially defined by landscaping rather than building frontages. Its landscape consists of lawn and trees, naturalistically disposed. The minimum size should be 1/2 acre.

c. **Square:** An Open Space available for unstructured recreation and civic purposes. A Square is spatially defined by building frontages. Its landscape consists of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important thoroughfares. The minimum size should be 1/2 acre and the maximum is 5 acres.



d. **Plaza:** An Open Space available for civic purposes and commercial activities. A Plaza shall be spatially defined by building frontages. Its landscape consists primarily of pavement. Trees are optional. Plazas should be located at the intersection of important streets. The minimum size should be 1/2 acre and the maximum 2 acres.



e. **Playground:** An Open Space designed and equipped for the recreation of children. A Playground should be fenced and may include an open shelter. Playgrounds should be interspersed within residential areas and may be placed within a block. Playgrounds may be included within parks and greens. There is no minimum or maximum size.

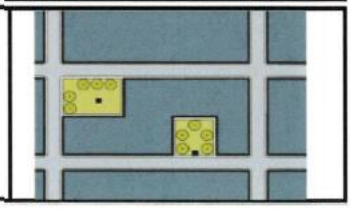
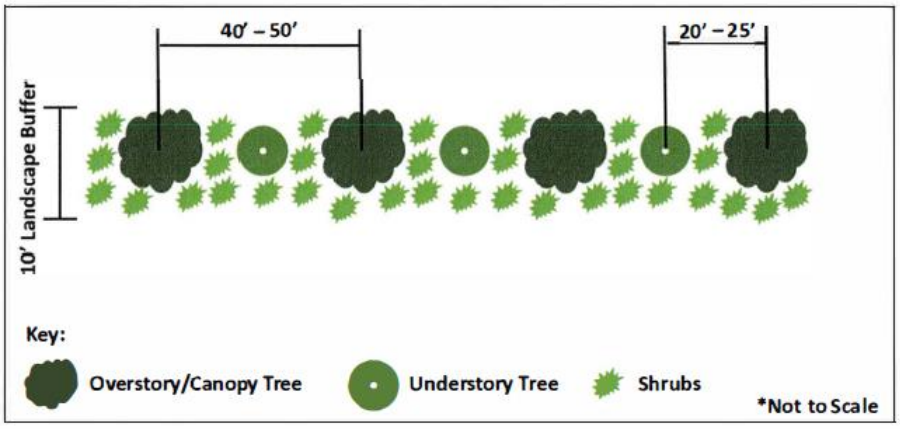
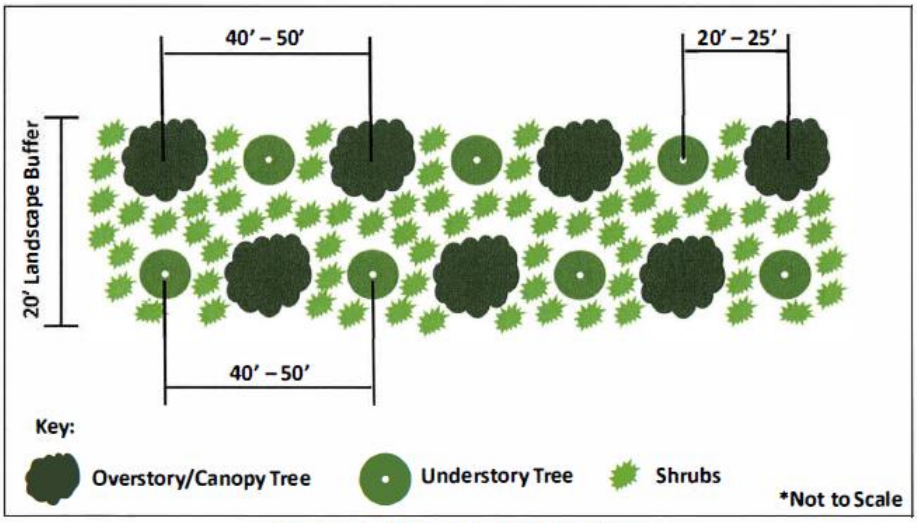


Image from Baldwin County, AL Subdivision Regulations

FIGURE 5.5.1



10 FT LANDSCAPE BUFFER



20 FT LANDSCAPE BUFFER

Image from Baldwin County, AL Subdivision Regulations

Section 5.6 RV PARK REGULATIONS

5.6.1 The following regulations apply only to subdivisions under unified ownership and control providing for the accommodation of transient and temporary recreational vehicles, including travel trailers, campers, motor homes, and similar transient vehicles, that are not occupied in the same recreational vehicle park for a duration exceeding ninety (90) days per calendar year. Such subdivisions shall be hereinafter collectively referred to in Article V, Section 5.6 as a "recreational vehicle park.". Spaces or areas of ground within a recreational vehicle park intended for the accommodation of transient recreational vehicles, travel trailers, campers, motor homes or similar transient vehicles shall hereinafter be referred to in Article V, Section 5.6 as "RV Sites."

5.6.2 This section, Section 5.6, provides for all rules and regulations applicable to recreational vehicle parks within the Subdivision Regulations. If RV sites are sold, or if transient and temporary recreational vehicles, including travel trailers, campers, motor homes, and similar transient vehicles, are occupied in the same recreational vehicle park for a duration exceeding ninety (90) days per calendar year, then the development shall be in violation of these regulations, shall be subject to all measures of enforcement and penalty within these regulations, and may be required to proceed through the standard subdivision review process and comply with all applicable subdivision regulations.

5.6.3 *Conformity.* All recreational vehicle parks within the corporate limits of the Town of Summerdale shall conform to the Comprehensive Plan, the Zoning Ordinance of the Town, and meet the requirements of the Major Thoroughfare Plan for the Town of Summerdale as approved by the Planning Commission and adopted by the Town Council.

5.6.4 *Approval Required.* No person shall engage in the construction of a recreational vehicle park, or make any addition or alteration to any recreational vehicle park so as to alter the number of RV Sites therein, or affect the facilities required therein, until such time as it has been approved and applicable permits have been obtained for such addition, alteration or construction.

5.6.5 *Suitability of the Land.* Land which the Planning Commission has found to be unsuitable for development due to flooding, bad drainage, and features likely to be harmful to the safety, health, and general welfare of the future residents shall not be subdivided unless adequate methods approved by all public agencies concerned are formulated by the developer for meeting the problems created by the development of the land.

5.6.6 Nothing in this Article shall be construed as a responsibility or liability of the Town of Summerdale to construct, operate or maintain any private street, drainage, open area, park, recreational or other facility. The developer/owner may petition the Town Council to accept maintenance if built to the Town specifications, but the Town is under no obligation to accept.

5.6.7 *Sale or Transfer.* Notwithstanding a proper subdivision of a parcel, a parcel on which a recreational vehicle park is located may only be sold in its entirety. Individual RV Sites within a recreational vehicle park may not be transferred or sold.

5.6.8 Recreational vehicle parks are uses permitted subject to the approval of the Planning Commission and the requirements of the following provisions:

a. No recreational vehicle park shall be located except with direct access to a County, State, or Federal Highway, with a minimum lot width of not less than one hundred (100) feet for the portion used for entrance and exit. No entrance or exit shall be through a residential district.

b. *Streets.* The proposed street layout shall be coordinated with the existing street system of the surrounding area. Where possible, proposed streets shall be the extension of existing streets.

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

2) Unless otherwise determined by a professional engineer. Undercut, backfill, or other base and subbase requirements shall be in accordance with a geotechnical report prepared and signed by an engineer registered and in good standing with the Alabama PE Registration Board. The minimum street pavement thickness requirement is 2 ½" and shall consist of 1 ½" bituminous binder layer and 1" bituminous surface course placed over a minimum of 8" stabilized base. Streets shall meet the Town's latest approved technical specifications for streets.

3) Proposed streets must have a minimum weight load of 80,000 pounds to accommodate emergency vehicles.

4) Intersections with a major thoroughfare shall be at least 300 feet apart measured from center line to center line, wherever possible.

5) The internal roadways of the recreational vehicle park shall, at a minimum, provide safe travel for the residents and emergency responders. The internal roadways must be a minimum of 22 feet wide for two-way streets and 12 feet wide for one-way streets.

6) Property lines at street intersections shall be rounded with a minimum radius of 50 feet. Where a Town street intersects a state highway, the design standards of the State Highway Department shall apply. Where a Town street intersects a County Road, the design standards of the County shall apply.

7) Permanent dead-end streets shall not exceed 660 feet in length and shall be provided with a turnaround having a roadway diameter of at least 90 feet and a right-of-way diameter of at least 110 feet. Temporary dead-end streets shall be provided with a turnaround having a 45-foot radius. Cul-de-sacs shall not be used to avoid connection with an existing street or to avoid the extension of an important street.

8) The internal roadways shall be maintained by the developer/owner.

c. *Recreational Vehicle Park Size.*

1) Three (3) Acre Minimum. A recreational vehicle park located in the Town of Summerdale Planning Jurisdiction may not be located on a parcel less than three (3) acres in size. A recreational vehicle park at least three (3) acres in size may have a maximum of seven (7) RV Sites per acre, with one (1) rv allowed per site

d. *Easements.* Utility easements centered on rear or side RV Site lines shall be provided where deemed necessary by the Planning Commission and shall be at least twenty (20) feet in width.

e. *Drainage.* A drainage plan shall be made for each recreational vehicle park by the Owner's Engineer. The plan shall take into consideration the ultimate or saturated development of the tributary area in which the proposed recreational vehicle park is located. Adequate provisions shall be made to provide drainage easements needed within the development property/site.

The storm sewer plans shall be worked out prior to the development of the other utility plans. Engineering considerations shall give preferential treatment of these gravity flow improvements, as opposed to other utilities and improvements. Off premise drainage easements and improvements may be required to handle the runoff of the development into a natural drainage channel. The Planning Commission may require whatever additional engineering information it deems necessary to make a decision on a recreational vehicle park which contains an area of questionable drainage.

f. *Fire Hydrants*. Fire Hydrants shall be installed at the discretion of the authority having jurisdiction or to the current fire code. The stricter of the two shall apply. The water supply and pressure shall be sufficient to adequately serve the potential needs of the intended land use.

g. *Utilities.* All utilities, unless specifically addressed within Section 5.6., shall be provided in accordance with Article VII of these regulations.

h. A contour map at one (1) foot contours shall be provided as requested by the Planning Commission. The Planning Commission may require a different contour interval depending upon topographic and drainage characteristics.

i. Minimum 20% open space excluding required stormwater/drainage. The minimum 20% shall be reserved collectively in contiguous units accessible to all the RV sites and maintained by the property owners. This open space is to be used for: accessory uses, parks, recreation facilities, sidewalks, clubhouse, pool and similar.

j. Users of the RV Sites shall meet all other applicable laws. RV Sites shall only be rented by the day, week, or month and users shall not occupy any RV Site in the same recreational vehicle park for a duration exceeding ninety (90) days per calendar year.

k. Recreational Vehicle Parks, and the RV Sites therein, shall not be used for storage. Users of RV Sites shall occupy the RV Site as a living quarter, subject to the terms and restrictions of these regulations. Placement of an RV on a Recreational Vehicle Park, or any RV Site therein, without occupancy as a living quarter for a period of seven (7) days or more is deemed storage for purposes of this Section 5.6.

l. Management headquarters, recreational facilities, toilets, showers, laundry

facilities and other uses and structures customarily incidental to operation of an RV park are permitted as accessory uses in any district in which recreational parks are allowed, provided:

1) Such establishments and the parking area primarily related to their operations shall not occupy more than ten percent (10%) of the area of the park.

2) Such establishments shall be restricted in their use to occupants of the park.

3) Such establishments shall prevent no visible evidence of their commercial character which would attract customers other than occupants of the park.

m. No rv space shall be so located that any part intended for occupancy for sleeping purposes shall be within thirty-five (35) feet of the edge of right of way or property line of any roadway or street having a right-of-way.

n. In addition to meeting the above requirements, the recreational vehicle park site plan shall be accompanied by a certificate of approval of the County Health Department.

o. The proposed site shall be properly landscaped the purpose of which is to further enhance the natural qualities of the land. A landscaped buffer with a minimum width of twenty (20) feet shall be provided on the property lines. Said buffer shall consist of a combination of canopy trees, understory trees and shrubs which shall be of sufficient height to create a visual barrier.

p. Landscape treatment for plazas, roads, paths, service and parking areas shall be designed as an integral part of a coordinated landscape design for the entire project area.

q. Native vegetation shall be used where practicable and landscaping plans submitted for review shall identify which plants are native species.

r. Site and landscaping plans will be approved by building inspector.

Section 5.7. MOBILE HOME REGULATONS

These regulations are for the purpose of providing for the establishment of mobile home parks and single-family housing that is alternative to "stick-built" homes in areas not presently zoned for such uses and to minimize any detrimental effects of such developments on existing land uses. All zoned areas must follow those regulations set forth in the Town of Summerdale Zoning Ordinance 191-00.

Section 5.7.1 SPACE AND HEIGHT REGULATIONS

a. Minimum Site Size: The minimum site for mobile home parks shall be three (3) acres with a minimum width of 100 feet along a major street.

b. Minimum Lot Size: Each mobile home lot within a designated mobile home park shall have a minimum of 4,000 square feet and have a minimum width of 40 feet at the front lot line. For individual lots located outside of a mobile home park but within the mobile home subdivision, the minimum lot shall be 15,000 square feet, or 10,000 square feet where sewer is available with a minimum width of 75 feet at the front lot line.

c. Minimum Yard Size: Mobile homes within a mobile home park shall be located with a minimum setback of twenty-five (25) feet from any park property boundary line and ten (10) feet from any other lot line. No mobile home within a mobile home park shall be closer to any other mobile home than twenty (20) feet. For individual lots located outside of a mobile home park but within the mobile home subdivision, the setbacks shall be: front 35 feet; rear 35 feet; interior side yard 10 feet; street side yard 25 feet; accessory structures – 5 feet side and rear; front yard 50 feet.

d. Maximum Number: The maximum number of mobile homes, within a mobile home park, per acre shall not exceed ten (10).

e. Off-Street Parking: Two (2) off-street parking spaces shall be provided for each mobile home lot.

Section 5.7.2 DESIGN REQUIREMENTS

The proposed development of a mobile home park shall be considered in accordance with an overall plan which shall include, as a minimum, the following requirements.

a. *Landscaping*. The proposed development shall be designed as a single architectural scheme with appropriate common landscaping.

b. *Lighting.* All driveways and walkways within the park shall be hard surfaced and lighted at night with electric lamps of not less than or equivalent to 150 watts each, spaced at intervals of approximately 200 feet.

c. *Screening*. a 15-foot planted buffer strip, containing plants that at least eight (8) feet tall, shall be provided wherever the district adjoins the boundary or property line of another district.

d. *Traffic Circulation*. The locations of driveways, parking spaces and interior streets shall be designed on said plan and approved by the Planning Commission.

e. *Drainage and Sewage Disposal*. Drainage and sewage disposal plans shall be submitted to and approved by the Summerdale Town Council.

f. *Mobile Home Types.* Must meet the latest NMHC and Safety Standards.

ARTICLE VI

INSTALLATION OF PERMANENT REFERENCE POINTS

Section 6.1 PERMANENT REFERENCE POINTS

Prior to the approval of the final plat, permanent reference points shall have been placed in accordance with the following requirements.

6.1.1 Subdivision Corner Tie. At least one corner of the subdivision shall be designated by course and distance (tie) from an accepted corner of the government survey of Baldwin County. The subdivision corner shall be marked with a monument and shall appear on the map with a description of bearings and distances from the government survey corner to an accuracy of 1:10,000.

6.1.2 Monuments. Concrete monuments four (4) inches in diameter or four (4) inches square and three (3) feet long with a flat top shall be set at all points where the street lines intersect the exterior boundaries or the subdivision at the intersection of curves and tangents along the street lines, and at all corners of the plat. The top of the monument shall have an indented mark to identify properly the location and shall be set flush with the finished grade.

6.1.3 Property Markers. All lot corners not marked with a monument shall be marked with iron pipe or iron pin not less than one-half (½) inch in diameter and twenty-four (24) inches long and driven so as to be flush with the finished grade.

Section 6.2 ACCURACY

Land surveys within the Town limits shall be at an accuracy of at least 1:10,000, and beyond the Town limits an accuracy of not less than 1:7,500 is required.

ARTICLE VII

REQUIRED IMPROVEMENTS

Section 7.1 IMPROVEMENTS

Approval of the final plat shall be subject to the installation of the improvements and utilities hereinafter designated and satisfactorily completed in accordance with the Town of Summerdale specifications and standards, or the posting of a cash financial agreement with sufficient surety to secure the municipality the actual construction and installation of such improvements and utilities.

7.1.1 *Streets*. On all streets within the jurisdiction of these Regulations, a suitable hard surfaced permanent type of pavement shall be constructed in accordance with the Town construction specifications.

7.1.2 *Grading*. All streets shall be graded to their full right-of-way width. Finish grade, cross-section and profile shall be approved by the Town Engineer.

7.1.3 *Curbs and Gutters*. Standard approved type curbs and gutters may be placed on both sides of all new streets within the area of jurisdiction of these Regulations in accordance with the Town specifications.

7.1.4 *Sidewalks*. Sidewalks shall be required on both sides of the street and shall be constructed to the Town standards.

a. Sidewalks shall be constructed within the street right-of-way and in accordance with Town specifications and standards and shall have a minimum layer of four (4) inches of concrete.

1. Minimum of five (5) feet wide in residential areas.

2. Six (6) feet wide in commercial areas.

7.1.5 *Water System*. The design and specifications of the distribution system shall meet the Town of Summerdale water system requirements. Water mains shall be extended the full length or width of the pavement. If a well is required for each lot, the location, construction, and use of such a well shall meet Health Department requirements. If a well is to serve more than one lot, a public water system is required. The design and specifications of such distribution system shall meet Health Department specifications, and shall be installed under inspection of the Town Water Department.

7.1.6 *Fire Hydrants*. Fire Hydrants shall be installed at the discretion of the authority having jurisdiction or to the current fire code. The stricter of the two shall apply. The water supply and pressure shall be sufficient to adequately serve the potential needs of the intended land use.

7.1.7 *Septic Tanks*. Special approval must be obtained from the Baldwin County Health Department for each lot within a subdivision. Lot size shall not be less than the minimum standard and of satisfactory size for the proper installation of a septic tank sewage system as indicated by percolation tests.

7.1.8 *Drainage Ways*. Drainage structures shall be designed and installed as required in accordance with Town specifications and standards.

7.1.9 *Street Signs*. The subdivider shall deposit one hundred dollars ($100.00) to the Town Clerk for each required street sign within his subdivision, or he may provide his own signs which must be approved by the governing body prior to final plat approval. One street sign will be required for each intersection.

7.1.10 *Oversize Facilities*. The governing body may participate in the cost of *oversize* improvements within a subdivision, if in its judgment such oversized improvements are necessary now and in the future to serve large areas of land not in the subdivision, and if the cost of such oversize improvements is an unreasonable burden on the subdivider.

7.1.11 *Utilities*. All utilities, within a subdivision, are required to be placed underground.

7.1.12 *Street Lighting.* Street lighting shall provide illumination at a minimum of .3 to .5 foot candles in subdivision rights-of-ways, using metal decorative light poles as approved by the Planning Commission.

ARTICLE VIII

GUARANTEE OF COMPLETION OF IMPROVEMENTS

Section 8.1 INSTALLATION OF REQUIRED IMPROVEMENTS

The subdivider shall be responsible for the provision of all required improvements to the subdivision. This may be accomplished by either the full installation of all required improvements by the developer at the time the final plat is to be submitted to the Planning Commission or by the provision of a financial guarantee of performance.

8.1.1 *Subdivision Improvement* financial cash agreement. The guarantee of performance by the subdivider shall be in the form of a financial cash agreement and shall meet the following requirements.

a. Acceptance of a financial cash agreement. The agreement must be approved by the Planning Commission and Town Council.

b. Value of the financial cash agreement. The agreement should be of an amount sufficient to cover the total cost of installing all improvements plus an amount equal to 50% of the installation cost, including grading, paving of the streets, and installation of all required utilities, rights-of-way (lighting, sidewalks, and signage), and drainage and fees encountered during execution of improvements.

8.1.2 *Failure to Complete Work*. If within twelve (12) months after filing said financial cash agreement the subdivider has not completed all necessary improvements; or if the developer has not petitioned the Planning Commission for an extension of time, specified by the Planning Commission, to complete the work; or if in the opinion of the Planning Commission said improvements have not been satisfactorily installed, the agreement shall be used by the Town to complete the improvements in satisfactory fashion, or the Town may take such steps as may be necessary to require performance under the financial cash agreement.

ARTICLE IX

GUARANTEE AGAINST FAULTY MATERIAL

Section 9.1 ACCEPTANCE FOR MAINTENANCE

Where Town utilities are provided:
Whether within corporate limits or outside, a financial agreement shall be **required** following otherwise satisfactory completion of such Town utility. The subdivider shall submit, with the final plat application, a guaranty financial agreement in an amount equal to twenty percent (20%) of the utility improvement. Said agreement will guarantee the Town that said utility improvement has been installed to the current standard of the Town, in a workmanlike manner, that same is free from defects caused by faulty material or workmanship, and that said utility improvement will remain in acceptable condition for a period of at least two 2 years. Said financial agreement shall be effective for a period of two (2) years. If at the end of the two year period, the utility improvement is found to have settled or be otherwise unacceptable because of faulty workmanship or material, said defects shall be repaired at the cost of the subdivider up to the amount of the financial agreement, and upon his failure or refusal to do so within ninety (90) days after demand is made upon him by the Governing Body, then the Town shall make such repairs as are reasonably necessary, and recover the cost thereof.

For those properties within the corporate limits of the Town of Summerdale seeking acceptance of streets and right-of-way improvements:

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

9.1.1 *Inspection of Completed Improvements*. Said street improvements, utility improvement, rights-of-way (lighting, sidewalks, and signage), and drainage shall have been completed and in place for a period of one (1) year and shall, upon inspection, following such period of time, be to the current standard of the Town and found free from defective workmanship or material and free from sink-holes or other settling.

9.1.2 *Guaranty* financial agreement. Following otherwise satisfactory completion of such work, the subdivider shall post with the Town a guaranty financial agreement in an amount equal to twenty percent (20%) of the street and utility improvement, rights-of-way (lighting, sidewalks, and signage), and drainage cost for the street for which acceptance is sought. Said agreement will guarantee the Town that said street and utility improvement, rights-of-way (lighting, sidewalks, and signage), and drainage has been installed to the current standard of the Town, in a workmanlike manner, that same is free

from defects caused by faulty material or workmanship, and that said street and utility improvement, rights-of-way (lighting, sidewalks, and signage), and drainage will remain in acceptable condition for a period of at least two 2 years. Said financial agreement shall be effective for a period of two (2) years. If at the end of the two year period the street, utility improvement, rights-of-way (lighting, sidewalks, and signage), and drainage is found to have settled or be otherwise unacceptable because of faulty workmanship or material, said defects shall be repaired at the cost of the subdivider up to the amount of the financial agreement, and upon his failure or refusal to do so within ninety (90) days after demand is made upon him by the Governing Body, then the Town shall make such repairs as are reasonably necessary, and recover the cost thereof.

Approval of the final plat and/or recommendation from the Planning Commission does not constitute acceptance. Financial Instruments in the form of bond, cash, or CD may be approved by the Town Council for maintenance guarantee only, **not** performance agreements. If approved by the Town Council, the developer is responsible for ensuring the financial instrument does not expire before the 2-year period is up. If the instrument is called for repairs prior to the 2-year period expiration, a new instrument must be posted for the remainder of the time. If the financial instrument expires prior to the 2-year period expiration, the above agreement to accept is null and void.

ARTICLE X

VARIANCES

Section 10.1 VARIANCES

Variances, modifications, and waivers may be granted under the following conditions.

10.1.1 *Hardship*. Where the Planning Commission finds that extraordinary hardships may result from strict compliance with these regulations due to unusual topographic or other conditions beyond the control of the subdivider, it may vary the regulations so that substantial justice may be done and the public interest secured, provided, however, that such variation will not have the effect of nullifying the intent or purpose of the Subdivision Regulations, Zoning Ordinance, or other elements of the Comprehensive Plan. Any variance thus authorized is required to be entered in writing in the minutes of the Planning Commission and the reason which justified the departure to be set forth.

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

a. Unusual Materials. The use of unusual materials in constructing required improvements.

b. New Design. A new or untried design concept in the Summerdale area which appears promising.

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

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

10.1.3 *Non-Residential Subdivisions.* Non-residential subdivisions shall be reviewed and processed in accordance with appropriate sections of the

Zoning Ordinance. It is recognized that the applicant, in creating nonresidential subdivisions, faces unique problems of lot design not normally encountered in residential subdivisions. For this reason, the initial emphasis of the Planning Commission shall be upon street layout and block arrangement. Generally, the procedural requirements shall be for the applicant to follow the regular procedure outlined in Article IV and to show the entire tract to be subdivided with necessary improvements and as many parcels as is cared to show but must include at least two parcels. Then, from time to time, as prospective buyers express interest in lots sized to their required specifications, and following informal discussions with the Planning Commission if the applicant so requests, the applicant shall submit directly at a regular meeting of the Planning Commission an amendment to the preliminary plat for approval. Regular procedural requirements of the Planning Commission following receipt of a Final Plat shall then apply.

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

    1. Proposed non-residential street layout, blocks, and parcels shall be suitable in area and dimensions to the types of development anticipated.

    2. Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas, nor connected to streets intended for predominantly residential traffic, but shall be connected insofar as is possible to expressways, arterial, or collector streets in such a way that the number of intersections with such expressways, arterial, or collectors shall be minimized.

    3. Street rights-of-way and pavement shall be adequate and in accordance with Section 5-3 to accommodate the type and volume of traffic anticipated to be generated thereon. Curb radii at driveway intersections shall be at least 25 feet.

    4. The applicant shall insure that the nonresidential subdivision as a whole may be self-sufficient with regard to providing necessary off-street parking. The applicant may make parking self-sufficiency a requirement of individual lots

5. With respect to physical improvements, special requirements may be imposed by the Planning Commission Engineer within the nonresidential subdivision.
6. Every effort shall be made to protect adjacent residential areas from potential nuisances from nonresidential subdivisions, including the provision of extra depth in parcels backing up on existing or potential residential developments and provision for a permanently landscaped buffer strip when necessary.

10.1.4 *Large Scale Development*. The standards and requirements of these regulations may be modified 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 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.

10.1.5 *Comprehensive Group Housing Development*. A comprehensive group housing development including the construction of two or more buildings together with the necessary drives and ways of access and which is not subdivided into the customary lots, blocks, and streets may be approved by the Planning Commission if in the opinion of the Commission any departure from the foregoing regulations can be made without destroying the intent of the Regulations. Plans for all such developments shall be submitted to and approved by the Planning Commission whether or not such plat is to be recorded and no building permits shall be issued until such approval has been given.

ARTICLE XI

ENFORCEMENT

It shall be the duty of Planning Commission Staff to enforce these regulations and to bring to the attention of the Town of Summerdale Attorney any violations or lack of compliance with these regulations.

PENALTIES FOR TRANSFERRING LOTS IN UNAPPROVED SUBDIVISIONS

Whoever, being the owner or agent of the owner of any parcel of land that lies, either in part or in whole, within the planning jurisdiction of the Town of Summerdale , transfers, sells, or leases, or agrees to transfer, sell, or lease any property by reference to or exhibition of or by other use of a plat of a subdivision , before such plat has been approved by the Planning Commission and recorded or filed in the office of the Baldwin County probate office, shall forfeit and pay a penalty of five hundred dollars ($500.00) or the maximum allowed by current legal statute for each lot or parcel so transferred, leased, or sold or agreed or negotiated to be sold; furthermore, this penalty shall accrue on a daily basis beginning on the date that the owner or agent of the owner was officially notified by the Town of Summerdale of noncompliance to these regulations until such noncompliance has been remedied in accordance with these regulations to the satisfaction of the Planning Commission. The description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of leasing, selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided. The municipal corporation may enjoin such transfer, lease, or sale or agreement by civil action for injunction brought in any court of competent jurisdiction or may recover the same penalty by a civil action in any court of competent jurisdiction.

ARTICLE XII

AMENDING THE REGULATIONS

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

ARTICLE XIII

SEVERABILITY AND SEPARABILITY

Should any article, section, sub-section, or provision of these Subdivision Regulations be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the Subdivision Regulations as a whole, or any part thereof, other than the part so declared to be invalid or unconstitutional.

ARTICLE XIV

EFFECTIVE DATE

These Subdivision Regulations shall take effect and be in force from and after the date of adoption. Subdivision Regulations heretofore adopted are hereby repealed.

Adopted, this the 29th day of May, 1997.

Planning Commission for the
TOWN OF SUMMERDALE, ALABAMA

By:
James J. Jurkiewicz, Chairman

Attest:
Faye Howell, Secretary

ARTICLE XV

AMENDED DATES

These Subdivision Regulations have been amended through September 16, 2021, by the required vote of the Town of Summerdale Planning Commission.

Document	Section	Revision Date
Article III	Section 3.2.30	8/27/2001
Article III	Section 3.2.21	4/24/2006
Article IV	Section 4.3	4/24/2006
Article IV	Section 4.4	4/24/2006
Article IV	Section 4.5	4/24/2006
Article IV	Section 4.5.1	4/24/2006
Article IV	Section 4.5.2	4/24/2006
Article IV	Section 4.6.10	4/24/2006
Article IV	Section 4.6.20	4/24/2006
Article IV	Section 4.6.21	4/24/2006
Article IV	Section 4.6.22	4/24/2006
Article IV	Section 4.7	4/24/2006
Article IV	Section 4.7.1	4/24/2006
Article IV	Section 4.8.6	4/24/2006
Article IV	Section 4.8.17	4/24/2006
Article IV	Section 4.8.18	4/24/2006
Article V	Table 1	4/24/2006
Article V	Section 5.3.1	4/24/2006
Article V	Section 5.3.5	4/24/2006
Article VII	Section 7.1.4	4/24/2006
Article VII	Section 7.1.12	4/24/2006
Appendix I		4/24/2006
Appendix II		4/24/2006
Article III	Section 3.2	2/25/2008
Article VII	Section 7.1.11	2/25/2008
Article IV	Section 4.51	3/24/2008
Article IV	Section 4.5.8	1/26/2009
Article III	Section 3.2	11/13/2014
Article III	Section 3.2	11/15/2018
Article IIII	Section 4.5.2	11/15/2018
Article V	Section 5.6	11/15/2018
Article V	Section 5.7	11/15/2018
Article V	Section 5.7.1	11/15/2018
Article V	Section 5.7.2	11/15/2018
Article V	Section 5.4	04/18/2019
Article V	Section 5.4	06/17/2021
Article IV	Section 4.6.18	09/16/2021
Article IV	Section 4.8.15	09/16/2021

AMENDED DATES

(Continued)

Document	Section	Revision Date
Appendix I	Official Forms	09/16/2021
Article V	Section 5.6	10/21/2021
Article II	Section 2.2	11/19/2021
Article III	Section 3.2	11/19/2021
Article IV	Section 4.3	11/19/2021
Article IV	Section 4.4	11/19/2021
Article III	Section 3.2	02/18/2022
Article XI	Enforcement/Penalties	05/19/2022
Article X	Section 5.3.5	09/15/2022
Article VII	Sidewalks	12/08/2022
Article IV	Section 4.4	02/16/2023
Article VIII	Section 8.1 – 8.1.2	02/16/2023
Article IX	Section 9.1 – 9.1.2	02/16/2023
Article V	Section 5.3.5	07/21/2023
Appendix 1	Official Forms	12/18/2023
Article IV	Section 4.3 – 4.4	12/18/2023
Article IV	Section 4.7	12/18/2023
Article V	Section 5.6.8	12/18/2023
Article V	Section 7.1.6	12/18/2023
Article IV	Section 4.4	02/16/2023
Article IX	Section 5.6	03/22/2024
Appendix I	Checklist	06/21/2024
Article III	Minor	08/16/2024
Article IV	Review Fees/ Cert of Comp.	05/16/2025
Article V	Section 5.5	05/16/2025
Article IX	Section 9.1	05/16/2025
Appendix II	Fee Schedule	05/16/2025
Article V	Section 5.3.5	06/19/2025
Article IV	Section 4.4	07/17/2025
Article II	Section 2.2	10/16/2025
Article IV	Section 4.5.2	10/16/2025
Article V	Section 5.3.5	04/28/2026
Article X	Cash Financial/Maintenance Agreement Verbiage and any reference	10/26/2026

APPENDIX I

Official Forms

SUMMERDALE PLANNING COMMISSION
SUBDIVISION REGULATIONS
PROCEDURES FOR PLAT APPROVAL

1. Sketch Plan Review – Approval does not constitute Subdivision Approval

   - Four (4) 24"x 36" prints as required in Section 4-3.
   - Four (4) 11"x 17" print of the plat.
   - Submitted by the approved deadline (The Planning Commission meets regularly on the third Thursday of each month.)
   - Must submit community meeting documents

2. Preliminary Plat Review -

   - Four (4) 24"x 36" prints with all required preliminary plat information.
   - One (1) 11"x 17" print with all required preliminary plat information.
   - CD, jump/flash drive containing photographs of proposed subdivision, surrounding property, and a plat of the proposed subdivision
   - All required documentation, completed and submitted by the approved deadline. (The Planning Commission meets regularly on the fourth Monday of each month.)
   - Adjacent property owners and their addresses listed in excel
   - Filing, Review and Hearing Fee - See Appendix II these regulations

3. Final Plat Review -

   - The original tracing and three (3) 24"x 36" prints of the plat with all required statements, certificates, and signatures.
   - One (1) 11"x 17" copy of the final plat.
   - CD, jump/flash drive containing photographs and the final plat of the subdivision.
   - All required documentation submitted by the approved deadline. (The Planning Commission meets regularly on the fourth Monday of each month.)
   - Copies of Federal and State permits, if required. Appropriate application forms, checklists and other required documentation must be completed and submitted with the plat, before being counted as completed .

APPLICATION FOR SUBDIVISION PLAT APPROVAL
Preliminary Plat

Application Type: ☐ Minor Subdivision ☐ Major Subdivision

Date of Application: _____

PROPERTY OWNER INFORMATION

Name of Property Owner: _____Phone #:_____
Address of Property Owner: _____
City: _____ State: _____ Zip: _____

Proposed Subdivision Name: _____
No. Acres in Plat: _____ No. Lots: _____
PIN: _____

Authorized Agent Information

Plat must be signed by the property owner before acceptance by the Town of Summerdale

Name of Authorized Agent: _____Phone#: _____
Address: _____
City: _____ State: _____ Zip: _____
Contact Person: _____

Surveyor/Engineer Information

Name of Firm: _____ Phone #: _____
Address: _____
City: _____ State: _____ Zip: _____
Contact Person: _____

Plat Fee Calculation: $250.00 plus $30.00 per lot
Public Hearing Fees: $ fee per notice to be mailed

I certify that I am, or represent, the property owner of the above property and hereby submit this plat to the Town of Summerdale for review.

_____ _____
Printed Name Signature

Date: _____

SUMMERDALE PLANNING COMMISSION
***PRELIMINARY* PLAT CHECKLIST**

Subdivision Name_____ Number_____ Date

1. ___ Four (4) copies of plat. (24" x 36")
   ___ Four (4) set of 11" x 17" copy of the Preliminary Plat
   ___ CD or jump/flash drive containing photographs of proposed subdivisions, surrounding property, and a plat of the proposed subdivision
2. ___ Application forms completed.
3. ___ Fees paid.
4. ___ Names and addresses of adjoining landowners within 100 feet, (Excel format)
5. ___ Public Hearing notices sent.
6. ___ Construction Plans submitted.
7. ___ Review by Authority having Fire Jurisdiction
8. ___ Review by Baldwin County Planning/Hwy
9.. ___ Review by Public Sewer provider.
10. ___ Copy of Notification to Baldwin County Board of Education
11. ___ Review by Alabama registered surveyor or civil engineer.
12. ___ 911 Addressing approval of Name and street names.
12. ___ All requirements shown on plat.

    a. ___ Scale not less than 1" = 100'
    b. ___ Sheet size not more than 24" x 36"
    c. ___ Name of owner(s) of record
    d. ___ Proposed name of subdivision
    e. ___ Date, North Arrow
    f. ___ Legal Description
    g. ___ Vicinity Map
    h. ___ Topography at two-foot contour intervals

SUMMERDALE PLANNING COMMISSION
***PRELIMINARY* PLAT CHECKLIST**

i. ___ Exact boundaries showing bearings and distances

j. ___ Wooded areas, marshes, other unique features shown

k. ___ Location of existing streets, water courses, railroads, major transmission lines, drainage structures and public utility easements on proposed subdivision and on adjacent land within 100 feet

l. ___ Proposed Rights-of-way and/or easements including location, purpose, widths and street names.

m. ___ Proposed lot lines with bearings and distances and lot and block numbers

n. ___ Proposed minimum building setback lines

o. ___ Proposed open spaces, school sites or other public or common areas

p. ___ Site data including total acreage, smallest lot size, total number of lots and linear footage of streets

q. ___ Flood Hazard Zone notation.

r. ___ Proposed sidewalk plan

s. ___ Proposed lighting plan

t. ___ Proposed mail kiosk site

CERTIFICATION OF PROPERTY OWNER NOTIFICATION LIST

Public Hearings on subdivision plat applications require notification to all property owners adjacent to the proposed subdivision. This list must be the most current property owners' records available from the Baldwin County Revenue Office.

By signing below, I _____, (applicant) do hereby certify that the property owner list attached to this application was obtained from the Baldwin County Revenue Office and is a complete list of all real property owners/lessees adjacent to the property submitted from Subdivision approval.

_____ _____

Signature of Applicant Date of Application

Submittals to the Summerdale Planning Commission involving the division of lands located in the extra-territorial jurisdiction of the Town of Summerdale shall include the attached Certifications from the Baldwin County Zoning Office.

- Certificate of County Zoning
  Must be signed and zoning of property (if any) indicated.
- Memorandum of Transmittal
  Signed indicating County's receipt of plat/plans for development being submitted before Summerdale Planning Commission.

These documents are part of your application.
Your application package is incomplete without them.

CERTIFICATE OF COUNTY ZONING

TO: Summerdale Planning Commission

This Zoning Certificate is issued for the subject lands the description of which has been furnished by the developer's surveyor/engineer.

_____ _____
Subdivider's Name Name of Designer

_____ _____
Name of Development Tax Parcel I.D. #

Location of Subdivision proposed:
_____
_____
_____

The subject property lies within Baldwin County Zoning District No. _____.

☐ Zoned _____ For _____(Type of Development)

☐ Currently has no Zoning Establishing

Name of Chairperson for this District: _____

_____ _____
By: Date
For the County Zoning Officer

MEMORANDUM OF TRANSMITTAL

DATE: _____

TO: Summerdale Planning Commission

Applicant certifies that submittals have been made for the following identified extra-territorial development to the Baldwin County Engineer and the County Planning Officer as evidenced by the certificate affixed below:

Name of Subdivision: _____

Signature of Applicant: _____

I, the undersigned, hereby acknowledge receipt of plat and / or plans for the proposed development named above. (Signature on this acknowledgement shall not constitute any approval of such plans whatsoever.)

Received: _____ _____

Date By: For the Engineer/Planner

APPLICATION FOR SUBDIVISION PLAT APPROVAL
Final Plat

Application Type: ☐ Minor Subdivision ☐ Major Subdivision

Date of Application: _____

PROPERTY OWNER INFORMATION

Name of Property Owner: _____Phone #:_____
Address of Property Owner: _____
City: _____ State: _____ Zip: _____

Proposed Subdivision Name: _____
No. Acres in Plat: _____ No. Lots: _____

Authorized Agent Information

Plat must be signed by the property owner before acceptance by the Town of Summerdale

Name of Authorized Agent: _____Phone#: _____
Address: _____
City: _____ State: _____ Zip: _____
Contact Person: _____

Surveyor/Engineer Information

Name of Firm: _____ Phone #: _____
Address: _____
City: _____ State: _____ Zip: _____
Contact Person: _____

Plat Fee Calculation: $150.00 Plus $20.00 per lot

I certify that I am, or represent, the property owner of the above property and hereby submit this plat to the Town of Summerdale for review.

_____ _____
Printed Name Signature

Date: _____

SUMMERDALE PLANNING COMMISSION
***FINAL* PLAT CHECKLIST**

Subdivision Name_____ Number_____ Date

1. ___ One (1) original tracing with required documentation and signatures and three (3) copies of same submitted 30 days prior to meeting.
   ___ One (1) set of 11" x 17" copy of the plat
   ___ CD or jump/flash drive containing photographs and a plat of the subdivision
2. ___ Application forms completed.
3. ___ Fees paid.
4. ___ Within one (1) year of preliminary plat approval.
5. ___ Surety agreement, if required, to guarantee installation of improvements.
6. ___ All requirements shown on plat:
   a. ___ Scale not less than 1" = 100'
   b. ___ Sheet size not more than 24" x 36"
   c. ___ Name, north arrow, scale, location
   d. ___ Legal description
   e. ___ Adjoining subdivisions and streets with reference to recorded plats by record name.
   f. ___ Permanent monuments, boundaries, bearings, distances
   g. ___ Streets, alleys, rights-of-way and street names
   h. ___ Location, widths and purposes of all easements
   i. ___ Lot lines and lot and block numbers
   j. ___ Parks, school sites or other public open spaces, if any
   k. ___ Topography or elevations as required

SUMMERDALE PLANNING COMMISSION
***FINAL* PLAT CHECKLIST**

l. ___ Proposed sidewalk plan

m. ___ Proposed lighting plan

n. ___ Proposed mail kiosk site

o. ___ Endorsements, dedications, and certificates:

___ Owner

___ Registered Surveyor

___ Notary Public

___ Electric utility

___ Water utility

___ Sewer utility

___ Health Department or Public Sewer Provider

___ Coastal Area Management Program (if applicable)

___ County Hwy Dept, County Engineer, County Planning Director (where applicable)

____ Town Engineer (if applicable)

___ Town Planning Commission

___ Flood Hazard Zone notation

___ Developer's Engineer

____ E-911 GIS/Addressing

CERTIFICATE OF OWNERSHIP AND DEDICATION

(To be placed on Plat)

STATE OF ALABAMA)
COUNTY OF BALDWIN)

This is to certify that I (we) the undersigned is (are) the owner(s) of the land shown and described in the Plat _____, and that I (we) have caused the same to be surveyed and subdivided as indicated hereon, for the uses and purpose herein set forth and do hereby acknowledge and adopt the same under the design and title hereon indicated and dedicate all streets, alleys, walks, parks, and other open spaces to public or private use as noted.

Dated this ____ day of _____, 20____.

Owner

Owner

CERTIFICATION BY NOTARY PUBLIC

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, _____, a Notary Public in and for the County of _____ in the State of Alabama do certify that whose name(s) is (are) subscribed to the Certificate of Ownership and Dedication, appeared before me this day in person and acknowledged that he (they) signed, sealed and delivered said instrument at this (their) free and voluntary act for the uses and purposed herein set forth.

Given under my hand and Notarial Seal the ____ day of _____, 20___.

Notary Public

CERTIFICATION BY SURVEYOR

(To be placed on Plat)

STATE OF ALABAMA)
COUNTY OF BALDWIN)

This is to certify that I, _____, Land Surveyor (Engineer), have surveyed and subdivided the property shown or described hereon which is a correct representation of said survey and subdivision. all distances, bearing angles, radii, curves, and other dimensions thereof are true and correct to the accuracy required by the Town of Summerdale Planning Commission and that iron pins and monuments have been placed as shown hereon. I further certify that all regulations enacted by the Town of Summerdale Planning commission relative to plats and subdivisions have been complied with, in the preparation of this plan.

Given under my hand and seal at _____, Alabama, this _____ day of _____, 20___.

Surveyor (Engineer)

ENGINEER'S CERTIFICATE

(TO BE PLACED ON PLAT)

"I, the undersigned, a Registered Engineer in the State of Alabama holding Certificate Number__, hereby certify that I have designed the within improvements in conformity with applicable codes and laws and with the principals of good engineering practice. I further certify that I have observed the construction of the within improvements, that the same conforms to my design, that the within is a true and accurate representation of improvements as installed and that said improvements are hereby recommended for approval by the Town of Summerdale, Alabama.

Project Engineer: _____

Date: _____

Name of Project to which the Certificate Applies:

Plans which are certified consist of Page____thru___, each of which bears by seal and signature.

CERTIFICATION BY BALDWIN COUNTY DEPARTMENT OF PUBLIC HEALTH

(To be placed on Plat)

STATE OF ALABAMA)
COUNTY OF BALDWIN)

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

Date this _____ day of _____, 20___.

County Health Officer or his
Authorized Representative

CERTIFICATION OF THE APPROVAL OF STREETS AND UTILITIES

(To be placed on Plat)

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, _____, Engineer representing the Town of Summerdale, Alabama, Planning Commission do hereby certify that the attached final plan has been examined by me and also that the subdivider's plans and specifications comply with the requirements set forth in the Town of Summerdale Subdivision Regulations.

I further certify that the streets, utilities, and other improvements have been installed; or the required bond is posted with the Town of Summerdale for the installation of such improvements in the amount of $_____, which is equal to the estimated cost of such required improvements plus fifty (50) percent thereof.

Dated this _____day of _____, 20___.

Engineer for the Town of
Summerdale, Alabama

CERTIFICATE OF APPROVAL BY THE
(insert name of electric utility)
(To be placed on Plat)

The undersigned, as authorized by the (name of electric utility) hereby approves the within plat for the recording of same in the Probate Office of Baldwin County, Alabama,

this_____day of_____, 20___.

(Electric utility authorized signature)

CERTIFICATION OF FLOOD HAZARD ZONE
(To be placed on Plat)

This is to certify that we have consulted the Federal Insurance Administration Flood Hazard Boundary Map, Panel No._____, dated_____and found that the above described property (does, does not) lie (wholly, partly) in an identified flood hazard zone.

Engineer/Surveyor for the Applicant

CERTIFICATE OF APPROVAL BY THE
(Insert name of water and/or sewer, if available, utility)
(To be placed on Plat)

The undersigned, as authorized by the (name of water and/or sewer utility) hereby approves the within plat for the recording of the same in the Probate Office of Baldwin County, Alabama, this the_____ day of _____, 20___.

(Water and/or Sewer Utility authorized signature)

CERTIFICATION OF APPROVAL FOR RECORDING

(To be placed on Plat)

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of the Town of Summerdale, Alabama, Planning Commission, with the exception of such variances, if any, as are noted in the minutes of the Planning Commission and written upon said plat and that it has been APPROVED for recording in the office of the Baldwin County Judge of Probate.

Dated this _____ day of _____, 20___.

Planning Commission Chairman,
or his Authorized Representative

CERTIFICATE OF APPROVAL BY E-911 GIS/ADDRESSING

(To be placed on Plat)

The undersigned, as authorized by Baldwin County E-911 Board, hereby approves the road names as depicted on the map within plat and hereby approves the within plat for the recording of the same in the probate office of Baldwin County, Alabama.

This_____day of _____, 20__.

_____

AUTHORIZED REPRESENTATIVE

APPLICATION FOR VARIATION, MODIFICATION, OR WAIVER

STATE OF ALABAMA)
COUNTY OF BALDWIN)

This is to certify that I (we) the undersigned do hereby request the Town of Summerdale Planning Commission to grant a Variation ( ) Modification ( ) or Waiver ( ) of the Flood Prone Area Subdivision Regulations as indicated below, and for the reasons stated:

1) Article(s) and Section(s) for which Variation, Modification or Waiver is requested:

Article

Section

2) Nature of Variation, Modification, or Waiver requested:

3) Reason for Request:

Dated this _____ day of _____, 20___.

Owner, Subdivider or Authorized Representative

Appendix II

Fee Structure

Fee Structure

Sketch Plan Review…..$15/lot less than 20,000 sq ft, $10/lot more than 20,000 sq ft

Public Hearing Notices……postage per mailed notice

Preliminary Plat..... $250.00 Plus $30.00 per lot or unit
Includes Filing Fee
Preliminary Site Inspection Fee (if necessary)

Final Plat..... $150.00 Plus $20.00 per lot or unit

Engineer Fees .....The developer of any proposed subdivision shall be responsible for all fees of Engineering Reviews and Engineering fees incurred from inspections and reports during the development stages.

Subdivision Extension/amendment…….$250

Comprehensive Plan Amendment……$500

Penalties For Non-Compliance
With These Regulations.....$500.00, or maximum allowed by statute, for each lot or parcel transferred or sold, or agreed or negotiated to be sold accruing on a daily basis as stipulated in Article XI of these regulations.

SUBDIVISION REGULATIONS