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City of Semmes, Alabama

SUBDIVISION REGULATIONS

Prepared by

The Semmes Planning Commission

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NOTE TO USER

The City of Semmes, AL Subdivision Regulations were adopted and revised as follows:

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REVISED April 24, 2012

REVISED September 11, 2012

REVISED May 8, 2013

REVISED October 22, 2013

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REVISED April 23, 2019

REVISED April 28, 2020

REVISED June 9, 2020

City of Semmes Planning Commission

Mission Statement

To foster future growth while preserving the rural character of the community through partnerships with the community, developers, and interested parties that wish to benefit the citizenry of Semmes and the City as a whole. To ensure the growth of the community is applicably supported by the communities' infrastructure such as public safety, parks and recreation, utilities, and traffic through intense research and fact-finding endeavors.

1 GENERAL PROVISIONS

1.1 Authority

These regulations are enacted in accordance with the authority granted to the Semmes Planning Commission by the Legislature of the State of Alabama in Title 11, Chapter 52, Code of Alabama, 1975, as amended.

Any nonadherence to these regulations shall be subject to a stop work order.

1.2 Jurisdiction

From and after the date of legal adoption and certification to the Probate Judge of Mobile County, Alabama as required by Law, these regulations shall govern each and every subdivision of land within the Semmes corporate limits and expanding 5 miles outside the corporate limits. The 5 mile extra-territorial jurisdiction is subject to change as a result of the following actions:

1. Annexations
2. Jurisdictional agreements entered into with neighboring authorities.

1.3 Purpose

The purpose of these regulations is to establish procedures and guidelines for the development of subdivisions or proposed additions to existing subdivisions within the planning jurisdiction of Semmes, Alabama, in order to regulate the size of lots, the planning and provide for appropriate design and construction of infrastructure and other public facilities. It is the intent of these regulations to harmoniously relate the development of the various tracks of land to the existing community and to obtain the best design possible for each tract of land being subdivided while promoting the public health, safety, economy, good order, appearance, convenience and general welfare within the planning jurisdiction of Semmes.

The Subdivision Regulations are also designed to be used by the Planning Commission to attempt to keep the area compatible with current overall ambience of the area. The purpose of these subdivision regulations is to promote the health, safety, morals, and general welfare of present and future residents alike. It is also the purpose of these regulations to promote coordinated, ecologically sensitive, and aesthetic development in the City of Semmes and its jurisdiction in accordance with the Comprehensive Plan and all other plans and programs adopted by the City. The regulations shall achieve:

1. Govern the subdivision of land within its jurisdiction.

2. Provide for the proper arrangement of streets in relation to other existing or planned streets in accordance with the Comprehensive Plan.

3. Provide adequate open space and provisions for traffic.

4. Provide adequate open space and provisions for utilities.

5. Provide adequate open space and access for fire-fighting apparatus.

6. Provide adequate open space and provisions for recreation.

7. Provide adequate open space and provisions for light and air.

8. Provide minimum standards to avoid congestion of population.

9. Provide appropriate standards for the grading and improvement of streets, water and sewer, other utilities, and other facilities.

10. Establishment of minimum requirements and procedures to control the adverse effects of increased storm water runoff associated with both future land development and existing developed land. Proper management of storm water will minimize damage to public and private property, ensure a functional drainage system, reduce the effects of development on land and stream channel erosion, assist in the attainment and maintenance of water quality standards, enhance the local environment associated with the drainage system, reduce local flooding, maintain as nearly as possible the pre-developed runoff characteristics of the area, and facilitate economic development while mitigating associated flooding and drainage impacts.

11. Promote good civic design and arrangement in accordance with the Comprehensive Plan.

1.4 Policy

It is hereby declared to be the policy of the **City of Semmes** to consider the subdivisions of land and the subsequent development of the subdivided land as subject to the control of the **Semmes Planning Commission** pursuant to the authority granted to the City by Alabama Law.

Any owner of land which lies within the area of jurisdiction of the City of Semmes who wishes to subdivide or re-subdivide such land into two (2) or more lots, parcels, plats, or other divisions of land for the purpose of sale (whether immediate or future), transfer, or lease of lots for building development, shall submit to the City of Semmes Planning Commission a plat of the subdivision which shall conform to the established requirements set forth in these regulations.

No applicant shall proceed with any improvements or with the installation of utilities in a proposed subdivision until such subdivision plat shall have been reviewed and approved by the City of Semmes Planning Commission.

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

1.5 Application of Regulations

No applicant shall proceed with the sale, transfer, or lease of lots, or the erection of buildings, excluding required public improvements and utility structures, within a proposed subdivision until such subdivision has been granted Final Plat approval entered in writing on the plat and signed by the Chair of the City of Semmes Planning Commission and the Mobile County Engineer (if subdivision is located within the extraterritorial jurisdiction of the City of Semmes) and recorded in the Office of the Probate Judge of Mobile County in accordance with the procedures prescribed in these regulations. Any changes that are required by Mobile County Engineering prior to their Final Plat approval must also be re-routed through the Semmes Planning Department and the Chair of the Semmes Planning Commission for signatures before recording with the Office of the Probate Judge of Mobile County.

1.6 Interpretation

In their interpretation and application, the provisions of these regulations shall be held to be the established requirements for the protection of our rural character and promotion of the public health, safety, and general welfare of our citizens. Where any provision of these regulations impose restrictions different from those imposed by any other provision of these regulations, or any other ordinance, rule or regulation, or other provisions of law, whichever provisions are more restrictive or impose higher standards shall control.

The City of Semmes Definitions of Words as Phrases as amended from time to time and approved by the City shall provide the meanings of all words and phrases in this document. It is hereby adopted by reference.

1.7 Minimum Standards:

The provisions and requirements of these regulations shall be considered minimum standards. There may be cases in the course of subdivision consideration and approval that due to the site characteristics meeting minimum standards may not adequately protect local and public property, residents, public infrastructure, public investment, and the life and safety of the City. Therefore, it is the designer's responsibility to exceed minimum requirements as necessary. Additionally, the City and its staff reserve the right to require that minimum standards are exceeded based on professional judgment and professional engineering standards.

1.8 Responsibilities:

Responsibility of Applicant:

The applicant shall be responsible for providing all engineering services, including plans and specifications in conformity with these regulations and construction observation inspection and supervision as is necessary to assure that improvements are installed in conformity with plans, City standards and the requirements of these regulations. The applicant shall provide the City with all engineering plans required in conjunction with any applicable state, federal or local laws or regulations. Where the Planning Commission deems additional or supplemental engineering data to be necessary for the purpose of assuring the City's interests are protected, all costs shall be borne by the applicant. The applicant is responsible for payment of all fees and charges in full.

Responsibility of the City of Semmes:

The City shall, after final plat approval, plat recording and upon receipt of all test reports, maintenance surety, as-built plans and certification and other requirements of these regulations, by resolution of the City Council accept the streets and drainage within the public right-of-way for maintenance. The City Council shall only accept for public maintenance the right-of-ways that are located with the corporate limits of the City of Semmes, Alabama, as may be amended from time to time. The City may cause the inspection of any or all parts of the improvements during and after construction and require the correction of any improvements for maintenance.

2 PROCEDURES FOR APPROVAL

2.1 General

In general the procedure for review and approval of subdivision plats by the Semmes Planning Commission consist of the following steps:

1. Project Proposal Conference
2. Preliminary Plat Review
3. Construction Authorization
4. Final Plat Review
5. Plat Recordation
6. Infrastructure Acceptance

*** Note that there are other subdivision processes in the Procedural Exceptions section ***

2.2 Project Proposal Conference (PPC)

The applicant or agent may schedule a Project Proposal Conference to obtain information, education, and assistance concerning the City of Semmes Subdivision Regulations. Project Proposal Conferences are held by appointment only. This will enable the applicant or agent to become familiar with the subdivision regulations, other requirements which might affect the proposed subdivision, and be advised of the process. The Project Proposal Conference is an informative and educative meeting only and will not have deciding power or precedence on a subdivision of land. Upon completion of the Project Proposal Conference, the applicant will be advised of the subdivision process. Concluding the Project Proposal Conference, the applicant may develop the appropriate plat and plans in conformance with these regulations.

2.2.1 Submittal Schedule

All submissions shall adhere to the Planning Commission's schedule available from the city staff and published on the city's website at: https://cityofsemmesal.gov

2.2.2 Application Types

The following applications are recognized by these Subdivision Regulations:

1. **Major Subdivision –**

   Any commercial subdivision or subdivision not classified as a minor subdivision, including but not limited to subdivisions of seven (7) 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. Major Subdivision applications shall follow the Preliminary and Final Plat proceedings of these regulations.

2. **Minor Subdivision –**

   Applicability: When a potential subdivision contains six (6) or less lots and each of the following apply:

   1. No new street construction is needed or required
   2. No new right-of-way is dedicated; and
   3. No utility mains are required to be extended or upsized

   Minor Subdivisions may be approved administratively by Planning Staff. Planning Staff may bring the subdivision before the Planning Commission if they deem necessary or if requested by the applicant.

2.3 Master Plan

2.3.1 Purpose

The purpose of the Master Plan is to outline a long term plan for a larger development resulting in multiple phases. These phases may be all residential, or mixed use properties that may be developed at varying stages. A master is general in nature and is intended to provide info that can be used to establish boundaries for future development.

2.3.2 Submission and Review

Following the Project Proposal Conference, if the applicant desires to move forward with the project, a subdivision application must be submitted within six months. If greater than six months, the applicant should consider another PPC in the event requirements may have changed. Applications will be processed in accordance with the Planning Commissions annual schedule. For areas outside of the Semmes city limits, but inside Semmes Planning Jurisdiction, submittals must be approved by the Semmes Planning Commission, as well as Mobile County.

2.3.2.1 Minimum Submission Requirements

The Master Plan shall include all property that shall be considered a part of the overall plan. This may include multiple parcels of property or portions of a parcel or parcels. Nevertheless, the entire parcel of each property in discussion must be included with the plan. Two (2) copies of the plat at 24" x 36" shall be submitted. The submission shall at a minimum include:

1. Completed application provided by the City with payment in full of all required fees.
2. Names and addresses of owner, designer, applicant, record of owners of lands immediately adjacent to the property and utility service providers.
3. North-point, Scale limited to 1:100, Vicinity Map, and the date of preparation of the plan.
4. Existing zoning if any, and uses of contiguous land.
5. Size and location of all existing features including drainage channels, streams, ponds, lakes, wetlands, flood zones, or other natural features.
6. Classification and mixture of all proposed building types within the site plan.
7. Minimum covenants and restrictions that will be recorded with the site plan and the plat. Oftentimes each phase may have different designs, thus requiring differentiation by phase.
8. Density in dwelling units per acre for residential uses.
9. Location and dimension of site improvements including pedestrian paths, streets, lanes, and parking areas.
10. Landscape plan for all public areas, streetscapes, and greenspace, including location, dimension, and public or private amenities as well as timing for completion each amenity.
11. Proposed phases of the site plan, clearly showing phase lines and approximate time frames for construction of each phase. Phases shall be identified in sequential

order of planned development at time of submission and may change throughout the development process. Changes in phase sequence will not require re-approval, but if a phase is submitted out of sequence an updated master plan must be submitted along with the preliminary plat.

12. Topographical info in five foot contours.
13. Site data table including total acreage of the site, acreage of common area, acreage of greenspace, and number of proposed units.
14. A comprehensive narrative statement describing the proposed uses of all land, structures, and improvements, and explaining the function and operation of the site plan as a whole.

2.3.2.2 Staff Review

The City Planning Staff shall review the submitted package for conformity to all regulations and completeness. Any package determined to be incomplete will be returned to the applicant and not processed.

The staff shall provide written comments to the applicant for each deficiency. The applicant is encouraged to make revisions as a result of staff comments and any input from Planning Commission work sessions. Revisions shall be submitted for Planning Commission consideration along with waivers requested for nonconformities and number of plans as specified in the City's Planning Staff review letter.

2.3.2.3 Notice, Hearing, and Decision of Planning Commission

Complete applications and packages will be heard by the Planning Commission at an appropriately called and noticed meeting. Notice of a pending subdivision application shall be mailed to all adjoining property owners no less than seven (7) calendar days prior to being considered by the Planning Commission. Meeting notice will include meeting date, time, location, and brief description of the application.

1. Hearing Required: No subdivision application can be approved unless it is heard at a public hearing of the Planning Commission, unless it meets all requirements of an administrative review.
2. Decision Options and Empowerment: The Planning Commission has several options available when considering a master plan. The Commission may:
    a. Approve the master plan by a majority of the Planning Commission members (five).
    b. Deny the master plan.
    c. Approve the master plan with conditions.
3. The applicant or a representative may request a holdover, if necessary, to address potential concerns that may arise during the meeting. There are no limits to the number of holdovers an applicant may request.

All decisions of the Planning Commission will be provided to the applicant in writing. If the decision was denied, no subdivision affecting the property, or a portion of the subdivided property will be considered for a period of twelve (12) months from the Planning Commission's decision.

2.4 Preliminary Plat

2.4.1 Purpose

The purpose of the Preliminary Plat Review is to provide the Semmes Planning Commission with the preliminary plat and construction plans and specifications in compliance with the requirements of these regulations. Detailed construction specifications and engineering requirements will be provided to the Semmes Planning Commission. This will enable the Planning Commission to hear and review input from the public, other officials and agencies concerned and act on the proposed subdivision. It is mandatory that the applicant or agent or the design engineer shall attend the public hearing.

2.4.2 Submission and Review

Following the Project Proposal Conference, if the applicant desires to move forward with the proposed subdivision, he/she the applicant will, within a period of 6 months, submit a Subdivision Application. Applications shall be submitted in accordance with the Planning Commissions yearly schedule. For areas outside of the Semmes city limits, but inside Semmes Planning Jurisdiction, submittals must be approved by the Semmes Planning Commission, as well as Mobile County.

2.4.2.1 Minimum Submission Requirements:

The Preliminary Plat shall include all plats, engineering computations, and construction plans necessary to build the project and must demonstrate conformity to these regulations. Two (2) copies of the plat at 24" x 36", and two copies of all plans shall be initially submitted. The submission shall at a minimum include:

1. Completed preliminary plat application provided by the City.
2. Payment in full of all required fees prior to the application being accepted by the City.
3. A PDF version of the plat and plans on a labeled CD.
4. Three labels (and a photocopy of the typed labels) must be submitted for each:
    a. Property owner
    b. Adjoining property owner
    c. Across the street property owner
    d. Applicant
    e. Utilities that serve the proposed subdivision
5. The Preliminary Plat
    a. Vicinity map annotated as not to scale (NTS) or not less than 1:9600
    b. Proposed name of the subdivision indicating phase number if any. The Commission has final authority over a subdivision name so as to prevent similar sounding subdivisions.
    c. Name, address and contact information of the owner(s).
    d. Name, address and contact information for the surveyor and design engineer.
    e. Name(s) and addresses of record for owners within 300' to the proposed project.

f. North arrow and graphic scales.
g. Contours at two (2) foot intervals.
h. Blocks and lots with all bearings and dimensions shown.
i. Any and all setback and buffer lines required by zoning ordinances, other regulations or deed restriction.
j. Existing zoning classifications and authority, if applicable.
k. Any and all areas reserved for greenspace or other public use.
l. Stormwater flow and volume management including all calculations.
m. Erosion and sedimentation control plans.
n. Street lighting plan, if applicable
o. Utility providers.
p. Utility connections, plans and profiles, main extension-design plans
q. Health Department approval, if applicable
r. Any and all flood zones
s. Any and all delineated wetlands
t. If the Planning Staff/City Planner determines that wetlands may be present, delineation of any wetlands on the parcel shall be required and if no wetlands are found, then a letter from a certified environmental consultant/engineer will be required, stating same.
u. Minimum finished floor elevations for every lot.
v. Any and all required or needed utility or drainage easements.
w. Natural Resources Management plans:
    - Wetlands
    - Stream and river buffers
    - Protected trees
    - Removal plan for protected trees
    - Tree protection plan during construction
x. Street Plans
    - Location of existing and proposed streets within and adjacent to the proposed subdivision
    - All right-of-way widths
    - Proposed street names
    - Typical section(s) showing sidewalks and landscaping
    - Centerline profiles of all proposed streets with finished grades at a scale of horizontal 1"=50' and vertical 1"=5', or horizontal 1"=100' and vertical 1"=10'.
    - All curb radii for street intersections
y. Site data table indicating the following:
    - Total acreage
    - Minimum lot size
    - Net density per acre (exclude rows)
    - Total number of lots
    - Area of common and greenspace
z. Pedestrian plan showing:
    - Width of all sidewalks
    - All ramp downs to intersections

- Compliance with ADA grades

aa. Location of all proposed fire hydrants
bb. Traffic impact analysis, if applicable
cc. Any and all offsite improvements i.e. turn lanes, traffic signals, etc.
dd. Notification list for all property owners adjacent to the proposed subdivision. Labels in triplicate labels provided by owner.
ee. Copy of the transmittal to Mobile County if the subject property is located in the extra-territorial jurisdiction.
ff. Copy of E & O Insurance Certificate from Engineer of Record

2.4.2.2 Project Phasing

Should a project be phased at the owners request an overall master plan shall be provided. The overall master plan shall show, to scale, the location of all streets, common areas, lot sizes and an estimated schedule. The Planning Commission may require all common area dedications with phase one, if it is determined to be in the best interest of the City to do so. ***(Also see 4.3 Phases; 4.4.5 Phased Projects)***

2.4.2.3 Staff Review

The City shall review the submitted package for conformity to these regulations, other adopted plans and regulations, and completeness. Any application package determined by the City to be incomplete will be returned to the applicant and not processed. The applicant will be informed in writing as to the deficiencies.

The staff shall provide written comments to the applicant. The applicant is encouraged to make revisions as a result of staff comments and any input from Planning Commission work sessions.

Upon revision to the Preliminary Plat package the applicant shall respond to the City and provide the required number of plans and plat as specified in the City's review letter.

2.4.2.4 Notice, Hearing, and Decisions of Planning Commission

Complete applications and packages will be heard by the Planning Commission at an appropriately called and noticed regular meeting. Notice of a pending subdivision application shall be mailed to all adjoining property owners no less than seven (7) calendar days from the Planning Commission date. The notice will include meeting time and place of the Planning Commission and a brief description of the application.

1. Hearing Required: No subdivision application can be approved unless it is heard at a public hearing of the Planning Commission, unless it meets all requirements of an administrative review.

2. Decision Options and Empowerment: The Planning Commission has several options available when considering a subdivision application. The Commission may:
    a. Approve the Preliminary Plat by a majority of the total Planning Commission members (five).
    b. Deny the Preliminary Plat.
    c. Approve the Preliminary Plat with conditions.

All decisions of the Planning Commission will be provided to the applicant in writing. If the decision was denied, no subdivision affecting the subject property or a portion of the subject property will be considered for a period of 12 (twelve) months from the Planning Commission's decision.

2.5 Waiver

Applications for any waiver of a subdivision regulation requirement shall be submitted in writing by the Applicant at the time the Preliminary Plat is filed. The application shall state in full the grounds upon which the waiver is being requested and present the facts upon which the petitioner is relying; and shall be supplemented with such maps, plans, and other data which may assist the Semmes Planning Commission in consideration of the request.

Multiple waivers may be allowed for a subdivision, but a waiver against every minimum design standard will not be accepted.

Requested waivers must provide an alternate means to follow the intent of the specific regulation for which the waiver is requested, and not attempt to exempt any part of the regulations.

2.5.1 Decision Threshold

No waiver shall be granted unless the Semmes Planning Commission shall find that due to special circumstances or conditions, the strict application of these regulations would deprive the applicant of reasonable use of the land.

2.5.2 Waiver Standards

Waivers may be granted where the Planning Commission finds that the following conditions exist:

1. An extraordinary hardship may result from strict compliance with these regulations due to unusual topographic or other physical conditions of the land or surrounding area not generally applicable to other land areas.

2. The condition is beyond the control of the sub-divider.

3. The requested waiver will not have the effect of nullifying the purpose and intent of the regulations, the Comprehensive Plan, or other approved plans.

4. The waiver is the minimum deviation from the required standard necessary to relieve the hardship;

5. The waiver shall not have an adverse effect on adjacent landowners, or future landowners, or the public;

6. The waiver is necessary so that substantial justice is done.

2.5.3 Decision Empowerment

In granting approval of a subdivision with a waiver, the Planning Commission may in its judgment, require such conditions to secure the objectives and interests of the City and the purposes of these Regulations.

2.6 Construction Authorization and Observation

2.6.1 Process

After the approval of a Preliminary Plats and plans, the applicant shall:

1. Make any revisions required by conditions of approval by the Planning Commission

2. Schedule a meeting with the Public Works Superintendent and Planning Commission Co-Chair or City Planner and furnish the City:

    a. Any and all revised plats and plans
    b. Applicable Permits: Prior to the commencement of construction the applicant shall furnish copies of all applicable permits such as (but not limited to) ADEM permits, ALDOT permits and Corps of Engineer permits.
    c. Contractor(s) Licensure: Prior to the commencement of construction the applicant shall identify all contractors and all sub-contractors shall provide a list to include addresses and phone numbers, to the City of Semmes Public Works Superintendent/City Planner. All contractors shall be licensed by the State and the City.
    d. Erosion and Sedimentation Control: All of the erosion and sedimentation control measures as specified on the approved plans shall be in place prior to the City issuing a Land Disturbance Permit and the applicant commencing construction.

3. Schedule a Pre-Construction Conference meeting with the Public Works Superintendent and Planning Commission Co-Chair or City Planner prior to the commencement of construction. All utility providers shall be invited; the project engineer or his representative shall attend the meeting. Various City officials such

as police, fire, Building and Planning Department officials shall also be invited and attend as necessary. This meeting is required.

2.6.2 Approval Duration

Approval of the Preliminary Plat and Construction Authorization grants the applicant approval to proceed with the construction of the improvements and development of the subdivision within the limitations and conditions set forth in the approval, subject to other required permits from appropriate Federal, State and local agencies. Preliminary Plat and Construction Authorization approval shall be effective for one (1) year from the date of Preliminary Plat approval, unless, upon application in writing, the applicant requests an extension and the same is granted by the Semmes Planning Commission for a period not to exceed one (1) year of time. Any Preliminary Plat not under construction within one (1) year shall be considered null and void, and the applicant shall be required to submit a new development application to the City of Semmes for consideration by the Planning Commission, subject to all subdivision regulations in effect at that time.

Should the subdivision be under construction within one (1) year of initial approval, no further extension nor changes in approved plans and specifications shall be required. City staff reserves the authority to make a professional judgment as to whether or not construction is an on-going activity. The Planning Commission Chair will be responsible to mail a formal letter, via certified mail, return receipt requested, to the applicant advising that the request for subdivision is expired. Any appeal of the staff decision shall be made to the Planning Commission and follow the process established for granting a Waiver.

2.6.3 Construction Observation Responsibilities

The applicant/owner shall provide construction observation at their expense. The City shall bear no financial responsibility.

1. Observation Requirement: The project engineer shall or their representative shall observe in accordance with generally accepted professional engineering standards, the construction of a project. Observation shall commence from the start of construction through Final Plat approval and infrastructure acceptance. Observation shall include the applicability of all permits, such as ADEM, Corps etc. The engineer or their representative has no authority over the means and method of construction the contractor utilizes. The observation personnel shall not be employed by or a contracted party by the contractor; they shall be representatives of the project engineer representing the owner(s).

2. Reporting: The engineer shall provide construction reports to the City on a bi-weekly basis, or an otherwise agreed to term depending on the exact nature of construction. These reports shall provide documentation of the construction progress and conformance with applicable regulations and permits. All reporting and

documentation required by other permits such as ADEM, Mobile County, ALDOT, etc... shall also be copied to the City.

3. Remedies: Should there observed to be violations of the approved construction plans or any permit, the project engineer and the City should be notified immediately. The City shall have enforcement authority over the work performed including the ability to issue stop work orders and citations enforceable through Court action. The engineer's representative has no enforcement authority but shall provide documentation assistance to the City in the event of a violation. The engineer shall make recommendations to the City in order to bring the project back into compliance with the approved construction plans or permit requirements.

2.7 Final Plat Procedures

The applicant or agent shall present the Final Plat of the subdivision for official review by the City Engineer and Chair of the Semmes Planning Commission. Approval is indication that the subdivision has been constructed in compliance with approved Engineering Plans and then signed by the City Engineer and Chair of the Semmes Planning Commission and recorded by the Applicant in the Probate Court of Mobile County.

The Final Plat shall be based on the approved Preliminary Plat with any required conditions and changes, and shall provide an accurate record of the subdivision as constructed. It shall contain all required signatures and be suitable for recording by the Probate Court.

2.7.1 Submission and Review

For areas outside of the Semmes city limits, but inside Semmes Planning Jurisdiction, submittals must be approved by the Semmes Planning Commission, as well as Mobile County. No Final Plat application shall be processed until a complete package consisting of the following shall be submitted:

1. Either a financial guaranty in the form of an irrevocable letter of credit or a performance bond approved by the City Attorney in the amount of 125% of the total improvements to be accepted by the City. The cost figures shall be prepared and stamped by the project engineer. This procedure is only valid to enable consideration of a Final Plat if all improvements are being or not yet constructed. This section is unrelated to City acceptance of infrastructure.

2. A written report from the project engineer certifying that all improvements have been constructed in accordance with the design plans and City regulations and standards.

3. All utility certificates, ownership and lienholder certificates and dedications, certification for Planning Commission signature, recording block.

4. Plat and plans as required in Preliminary Plat minimum submission requirements.

5. As-built plans that detail the location of utility and underground stormwater improvements from a visible above ground monument and provide the following certification on the Title Sheet:

   I, the undersigned, a registered Engineer in the State of Alabama holding registration number _____ herby certify that I have designed the within improvements in conformity with applicable codes and laws and with the principles of good engineering practice. I further certify that I have observed, or caused to be 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.

   _____
   Project Engineer

   _____
   Date

6. All stormwater management facilities indicating sizes, locations, materials, elevations, and grades.

7. Protected tree replacement plan.

8. Location, bearings and dimensions, and uses of all easements on the Final Plat.

9. Surveyor's certificate on the plat.

10. Engineer's statement on the plat, when engineered improvements were required in conjunction with the project, that reads:

    I, the undersigned, a Registered Engineer in the State of Alabama holding registration number _____ have provided a set of certified as-built plans representing the improvements associated with this project, but not shown herein. The certified as-built plans are filed for record with the City of Semmes.

    _____
    Project Engineer

    _____
    Date

11. County Engineer certificate if located in the extra territorial jurisdiction.

12. Deed restrictions and formation of a property owners association detailing maintenance responsibility.

13. Sufficient data to reproduce on the ground the location, bearing and length of every road line, block line, boundary line, and building line, whether curved of straight including radius of acre, central angle, length of tangent and length of curve for the centerline of all road or street and for all party line. Dimensions shall be shown to the nearest 1/100 foot and bearings to the nearest fifteen (15) second.

14. Location and description of all monuments and lot corner pins.

15. Submission of video of all stormwater drains and pipes documenting damage and sedimentation free structures.

16. Operation and maintenance plan.

17. Digital version of plat and plans, in DWG format, projected to Alabama State Plane coordinate system.

18. Copy of all Geotechnical materials and test reports in pdf or other suitable electronic format.

19. Copy of E & O Insurance Certificate from the Engineer of Record

    a. Project Phasing: If the Final Plat is a portion of a larger development phase lines shall be annotated.

    b. Staff Review: The City shall review the submitted package. Incomplete applications will not be accepted and written notice of incomplete status will be provided to the applicant.

    c. Final Inspections: Prior to the Final Plat being considered by the Planning Commission the project shall have a final inspection. The final inspection shall be called and coordinated by the project engineer and at a minimum the following or their representatives shall attend.

        - City Planner and/or Planning Commission Co-Chair, Public Works Superintendent, and representative(s) from the Fire Department.
        - All utility providers.
        - Mobile County or a copy of their inspection report or punch list, if subdivision in ETJ.
        - ALDOT acceptance, if applicable.
        - Project engineer or representative.

A punch list identifying any corrections needed shall be generated by the project engineer and copied to the City. Once any identified corrections are made the project engineer shall certify the corrections to the City.

2.7.2 Notice, Hearing, and Decisions of Planning Commission

Complete applications and packages will be heard by the Planning Commission at an appropriately called and noticed meeting. Notice of a pending subdivision application shall be mailed to all adjoining property owners no less than seven (7) calendar days from the Planning Commission date. The notice will include meeting time and place of the Planning Commission and a brief description of the application.

1. Hearing Required: No subdivision application can be approved unless it is heard at a public hearing of the Planning Commission, unless it meets all requirements of an administrative review.

2. Decision Options and Empowerment: The Planning Commission has several options available when considering a subdivision application. The Commission may:

    a. Approve the Final Plat by simple majority of the members voting.
    b. Deny the Preliminary Plat.
    c. Approve the Final Plat with conditions.
    d. Table the Final Plat for not more than thirty (30) days one time without the applicants consent.

All decisions of the Planning Commission will be provided to the applicant in writing. If the decision was denial, no subdivision affecting the subject property or a portion of the subject property will be considered for a period of 12 (twelve) months from the Planning Commission decision.

2.7.3 Recording of Final Plat

After the Final Plat has been approved by the Planning Commission the applicant shall produce an original Mylar of the Final Plat. This Mylar will contain all the original certifications signatures and professional stamps as required. The applicant shall secure all other signatures and certifications prior to providing it to the City for signature. Once the plat is signed by the City it will provided back to applicant for recording with Mobile County Probate along with the operations and maintenance plan and deed restrictions. The applicant shall have 60 calendar days from the Final Plat approved by the Planning Commission to record the Final Plat, the operations and maintenance plan, and the deed restrictions.

1. Copies of Recordation: The City shall be provided a copy of the recorded Final Plat, the operations and maintenance plan, and the deed restrictions.

2.7.4 Validity of Recording the Final Plat

Any owner within the jurisdiction limits of these regulations wishing to subdivide land shall make the appropriate application to the Planning Commission for approval. No subdivision shall proceed with any improvements, transfer, or sale of lots until the plat has been properly approved by the Planning Commission.

1. Authorization to Transfer: Land within a subdivision may only be transferred once the plat has been approved and recorded with Mobile County Probate.

2. Building Permit: The City of Semmes will not issue building permits on land requiring a subdivision until:

    a. The plat is recorded with Mobile County Probate, and
    b. The City Council accepts for maintenance the infrastructure located in public right-of-ways.

2.8 Public Infrastructure Acceptance

The City of Semmes will accept for public maintenance infrastructure in the publically dedicated right-of-ways. The City Council will only accept infrastructure for maintenance that is located in the City Limits. Should the project be located outside of the City Limits the applicant shall adhere to the process and requirements established by Mobile County.

2.8.1 General Requirements

All infrastructures to be accepted must be located in a publically dedicated right-of-way. The City will accept all street, sidewalks, and storm drainage system in the public right-of-way only. The City will not accept for maintenance water or sewer line or other utilities regardless if they are located in a public right-of-way or not. In general the steps for acceptance are as follows:

1. Identification of infrastructure to be accepted in public right-of-ways.
2. The project engineer shall calculate the construction cost of infrastructure to be accepted and shall provide a stamped estimate to the City.
3. The owner shall secure a maintenance bond for a period of 2 years and provide it to the City in accordance with the bond requirements of these regulations, subject to review and approval by the City Attorney.
4. The City staff shall prepare a resolution identifying the recorded plat attaching the engineer's construction estimate and the bond provided by the owner.
5. The Council shall consider the resolution and if the resolution passes the identified infrastructure becomes the City's, subject to the bond.

2.8.2 Bonding Requirement

A maintenance bond valid for 2 years from the date of Council acceptance is required for the City to accept infrastructure for maintenance. The bond shall be in a form and in detail suitable as decided by the City Attorney. The bond shall cover material defects, workmanship and other failures, normal wear and tear accepted, for the entire infrastructure to be accepted by the City.

2.8.3 Calculations

The bond amount shall be 100% of the engineer's stamped construction estimate and only for infrastructure to be accepted for maintenance by the City.

2.8.4 Submission Process and Review

The Engineer's stamped construction estimate, the 2 year maintenance bond, and a copy of the recorded plat shall all be submitted together to the City along with a transmittal detailing the request. City staff will review the package for completeness and the City Attorney will review the provided bond. Once the package and bond is deemed to be in order the request shall be placed on the next available City Council agenda.

2.8.5 City Council Acceptance

The City Council shall consider accepting for maintenance only the infrastructure located in dedicated public right-of-ways. The City Council shall not accept any stormwater management systems located outside the public right-of-way. The Council shall consider the resolution and package and if a simple majority of members vote in favor of acceptance the infrastructure becomes the City's responsibility, subject to the maintenance bond.

2.9 Procedural Exceptions

Only the following situations may qualify for procedural exceptions upon submission of a plat and supporting documentation to the Planning Department. After staff review, and determinations are made, the applicant will be advised on how to proceed.

1. Property that is divided by court order.

2. The public acquisition by gift or purchase of strips or parcels of land, or any lot or parcel created there from, for the widening or opening of streets, right-of-ways, drainage easements, utility substation, power line easements, pumping stations, pressure regulating stations, electricity regulating substations, gas pressure control station, or for other public uses.

3. The construction or development of roads or buildings on private property to be used for agricultural purposes. See, Code of Alabama 1975, § 11-24-1(a)(4);

4. Common Boundary Line Modification - must meet requirements of Section 4.12 Lot Standards, for minimum lot standards.

5. Large Acreages – Applicability: Large acreages may be created and transferred only if each and every tract, or lot, or parcel that is created or remains is 20 acres or larger. New tracts, lots or parcels must have existing access and no new infrastructure is needed. The intention here is to allow transfers of property that are rural in nature such as farmland, timberland, and hunting land. Residential lots may not be created through this exception.

3 Natural Resource Protection

3.1 Special Watershed Designations

Any sub-watershed (at the 12 digit HUC designation) that drains into a designated waterbody as being:

1. An impaired water of the state (tier 1 or tier 2 waters, also any 303(d) waters)
2. A public surface water drinking supply
3. Designated habitat areas for any threatened endangered species
4. Any state designated area of historical significance (i.e., via the State Historical Preservation Office)
5. Any special designation conferred by the City Planning Commission
6. In any designated "special watershed", no field lines or septic tanks may be constructed or maintained within a "flood prone area" as defined in *Code of Alabama (1975), Section 11-19-1(3)* or within a "Buffer Zone" as defined herein.

3.2 Land Subject to Flooding

Subdivision and other new construction that encroaches upon a federally designated special flood hazard area as delineated on the most currently adopted Mobile County Federal Insurance Rate Maps shall conform to the Mobile County Flood Damage Prevention Ordinance.

Delineation of the Flood Zone shall be shown on a subdivision plat by FIRM Maps.

3.3 Fill and/or Excavation is Prohibited Unless a FLOOD WAY is Designated

Administration of floodplain regulations will include the prohibition of new construction, substantial improvements, or other development (including fill) within "A" or "AE" zones until a flood way is delineated. This fill will include on-site sewage disposal systems with mound designs. Fill, in this case, will also include fill used for bulkheads construction that includes a design with any form of siding or other surface area that may result in hydraulic impedance. Any fill in an "A" zone will require a permit from the Building Inspection Services Department and/or a detailed flood way analysis or no-impact certification from an Alabama licensed professional engineer. Waivers to the regulation are not allowed, except by the Semmes Planning Commission.

3.4 Natural Features

3.4.1 Protection of Wetlands, Floodplains and Surface Waters.

The design of subdivisions shall be such that protection of streams, wetlands, floodplains, water courses, or other water-bodies is ensured. Protection of these areas includes, but is not limited to, protection against pollutants such as construction runoff, silt, chemical pollutants, debris, and trash. No streams, creeks, rivers, or other bodies of water may be altered from its natural flow or progression. All other appropriate Federal and State permits must be acquired and a certified copy of the applicable Federal and State permits must be provided to the City prior to approval of the Construction Plans.

Placement of a buffer zone to protect the aforementioned identified water-bodies shall be shown. The width of buffer shall be delineated from the designated boundary line of wetlands and the identified top of bank of streams and waterbodies. These buffer areas shall be measured as follows: Within 150 feet of a public drinking water source; within 50 feet of any associated tributaries and/or wetlands of a public drinking water source; all other streams and associated wetlands should be buffered according to ADEM requirements.

A Buffer Zone differs from a construction setback in that the setback establishes a minimum distance between an identified area and construction activities; whereas a buffer zone establishes a natural area adjacent to the identified area or feature that must be retained or restored to a natural vegetative condition.

Disturbance within buffer areas shall be limited to the minimum clearing and excavation necessary to create and maintain:

1. Stream bank stabilization and restoration projects, in accordance with all applicable state and federal guidelines.

2. Recreational trails
3. Public recreational facilities
4. Natural flow and movement of rivers and streams
5. Protected Trees

Leave undeveloped and/or designate as open space shorelines, riparian areas, wetlands, vernal pools, and adjacent buffer lands.

3.4.2 Protection of Critical Wildlife Habitat and Natural Areas

Subdivision boundaries, lot layout and building sites shall be located and configured to minimize adverse impacts on critical wildlife habitat, such as threatened and endangered species. Methods for avoiding such adverse impacts may include, but are not limited to, the following:

1. Locate building sites, roads, and driveways to exclude identified natural areas and critical wildlife habitat.

2. Locate building sites, roads, bridges and driveways to avoid fragmentation of identified natural areas and critical wildlife habitat, to provide habitat continuity.

3. Establish buffer area(s), as recommended by the US Army Corps of Engineers, US Fish and Wildlife Service, the Alabama Department of Environmental Management and/or the Alabama Department of Conservation and Natural Resources, to ensure the protection of critical habitat.

3.5 Tree Protection Standards and Plan

Trees are an important component of the City of Semmes desirability. As such certain trees are important to the City and shall be considered during the planning and design of subdivisions.

3.5.1 Applicability

These standards apply in the territorial limits of the subdivision regulations and to all subdivisions, except minor subdivisions.

3.5.2 Tree Protection Requirements

No protected trees shall be damaged, removed, or altered until the preliminary plat proposed subdivision, or site plan has been approved by the planning commission, and the pre-construction requirements have been satisfied. Protected trees species:

PROTECTED SPECIES	PROTECTED MINIMUM DBH	MATURE HEIGHT/DBH (informational)
Oak	11.25"	80'X45'
Cypress	6.25"	80'X25'
Hickory	10"	80'X40'
Birch	8.75"	70'X35'
Magnolia	10"	80'X40'
Maple	7.5"	50'X30'
Pecan	10"	60'X40'

3.5.3 Tree Plan

In conjunction with the master plan or preliminary plat application the applicant shall locate all protected trees. A protected tree location survey, prepared by a registered land surveyor, professional engineer, registered forester, certified arborist, or landscape architect, identifying all existing protected trees is required for all development applications and shall be included with any site plan, or subdivision application.

The tree location survey drawing shall be overlaid directly upon the site plan or preliminary plat sufficiently to provide the accurate location of all existing protected trees which are proposed to be removed. The survey shall also include a statement indicating how trees not proposed for removal are to be protected during land clearing and construction, if applicable.

Trees that must be removed for stormwater management, utilities, or other infrastructure must be clearly annotated. A tree removal plan shall be annotated.

In lieu of submitting a tree removal plan, an applicant may submit a "no tree" verification statement that there are no protected trees that exist on site. This statement must be verified by the agency responsible for the survey.

3.5.4 Construction

Only the trees approved to be removed during the preliminary plat process shall be removed. During construction of subdivisions the approved tree protection plan shall be adhered to. Violations are subject to the issuance of a stop work order by the City.

3.5.5 Tree Replacement

Protected trees that must be removed to facilitate or develop the proposed subdivision shall be replaced (based on total DBH removed)at a ratio of 1 inch DBH for each inch of DBH removed based on protected tree variety. The goal is to replace the total DBH lost by variety. For example a 20 inch oak tree may be replaced with 4, 6 inch oak trees. The replacement plan shall be submitted with the preliminary plat. No replacement tree shall be smaller than 6 inch DBH. Trees that are replaced must be planted on greenspace within

the subdivision, and shown on the plat as "protected and not to be removed unless diseased as certified by a tree arborist".

The replanting design shall provide adequate space for root and crown development to the maturity stage of the tree variety. The property owner shall be responsible for maintenance of the replacement trees, such responsibility to include replacement of unhealthy and dead trees. The applicant shall submit to onsite inspection of the mitigated trees 12 months after the final plat has been approved. Mitigation of all replacement trees shall be completed prior to final plat approval.

Tree Preservation Fund – if it is demonstrated to the satisfaction of the planning commission that the site is not suitable for onsite tree mitigation or does not have the capacity to hold all of the required mitigation, then the applicant shall contribute a fee, as approved by City Council, per inch DBH required for mitigation, to be used by the City of Semmes for the acquisition and/or planting of protected trees on city owned lands. Any such monies contributed in satisfaction of the applicant's mitigation requirement shall be placed in a specially designated account entitled "The City of Semmes Tree Preservation Fund".

4 PLANNING DESIGN STANDARDS

4.1 General Applicability

The provisions of these Regulations shall apply to all land within the City limits of Semmes, Alabama now or in the future, and to all land within the planning jurisdiction of the City of Semmes, as authorized by the Code of Alabama, Title 11, Chapter 52 and Article I of these regulations. When lands proposed to be subdivided include or abut an existing street, all rights-of-way shall be improved to meet the standards and specifications of these Regulations.

In the event that the land proposed to be subdivided is located outside of the City Limits the more restrictive standard of Mobile County or these regulations shall apply.

4.1.1 General Requirements

Detailed construction specifications and engineering requirements may be obtained from the Public Works Superintendent/City Planner for proposed subdivisions of land within the corporate limits of the City of Semmes. For proposed subdivisions of land within the extraterritorial jurisdiction, contact Mobile County Public Works. Best Management Practices will be utilized in all aspects of the development.

4.1.2 Conformity to Plans and Ordinances

4.1.2.1 Approval

The Planning Commission shall only approve the subdivision of land if the following are found to have been satisfied.

1. Adheres to the City's Comprehensive Plan, where applicable.
2. Conformance with the City's Zoning Ordinance, where applicable.
3. Adheres to other approved planning programs of the City, including but not limited to **"Destination 2040" (www.destination2040.org), the 2040 Long Range Transportation Plan (Mobile Area Transportation Study adopted March 4, 2015),** Pedestrian Plan, Bicycle Plan and Capital Improvement Plan.
4. Adheres to these subdivision regulations.
5. Adheres to other Federal, State or local laws and regulations as applicable.

4.1.2.2 Improvements in Jurisdictional Limits

It is expressly intended by the Planning Commission that the operative procedures of the Code of Alabama Section 11.52.11 hereby apply in its entirety. This results in no streets, square, park, or other public way, ground or open space, public building or structure, public utility whether publically or privately owned shall be constructed or authorized in the municipality or such planned section until the location, character and extent thereof shall have been submitted to and approved by the Planning Commission.

4.2 Underground Utilities

Utilities in all proposed major subdivisions shall be installed underground.

4.3 Phases

Development of a Subdivision may be completed in phases, in which case all the property to be included in the proposed project shall be submitted as a master plan. All phasing must be shown on the submitted plan.

All phases of any subdivision shall adhere to the master plan. ***(Also see 2.3.2.2 Project Phasing; 4.4.5 Phased Projects)***

4.4 Greenspace Standards

4.4.1 Purpose

Greenspace standards shall be used for the physical development of the City and surrounding planning jurisdiction to ensure adequate and convenient open spaces for recreation, light, and air. These standards shall promote the following goals:

1. Create focal points for new and existing neighborhoods by providing appropriately located parks, schools, parkways, and other amenities.
2. Support development of recreational opportunities.
3. Provide public gathering places.

4.4.2 Applicability and Requirements

The greenspace requirements apply to all subdivision Preliminary and Final plat requests where the lots created are less than 5 acres. Subdivisions that fall under the Procedural Exemption section are excluded from the greenspace requirements.

4.4.3 Eligible Greenspace

Greenspace eligible for meeting the requirements of this section shall:

1. not be located in any wetland areas or buffer zones
2. be measured from the outer boundary delineation for any designated wetland or water body boundary
3. not include any detention or similar holding basins
4. not include any right-of-way

4.4.4 Design Requirements

All eligible greenspace shall conform to the following design requirements:

1. Acceptable Streets shall align adjacent to greenspace unless the greenspace is designated as walking or bicycling trails
2. Greenspace may be preserved woodlands or natural areas
3. Greenspace shall not be located adjacent to a collector or arterial street.
4. Regard shall be shown for all natural features such as lakes, ponds, water courses, historic sites and other similar features which, if preserved, will add attractiveness and value to the property
5. Greenspace shall not be located behind proposed lots.

Retention ponds may be considered greenspace by the Planning Commission, on the affirmative recommendation of staff, if the retention pond is designed to be used as a recreational amenity that can be used by the neighborhood.

4.4.5 Phased Project

Where a project is proposed to be phased, the required dedicated greenspace for each phase must be completed before starting the next planned phase. All of the design requirements indicated above shall be applicable to any and all phased development. The percentage of greenspace shall be calculated on a cumulative basis per phase in order to ensure that the greenspace requirements are met.

In a phased development, the percentage of greenspace shall be calculated on a cumulative basis per phase in order to ensure that the greenspace requirements are met. Where a project is proposed to be phased, greenspace must be completed in the approved phase before starting the next planned phase. ***(Also see 2.3.2.2 Project Phasing; 4.3 Phases)***

4.4.6 Greenspace Maintenance

All required greenspace shall be indicated and recorded on the plat with designation of intended use.

1. The plat must also have a note that the property is not dedicated to the City of Semmes and that the City of Semmes is not responsible for maintenance of any or all required greenspace.

2. A homeowner's association (HOA) representing residents of the development shall own the greenspace. Membership in the homeowners association shall be mandatory and automatic for all homeowners of the development and their successors. The homeowners association shall have lien authority to ensure collection of dues from all members. The responsibility for maintaining the greenspace and any facilities located thereon shall be borne by the homeowner's association.
3. If an applicant desires to dedicate greenspace to the City of Semmes, a formal request shall be submitted to the City Clerk and final approval given by the Planning Commission and City Council. Such dedication shall be in legal form satisfactory to City Attorney.
4. Care shall be taken in the maintenance of greenspaces that non-native/invasive plant species, i.e. cogon grass, Chinese tallow (popcorn trees), and Chinese privet, do not overtake native vegetation.
5. Covenants to ensure that greenspace will always remain as greenspace shall be applied as required by the City of Semmes Planning Commission.

4.4.7 Hardship

Where there are unique and inherent characteristics of the land proposed for development, the Planning Commission may, by vote, reduce the greenspace requirements in whole or part. The Commission, however, may not require additional land area for greenspace. A reduction of the greenspace requirements is totally contingent on the unique qualities of the land that are inherent, not man-made, and would deprive a property owner of a reasonable return on the use of the land. It is the sole responsibility of the property owner to portray any and all "hardships" to the Planning Commission for final determination.

4.5 Street Standards

4.5.1 General

Street standards are established for the physical development of the City, by setting the location, character, and extent of streets as well as other public ways to promote good

civic design and arrangement. This design and arrangement shall ensure proper arrangement of streets in relation to other existing or planned streets. Proposed subdivision developments shall have frontage on and access from an existing right of way or a proposed new street shown on a plat submitted for approval. Every subdivision plat shall show all proposed road and pedestrian rights-of-way, as required under these regulations. All new streets shall be paved and constructed to guidelines obtained from the City of Semmes, in the case of subdivisions within the corporate limits, or Mobile County Public Works, in the case of subdivisions within the extraterritorial jurisdiction. All road access shall be subject to the approval of the Alabama Department of Transportation in the case of state highways and subject to the approval of Mobile County in the case of County roads.

The sub-divider is required to pave all streets and lanes with a suitable hard surface, all-weather type of pavement in compliance with ALDOT requirements.

The arrangement, character, extent, location and grade of streets shall be laid out according to good land planning principles and shall be integrated with all existing and planned streets. New streets shall consider topographical conditions, orientation to vistas, public convenience and safety, and the proposed uses of land to be served by them.

Proposed new streets shall extend existing streets or their projections at the same or greater width, but in no case less than the minimum required width, unless variations are deemed necessary by the Semmes Planning Commission for reason of topography or design.

Streets and roads within the Corporate Limits of the City of Semmes must be constructed in accordance with Appendix D, Section D107 "One- or Two-Family Residential Developments" of the 2012 International Fire Code and shall meet the requirements of Appendix D, Section D104.3 of the 2012 International Fire Code. Approved fire apparatus access roads shall be designed and constructed as specified in Appendix D, Section D102 "Required Access" and Section D103 "Minimum Specifications" of the 2012 International Fire Code.

4.5.2 Street Classifications

Streets in proposed subdivisions are classified in accordance with AASHTO policy as follows:

CLASSIFICATION	DESCRIPTION	ROW WIDTH
Rural	Two-lane highway with light traffic volume.	80
Country Lane	Two lane access road with grass swales and no curbs and cutters	60
Local	Provides access to farms, residences, business, with little through traffic, volumes are largely short trips.	60
Collector	Collects local traffic for movement between arterials and provides access; links neighborhoods to a larger network serving moderate traffic volumes.	60

Arterial	Carries large volumes of traffic within and through urban areas. Objective is mobility with limited and controlled access to adjacent property.	100

4.5.3 Street Widths

The following range of constructed pavement widths shall apply:

Classification	Widths
Rural	20'–24'
Country Lane	22'-24'
Local	20'–24'
Collector	22'–34'
Arterial	34'- AASHTO Requirements

Note: Constructed street width DOES NOT include curb and gutter. Curb and gutter are in addition to the table above. See details in Construction section.

4.5.4 Traffic Impact Analysis and Improvements

4.5.4.1 Triggers

A traffic impact analysis shall be required in accordance with the following table, which is based on ALDOT Level of Service values assigned to the first affected collector or arterial road and the number of lots proposed in the subdivision.

LEVEL OF SERVICE (LOS)	PROPOSED LOTS
A	>400 LOTS REQUIRES TRAFFIC IMPACT ANALYSIS (TIA)
B	>250 LOTS REQUIRES TRAFFIC IMPACT ANALYSIS (TIA)
C	>100 LOTS REQUIRES TRAFFIC IMPACT ANALYSIS (TIA)
D	>50 LOTS REQUIRES TRAFFIC IMPACT ANALYSIS (TIA)
E	REQUIRES TRAFFIC IMPACT ANALYSIS (TIA)
F	REQUIRES TRAFFIC IMPACT ANALYSIS (TIA)

Example: Applicant proposing a 75-lot subdivision would need to prove that the LOS is "C" or greater for a TIA not to be required.

4.5.4.2 Traffic Impact Analysis

The scope of the traffic impact analysis shall be mutually agreed to by the City engineer and the project engineer. The traffic impact analysis shall be paid for by the owner/applicant. The traffic impact analysis shall be performed and sealed by a

professional engineer licensed in the State of Alabama, who has expertise in traffic study and transportation planning.

1. Minimums: Any and all recommendations of the traffic impact analysis are considered minimums. The City engineer may recommend additional improvements to the Planning Commission based on historical local knowledge and professional judgment.

2. Improvements: All required improvements as determined by the Planning Commission shall be constructed by the developer in accordance with project development. The City may elect to participate in the project but that decision and manner of participation rests with the City Council.

3. Required Improvements must be designed and approved by applicable jurisdictions such as Mobile County and/or ALDOT.

4.5.5 Street Layouts

It is anticipated that most new streets contemplated by proposed subdivisions will be local in nature. However, there may be times in conjunction with a subdivision request that collector streets are required. The following layout standards apply:

4.5.5.1 Local

Every proposed subdivision shall have a local street at a maximum of 1,320'. The City prefers smaller blocks so where feasible more intersections are encouraged. The Planning Commission, however, due to topography outside of property limits and the size of property to be subdivided may modify this requirement in whole or part in accordance with the Waiver section.

4.5.5.2 Collector

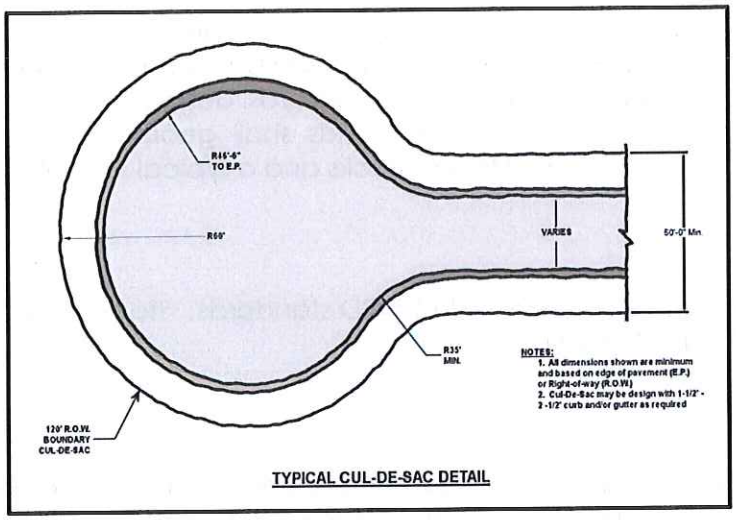
Every proposed subdivision shall have a collector street at a minimum of 1,320' and a maximum of 5,280'. Other existing street types such as rural or urban may count towards this requirement.

4.5.5.3 Access to Abutting Property

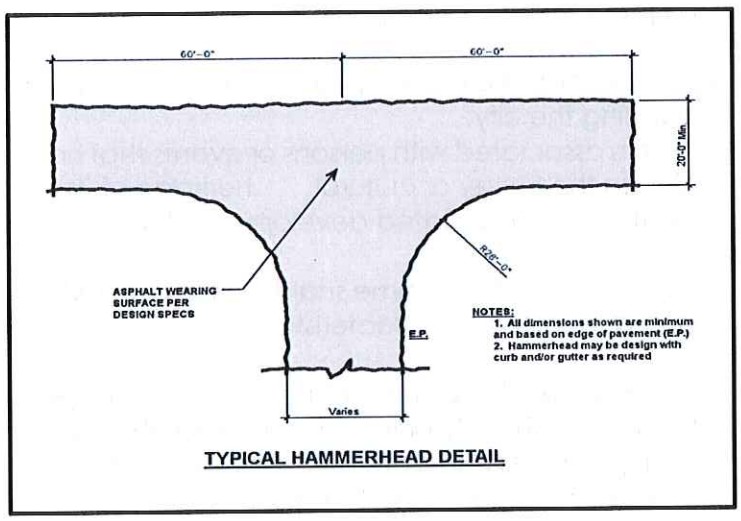
Connections to adjacent property shall occur at a maximum of 2,640' and a minimum of 660'. The connection shall be constructed at the time of subdivision development and may be either a roadway to the property line or a concrete sidewalk/recreational trail. The City prefers that connections are made via roadways. Should a condition exist that precludes the connection such as a stream a stream/river the requirement may be modified in whole or part by the Planning Commission in accordance with the waiver section. When access is provided via a street the street shall be fully constructed in accordance with all construction standards including curb and gutter.

4.5.5.4 Dead End Streets

Permanently closed dead end streets are permitted. They may not be longer than 600'. Streets shall be designed in accordance with the below:



TYPICAL CUL-DE-SAC DETAIL



TYPICAL HAMMERHEAD DETAIL

4.5.6 Streetlights

Streetlights are required to be installed in conjunction with the construction of new streets in a subdivision only when the proposed lots have an average width of 200' or less. If the average width of lots proposed are greater than 200' street lights are not required. Streetlights are not required to be installed with a common boundary line modification request. Streetlights shall be installed on every other lot corner, in residential applications. In non-residential applications street lights are required at a maximum 300' interval. Streetlights may be installed all on one side of the street, both sides, or by alternating installations as agreed by the electric utility provider. Decorative poles and fixtures are required; streetlights

shall not be highway standard type or cobra-head type lights. The homeowner association shall be responsible for all energy and maintenance or costs.

4.5.7 Temporary Turnarounds

When a proposed subdivision consists of more than one phase there maybe the need for a temporary turnaround at an end of a street that will be extended in the future. Temporary turnarounds will be constructed to the same standards, design specifications, and materials as a permanent street. Temporary turnarounds shall geometrically provide adequate maneuvering and turnaround area for fire trucks and a typical school bus.

4.5.8 Street Signs

All street signs shall adhere to the latest MUTCD standards. Stops signs shall be a minimum of 30x30 as prescribed in MUTCD.

4.5.9 Street Names

The following standards shall be applied when considering a street name:

1. Favorable Qualities. The following characteristics shall be viewed favorably when considering a proposed street name:

    a. A name that reflects the natural physical characteristics of the environment in and surrounding the city;
    b. A name that is associated with persons or events that have made a significant contribution to the history or cultural heritage of the city;
    c. A name that relates to a stated development theme.

2. Disqualifying Factors. No street name shall be approved which possesses any one of the following disqualifying characteristics:

    a. A name that duplicates or has a close phonetic approximation of another name of a street in the city or in close proximity thereto;
    b. A name that possesses characteristics that make it reasonably likely the name will be incorrectly read, pronounced or spelled;
    c. A name that is grammatically incorrect;
    d. A name that is inconsistent with the general plan;
    e. A name that conflicts with an established pattern or theme for naming streets in a particular area of the city.

3. Use of Same Name for Street Continuations. Streets which are a continuation of, or approximately the continuation of, any existing street shall be given the same name as such existing street.

4. Street Classifications. All street names shall reflect their characteristic, classification and function in accordance with the criteria below:

a. For country lane and local:
b. West to east axis shall have the designation "road"
c. North to south axis shall have the designation "street."

5. For country lane and local which terminate at intersections at both ends and which have no other intersections:

   a. West to east axis shall have the designation "way"
   b. North to south axis shall have the designation "lane."

6. For rural and collector:

   a. West to east axis shall have the designation "avenue"
   b. North to south axis shall have the designation "drive."

7. Arterials shall be designated as "boulevard" regardless of axis.

8. Cul-de-sac streets:

   a. West to east axis shall have the designation "court"
   b. North to south axis shall have the designation "place."

9. Streets which form a loop and having both ends terminating in intersections on the same street shall be designated as "loop" regardless of axis.

4.6 Design Standards

1. Reserve Strips: Strips of privately held property reserved with the purpose of controlling or limiting access to streets or utilities are prohibited.

2. Half Streets: Half streets are prohibited.

3. Country Lane: Country lanes are a permitted roadway design intended to facilitate rural development in Semmes and its jurisdiction. In order for a country lane to be a permitted, all lots shall have a minimum of 200 feet of street frontage and be at least 1 acre in size.

4. Curb and Gutters: Concrete curb and gutter is required on all streets unless otherwise recommended by the City engineer. The City prefers roll type curb and gutters. Stand-up is permitted. Asphalt wings are prohibited. Curb and gutters are not required on a country lane as permitted by these regulations.

5. Medians: Medians shall typically have Type N curb meeting ALDOT specifications around the perimeter. Other curbing may be approved based on the recommendation of the City engineer.

6. Intersections:

   a. Street intersections should typically be designed to intersect at right angles.

   b. The minimum off set in intersection alignment shall be 200' feet.

   c. Curb Radii: The curb radii at street intersections shall fall with the specified range as demonstrated by the following intersection matrix:

Street Type	Rural	Local	Collector	Arterial
Rural	24'	20'-24'	24'	24'-30'
Country Ln.	20'-24'	20'-24'	20'-24'	24'-30'
Local	15'-20'	15'-20'	20'-24'	24'-30'
Collector	20'-24'	24'	24'-30'	24'-30'
Arterial	24'	20'-24'	24'-30'	24'-30'

   d. Lines of Sight: Appropriate lines of sight all intersections shall be designed and maintained. Obstructions are that obscure visibilities are not permitted between 2'-7' above grade. Trees are permitted provided that limbs between 2'-7' above grade do not obscure visibility. Lower classification streets shall stop or yield at intersections with higher classification streets.

4.7 Traffic Calming

Traffic calming can be an important element that makes a neighborhood livable, desirable, and attractive. Traffic calming is best introduced during the design of the subdivision not after the fact. The City highly encourages traffic calming where the design speeds of local roadways (25mph) can be reasonably expected to routinely be exceeded. Traffic calming techniques may include, but are not limited to, the following:

1. Traffic Circles: Typically a small raised island in the roadway. They may be used at intersections of local streets or on local streets to horizontally deflect the flow of traffic. The intent is to accommodate and engineer the horizontal deflection movements appropriately, not simply drop a circle in the roadway.
2. Roundabout: Typically a raised island at an intersection. The roundabout requires a yield to enter condition where traffic flows counter clockwise. Roundabouts are frequently used in lieu of four-way stop and signalized intersections. When a roundabout is used it shall be appropriately engineered, elevation clearances shall be taken into account for emergency vehicles when the apron is traversed. All curbing shall be Type N.

3. Curb Modifications: There are several techniques that may be utilized. These modifications may be placed at intersections or mid-block as deemed appropriate by the project engineer. These curb modification are intended to narrow the perceived travel way and may also change turning movements at intersections.

Curb modifications such as bulb-outs, or neck downs also narrow the crossing distance of the travel way for pedestrians.

4. Speed Tables: These maybe utilized on local streets and are typically larger than conventional speed bumps. Speed tables are not a preferred method of calming. Other options shall first be explored. Speed bumps are prohibited.

5. Medians: Medians may be utilized as a traffic calming method. It is used as a visual technique to narrow the perceived travel way. If they are just a traffic calming device Type N curb is required.

4.8 Pedestrian Standards

Providing the appropriate provisions for pedestrians is an important part of creating and maintaining community value and desirability. As such the following shall apply to proposed projects:

1. Applicability: Sidewalks are required as follows:
   a. Lot Width Greater than 200': If the proposed lots have an average lot width greater than 200' then no sidewalks are required in the proposed project.
   b. Lot Width Between 150'-199.9': If the proposed lots have an average lot width between 150' and 200' then sidewalk is required on one side of all proposed roads.
   c. Lots Width less than 149.9': If the proposed lots have an average lot width less than 149.9' then sidewalks are required on both sides of all proposed roads.
   d. Intentional efforts to manipulate lot widths to negate the sidewalk requirements may result in staff recommending to the Commission that sidewalks should be required in the proposed development. The Commission intendeds that a large lot, low density development does not meet the sidewalk requirements. The Commission also intends that smaller lot, more dense developments provide sidewalks. There is a sliding scale of requirements as provided above. The Commission and City staff specifically reserves the right to require sidewalks if the above allowances are specifically and intentionally being manipulated.

2. Location: Sidewalks shall be placed in the ROW and shall have a minimum 5' grassed area between the sidewalk and the edge of pavement or back of curb.

3. Installation: All sidewalks shall be constructed within two years of final plat approval. The applicant shall provide a performance bond or letter of credit, suitable to the City attorney guaranteeing the construction of all sidewalks. The amount shall be 150% of the engineers construction cost for the sidewalk only. If the sidewalk is not constructed in 2 years, the City shall use the bond or letter of credit to fund construction. All sidewalks adjacent to common spaces or required recreational space shall be constructed at the time of street construction.

4. Width: Sidewalks in residential settings shall be a minimum of 5' in width. Sidewalks in commercial settings shall be a minimum of 6' in width.

5. Ramps: All sidewalks shall include ramp downs to the street at all intersections in accordance with Americans with Disability Act guidelines.

4.9 Construction Specifications

All streets in any subdivision in the jurisdiction of the City of Semmes, whether such streets shall be private or dedicated for public use, shall be paved, and constructed to the requirements of Mobile County and the City of Semmes. Should there be a conflict between the two; the more stringent of the regulations shall govern. Detailed construction specifications and engineering requirements for the City of Semmes can be obtained in the Design and Construction Standards manual approved by the Planning Commission and available from the Public Works Superintendent/City Planner.

4.10 Widening and Re-alignment of Existing Roads

Where a subdivision borders an existing road not constructed to the City of Semmes' standards (or Mobile County standards, in the case of subdivision of property in the Extended Planning Jurisdiction), or when the Comprehensive Plan or the 2040 Long Range Transportation Plan (Mobile Area Transportation Study adopted March 4th, 2015 – Mobile Metropolitan Planning Organization), indicate plans for construction, realignment or widening of a road that would require future use of a portion of the land in the subdivision, the applicant shall dedicate the additional right-of-way from the centerline. Land reserved for any road purposes shall not be counted in satisfying yard or greenspace requirements and shall be dedicated to the City of Semmes, or Mobile County if applicable, and shown on plat.

4.11 Private Roads

The design and layout of all rural, private road subdivisions shall comply with all provisions of City of Semmes Construction Standards (or Mobile County, in the case of subdivision of property in the Extended Planning Jurisdiction). All private roads, at a minimum, must comply with the IFC 2018 Appendix D, regarding build-up, widths, and turnarounds.

If the property is platted for subdivision and otherwise complies with all provisions of City of Semmes Subdivision Regulations, there shall be placed conspicuously on the Final Plat, the following notice:

"The streets and drives have not been dedicated to the City of Semmes (or Mobile County, in the case of subdivision of property in the Extended Planning Jurisdiction). All streets shall be maintained by the private property owners within the subdivision, but said streets shall always be open or accessible to police, fire (municipal or volunteer) and other official vehicles of all City, County, State and Federal agencies."

Every deed shall clearly acknowledge the following:

"Said roadway is private and not maintained by the City of Semmes (or Mobile County, in the case of subdivision of property in the Extended Planning Jurisdiction)."

Prior to the sale of any parcel in said subdivision, a sign shall be posted and maintained at all entrances to said subdivision stating:

"Private roadway not maintained by the City of Semmes (or Mobile County, in the case of subdivision of property in the Extended Planning Jurisdiction)."

4.12 Lot Standards

The regulations shall implement the Comprehensive Plan of the City of Semmes by establishing a basis for:

1. Good civic design as provided for in the Code of Alabama Section 11.52.
2. Avoiding congestion of population.
3. Providing adequate light and air.

4.12.1 Lot Numbering

Proposed lot numbers shall be sequential all the way through a development that bears the same name, regardless of phase.

4.12.2 Size

1. Lots under Zoning Authority: Each and every lot that falls under the zoning ordinance(s) of the City of Semmes shall meet all applicable dimensional standards. The Planning Commission has no authority to waive, relax, or modify any standard of a zoning ordinance.

2. Lots NOT under Zoning Authority: In the event that proposed lots are not zoned and have public water and sewer the minimum lot road frontage is 100 feet on non-cul-de-sac streets and a minimum total area of 21,780 square feet.

3. Utility Availability: If water of sewer service is located within 300 feet of the property, it shall be extended to serve the property.

4. Water and Sewer: There may be cases when both public water and sewer service cannot be provided to the proposed lot(s) in this case the following minimum standards apply:

    a. Water Available, but No Sewer: If only public water is available and the lot(s) propose using individual septic tanks then the minimum street frontage shall be 100 feet and 21,780 square feet total area- unless Mobile County Health Department requires additional area.

b. No Utility Service: If neither water nor sewer is available to the lot(s) the minimum street frontage shall be a 100 feet and 43,560 square feet total area- unless Mobile County Health Department requires additional area.

Every effort shall be made to make side lot lines at right angles or radial to street lines.

Lots situated on a cul-de-sac or a curved street having a radius of less than one hundred feet at the property line shall have a minimum frontage of at least fifty feet measured along the front property line.

Panhandle or flag lots shall generally not be allowed, but may be permitted only in those locations where varied and irregularly-shaped lot designs are common and the informality of design is consistent with other lots in the vicinity; or, where unusual circumstances such as an odd shaped lot exists; or, separate disparate uses exist on a single lot; or, where there are natural or pre-existing man-made barriers which may cause an undue hardship on the land owner. Requests for panhandle or flag lots shall be accompanied by evidence showing that each panhandle or flag lot is necessary to allow the site owner reasonable use of the site or to alleviate a situation that would otherwise cause extreme hardship.

Where panhandle or flag lots are permitted, the "pole", "handle" or "stem" shall be a minimum of 60' in width for its entirety. If the panhandle or flag shaped lot is larger than one acre, it is large enough to potentially be re-subdivided and the "pole", "handle" or "stem" shall be a minimum of width of 100' in its entirety to allow for future dedication and construction of a public road. The building site area of each panhandle or flag lot shall be exclusive of the "pole", "handle" or "stem". Multiple panhandle or flag lots shall not be allowed as an alternative to road construction. Appropriate emergency vehicles access shall be provided for all flag-shaped lots in which the "pole", "handle" or "stem" exceeds 200' in length as required by the Fire Code adopted by the City.

4.12.3 Access

1. All proposed lots shall have access to a paved publically maintained street. No dirt road subdivisions shall be allowed. Common drives serving a not more than 2 single family homes is permitted.

2. Double frontage lots (excluding alleys) are prohibited.

3. Curb-cuts and Access: Lot access is an important tool to appropriately manage traffic flow and safety. The following minimum standards shall apply for all curb-cuts and access points to residential lots:

   a. Arterial Streets: All access points shall be as required by ALDOT. However, the City may require common access easements for safety.

b. Collector Streets: 200 feet from driveway centerline location to the ROW of nearest cross street with a minimum of 200 feet between curb-cuts.

c. Local Streets: Minimum of 50 feet to the nearest cross street. Maximum of 2 driveway curb-cuts per lot.

d. Upon conversion of a residential lot to commercial use, commercial rules will apply, and non-conforming curb-cuts shall be closed.

4.12.4 Driveway Widths

Driveways for singular lots as measured at the street connections, shall not exceed the following (excluding curb and gutter):

1. Arterial: 48 feet.
2. Collector: 36 feet.
3. Local: 24 feet.

Driveways that are via a common access easement shall be as needed to accommodate stacking and turning movements.

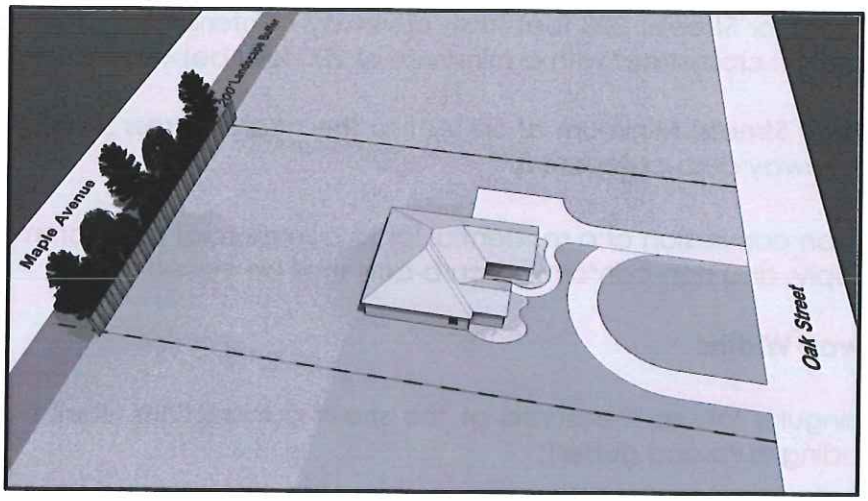
4.12.5 Driveway Radii

All driveways to lots shall meet the following:

1. Arterial: Minimum 24 feet, maximum 36 feet.
2. Collector: Minimum 24 feet, maximum 36 feet.
3. Local: No minimum, max 24 feet.

4.13 Orientation

Should a lot back to an existing or future ROW a minimum landscape buffer of 200 feet on all roads, except arterial is required. On arterials, a minimum buffer depth of 300 feet is required. To prevent the back of the lots from the impact of the road and also prevent the users of the ROW from peering into the back of a lot, landscaping and fences are required. This buffer can be allocated as greenspace or dedicated to the City for future infrastructure needs (as determined by the Planning Commission).



4.14 Building Envelope

1. Zoned Areas: The setbacks shall be as required by the applicable zoning ordinance.

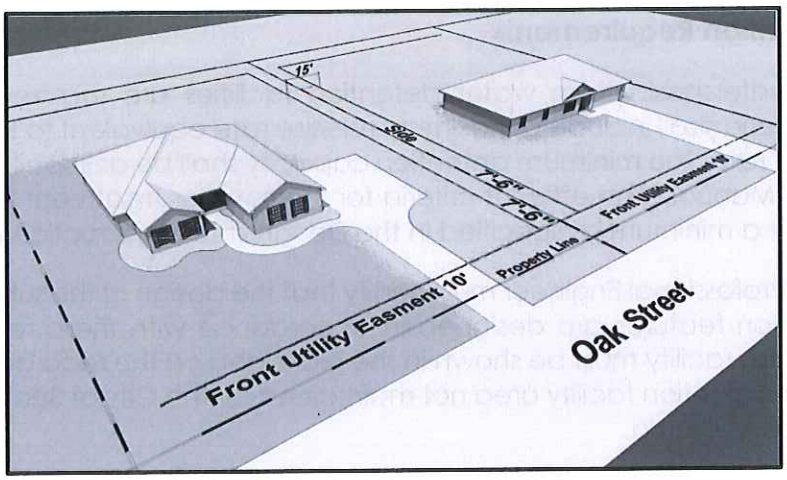
2. Unzoned Areas: The minimum setbacks are:
   a. Front: 35'
   b. Rear: 30'
   c. Interior Side: 15'
   d. Street Side 30'

4.15 Easement Requirements

Easements shall be provided as needed by the design of the subdivision, stormwater management, and utilities.

1. Utility Easements: All lots shall have a blanket 10 foot easement on the front of the lot as shown on the graphic below.

2. Easements along Property Lines: In cases where easements along property lines are required the minimum area shall be a total width of 15 and provided as shown on the graphic below.



4.16 Wetland Protection

Wetlands areas are determined in concert with the definition and practice of the US Army Corps of Engineers. Wetlands areas may be privately held and may count toward the minimum area requirement for proposed lots. It is highly encouraged by the City that wetland areas are held in common space with limited development impacts.

1. Protection: Wetlands may not be included in the building envelope of the proposed lot. Wetland areas may be included in the proposed lot area, but shall not constitute more than 33% of the individual lot area. Appropriate calculations demonstrating conformance to this requirement shall be provided to the City.

2. Fill: Any and all fill materials or proposed filling activity shall be subject to the US Army Corps of Engineers Section 404(b) (1) guidelines. Appropriate permits shall be provided to the City prior to any activity in the wetland areas.

3. Access: Fill materials may be utilized on proposed lots to access upland areas in accordance with permits granted by the US Army Corps of Engineers.

4.17 Size and Shape of Lots

The size, shape and orientation of lots shall be appropriate to the location of the subdivision and to the type of development and use.

4.18 Storm Water Standards

The purpose of the storm water standard section is to attenuate for the increased runoff associated with the development of subdivisions.

4.18.1 Detention Requirements

Within any watershed, storm water detention facilities are required in all Subdivisions. Detention criteria shall include a maximum release rate equivalent to the 10 year storm pre-development rate. The minimum detention capacity shall be as specified in the Design and Construction Manual. The effluent criteria for Stormwater Treatment Design Specifications need to be at a minimum as specified in the Design and Construction Manual.

The licensed Professional Engineer must certify that the design of the subdivision and its storm water detention features are designed in accordance with these regulations. Any storm water detention facility must be shown in the plans and on the recorded subdivision plat as a stormwater detention facility area not maintained by the City of Semmes, Mobile County, or the State of Alabama.

4.18.2 Effect on Downstream Drainage Areas

The Design Engineer shall also review the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision. These drainage studies, together with such other studies as shall be appropriate, shall serve as a guide to needed improvements. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the Semmes Planning Commission, based on recommendation from the City Engineer, may withhold approval of the subdivision until provision has been made for the improvement of said condition, or the subdivision drainage system is designed to reduce impact on the existing facilities.

4.18.3 Maintenance

The Licensed Professional Engineer must submit a plan for storm water detention facilities and for maintenance of any drainage easements not maintained by the City. The owner of any subdivision must provide a deed restriction designation as to who will maintain any such storm water detention facilities and easements. The owner or designee must place covenants such that the maintenance responsibility will run with the land ownership and is enforceable by any person or entity damaged by an owner's failure to maintain such facilities. Where the maintenance responsibility is vested in a property owners' association, articles of incorporation for such property owners' association must be submitted which must state that such association has perpetual maintenance responsibility for any such storm water detention facilities and easements, and that such maintenance responsibility constitutes a covenant that will run with the land ownership and is enforceable by any person or entity damaged by an owner's failure to maintain such facilities. Such signed acknowledgments and articles of incorporation must be a document of record with the Judge of Probate of Mobile County and a copy provided to the Planning Commission prior to final approval of the last phase of any subdivision.

The City Engineer shall not recommend for approval any plat of a subdivision which does not appear to make adequate provision for storm or flood water runoff in accordance with the City of Semmes Design and Construction Standards. The storm water drainage system shall be separate and independent from any sanitary sewer system. A copy of basic design computations shall be submitted along with plans.

All existing drainage facilities and structures shall be shown on the preliminary plat, contour map, and construction plans.

4.18.4 Drainage Location and Easements

Whether it is by means of closed storm drains or curbs and gutters, the subdivision shall have an adequate storm water collection system. Easements for the maintenance and repair of the drainage system shall be reflected on the Preliminary and Final Plats as well as the Engineering Plans.

Installation of stormwater pipes between lots and at the rear of lots shall be avoided. There may be situations where is it permissible to do so, but it shall only be as the result of favorable recommendation of the City Engineer when no other alternative exists.

4.18.5 Detention and Retention Facilities

Detention and retention ponds will be reflected on the Preliminary and Final Plats as well as the Engineering Plans. These ponds will be maintained in accordance with BMP as prescribed by the *Alabama BMP Handbook*. Ownership of storm water management facilities:

1. All storm water management facilities shall be privately owned and maintained unless the Municipality expressly accepts the facility for Municipality ownership and maintenance. The owner of all private facilities shall grant to the Municipality, a perpetual, non-exclusive easement which allows for public inspection and emergency repair.

2. All storm water management measures relying on designated vegetated areas or special site features shall be privately owned and maintained as defined on the storm water management plan.

4.18.5.1 Maintenance, Construction and Inspection

1. Maintenance

   a. Any storm water discharge control facility which services a single lot or residential, commercial, and industrial development shall be privately owned and maintained; provided, however, that owner thereof shall grant to the Municipality, a perpetual, non-exclusive easement which allows for public inspection and emergency repair, in accordance with the terms of the maintenance agreement set forth in Paragraph b below.

   b. All regional storm water discharge control facilities, identified on municipal storm water discharge control master plans, shall be publicly owned and/or maintained only if accepted for maintenance by the Municipality.

c. Private maintenance requirements shall be a part of the deed to the affected property and shown as necessary on the final plat.

2. Operations and Maintenance Plan (privately owned facilities only)

a. A proposed operations and maintenance agreement shall be submitted to the City Engineer for all private on-site storm water discharge control facilities prior to the approval of the storm water management plan. Such agreement shall provide access to the facility by virtue of a non-exclusive perpetual easement in favor of the City at reasonable times for regular inspection by the City Engineer. The agreement will identify who will have the maintenance responsibility. Possible arrangements for this maintenance responsibility might include the following:

- Use of Homeowner associations,
- Private maintenance by development owners(s), or
- Contracts with private maintenance companies.

b. All maintenance agreements shall contain without limitation the following provisions:

- A description of the property on which the storm water management facility is located and all easements from the site to the facility;
- Size and configuration of the facility;
- A statement that properties which will be served by the facility are granted rights to construct, use, reconstruct, repair, maintain, access to the facility;
- Routine and Non-routine maintenance: Description, expected schedule, and cost of maintenance activities that are routine and non-routine (expensive but infrequent, such as pond dredging or major repairs to storm water structures). Non-routine maintenance shall be performed on an as-needed basis based on information gathered during regular inspections
- A statement that each lot served by the facility is responsible for repairs and maintenance of the facility and any unpaid ad valorem taxes, public assessments for improvements and unsafe building and public nuisance abatement liens charged against the facility, including all interest charges together with attorney fees, cost and expenses of collection. If an association is delegated these responsibilities, then membership into the association shall be mandatory for each parcel served by the facility and any successive buyer, the association shall have the power to levy assessments for these obligations, and that all unpaid assessments levied by the association shall become a lien on the individual parcel; and

- A statement that no amendments to the agreement will become effective unless approved by the municipality.

c. The agreement shall provide that preventative maintenance inspections of storm water management facilities may be made by the City Engineer, at his option. Without limiting the generality of the foregoing, the City Engineer's inspection schedule may include an inspection during the first year of operation and once every year thereafter, and after major storm events (i.e., 5- or 10-year floods).

d. Bi-annual inspection reports prepared by a PE at the owner's expense shall be submitted to the City Engineer.

e. The agreement shall provide that if, after an inspection, the condition of a facility presents an immediate danger to the public health, safety or general welfare because of unsafe conditions or improperly maintenance, the Municipality shall have the right, but not the duty, to take such action as may be necessary to protect the public and make the facility safe. Any cost incurred by the Municipality shall be paid by the owner.

f. The agreement shall be recorded by the owner in the Probate Court prior final plat recording.

g. The final plat shall reference the recorded location of the agreement.

h. The agreement shall provide that the City Engineer shall notify the owner(s) of the facility of any violation, deficiency or failure to comply with these regulations. The agreement shall also provide that upon a failure to correct violations requiring maintenance work, within 10 days after notice thereof, the City Engineer may provide for all necessary work to place the facility in proper working condition. The owner(s) of the facility shall be assessed the costs of the work performed by the City Engineer and there shall be a lien on all property of the owner which property utilizes or will utilize such facility in achieving discharge control, which lien, when filed in the Probate Court, shall have the same status and priority as liens for ad valorem taxes. Should such a lien be filed, portions of the affected property may be released by the Municipality following the payments by the owner of such owner's pro-rata share of the lien amount based upon the acreage to be released with such release amount to be determined by the City Engineer, in his reasonable discretion.

i. The City Engineer, at his sole discretion, may accept the certification of a registered engineer in lieu of any inspection required by this Ordinance.

4.18.5.2 Construction and Inspection

1. Prior to the approval of the storm water management plan; the applicant shall submit a proposed staged construction and inspection control schedule. This plan shall indicate a phase line for approval; otherwise the construction and inspection control schedule will be for the entire drainage system.

2. No site work, related to the construction of storm water management facilities, shall proceed until the next preceding stage of work, according to the sequence specified in the approved staged construction and inspection control schedule, is inspected and approved.
3. Any portion of the work which does not comply with the storm water management plan shall be promptly corrected by the permittee.

4. The permittee shall notify the City Engineer before commencing any work to implement the storm water management plan and upon completion of the work.

5. The permittee shall provide an "as-built" plan certified engineer of record to be submitted upon completing of the storm water management facilitates included in the storm water management plan. The engineer of record shall certify that:

   a) The facilities have been constructed as shown on the "as-built" plan, and
   b) The facility meets the approved storm water management plan and specifications or achieves the function for which they were designed.

6. A final inspection shall be conducted by the City Engineer upon completion of the work included in the approved storm water management plan to determine if the completed work is constructed in accordance with the plan.

7. All detention/retention facilities shall be re-inspected as future phases of the subdivision are submitted to the Planning Commission. Inspection results and necessary corrective measures will be forwarded to the City Engineer. Absence of these inspection reports or appropriate maintenance of the facilities could result in stop work orders submitted on any/all work in the subdivision until inspections and corrective measures are complete.

8. The City shall maintain a file of inspection reports and provide copies of all inspection reports to the permittee that include the following:

   a) The date and location of the site inspection.
   b) Whether the approved plan has been properly implemented.
   c) Any approved plan deficiencies and ay actions taken.

9. The City Engineer will notify the person responsible of the land disturbing activity in writing when violations are observed describing the following:

   a) Nature of violation.
   b) Required corrective actions.
   c) The time period for violation correction.

5 CONSTRUCTION STANDARDS

5.1 General

The sub-divider shall be required to install or construct improvements hereinafter described prior to having released bond or other surety, which guarantees the installation of such improvements. All improvements required shall be constructed in conformity with these regulations. All improvements shall be designed and sealed by a Project Engineer. The Project Engineer shall carry Errors and Omissions Insurance at a minimum coverage of at least $1,000,000.

5.2 Streets

5.2.1 Construction Standards

Roads shall be constructed to Mobile County Engineering or ALDOT standards and specifications. All roads shall meet the City's Design and Construction Standards.

Asphalt wings are prohibited.

5.2.2 Accommodation of Upstream Drainage Areas

A culvert or other drainage facility shall, in each case, be large enough to accommodate potential developed property runoff from its entire upstream drainage area, whether inside or outside the subdivision or development.

5.3 Water System

Where a public water supply is located within 300 feet of the subject property the applicant shall construct a water supply system connected to such public water supply with a stub-out for each lot in the subdivision. Water supply systems shall be designed, installed, and maintained to meet the requirements and technical specifications of the water supplier. There shall be no adverse impact on existing water supplies from the proposed water supply for the subdivision. For subdivisions which will connect to an existing water supply system, application for extensions to the system must have prior approval by the officers or agents entrusted with the care and operation of the water supply system.

1. All subdivisions shall have water service. The water service shall not be provided by the City of Semmes but by an independent water authority.
2. Primary water service may be individual well type systems that have been approved by the Mobile County Health Department.

5.4 Fire Hydrants

Fire hydrants locations and distribution are directly related to the amount of "fire-flow" gallons per minute that the water system can provide to the area. Fire hydrant locations and distributions shall meet the requirements as listed in the 2018 International Fire Code Appendix C "Fire Hydrant Locations and Distribution", as incorporated by reference, for any developments and construction within the City of Semmes planning jurisdiction.

Exception to Hydrant Distance Requirements of 2012 International Fire Code Appendix C:
Distance is measured from the DRIVEWAY ENTRANCE TO THE HYDRANT

Distance maximum	GPM minimum	Residual Pressure
800 feet	500 GPM	20 PSI
1,800 feet	1000 GPM	20 PSI
2,800 feet	1500 GPM	20 PSI
3,800 feet	2000 GPM	20 PSI
4,800	2500 GPM	20 PSI

*** Exception shall only be used when the proposed lots are 1 acre or more in size.
*** Exception shall only be used when the lots and potential structures are considered residential by the building code.

5.5 Sanitary Sewerage

Where a public sanitary sewer is located within 300 feet of the subject property the applicant shall construct a sewer collection system and connect to such public sewer system with a stub-out for each lot in the subdivision. For subdivisions which will connect to a public sanitary sewer, applications for extensions must have prior approval by the officers or agents entrusted with the care and operation of the public sanitary sewer. Where public sanitary sewer is not reasonably accessible, as shown above, approval of all proposed lots in the development by the Mobile County Board of Health is required prior to final approval of the proposed subdivision plat.

5.6 Permanent Monuments

Concrete monuments four inches in cross section and three feet long, with a flat top shall be set at all points where the exterior boundaries of the subdivision intersect, including points of curvature and points of tangency on curved boundaries. The top of the monument shall have an "X" indented therein to identify the exact point and the top shall be set flush with grade. All interior lot corners shall be marked with a pipe not smaller than three-quarters inch diameter, 24 inches length and shall be driven flush with finish grade.

5.7 Bridges

Bridges of primary benefit to the applicant, as determined by the City Engineer, shall be constructed at the full expense of the applicant without reimbursement from the City.

6 CONSERVATION SUBDIVISION

6.1 Purposes of Conservation Subdivision

To promote efficient uses of the land to protect and preserve environmentally sensitive areas and Semmes's potable water supply source.

1. To preserve, in perpetuity, unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, watersheds, woodlands and wildlife habitat
2. To permit clustering of buildings and structures on less environmentally sensitive soils in order to reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development
3. To reduce erosion and sedimentation by minimizing and phasing of land disturbance and removal of vegetation in residential development
4. To promote interconnected greenways and corridors throughout the community
5. To provide flexibility to allow for creativity in developments
6. To encourage a more efficient form of development that consumes less open land and conforms to existing topography and natural features
7. To protect water quality in the Big Creek Lake and Eight Mile Creek Sub-watersheds
8. To reduce cost associated with infrastructure (roads, sidewalks, and utilities) and land preparation required by compact conservation designs

Conventional Subdivision

Conservation Subdivision

6.2 General Regulations

6.2.1 Applicability of Regulations

From and after the effective date of the Conservation Subdivision Regulations, all divisions of land in the subdivision jurisdiction, which lie within any watershed, that are ten (10) acres or more, and where the division creates more than four lots, shall have the option of being prepared and presented for approval in accordance with these regulations.

6.2.2 Minimum Land Area for a Conservation Subdivision

The minimum land area for a conservation subdivision is 10 contiguous acres. The Planning Commission may consider smaller parcels, greater than or equal to five acres but less than 10 acres, if the applicant can demonstrate one of the following: (1)

1. The proposed Open Space provides a connection between unconnected existing open space, greenspace, and other protected natural resource areas and will not result in isolated fragments of open space.

2. The proposed Conservation Subdivision would ensure a unique natural or historical significant area will be protected

6.2.3 Housing Density Determination

The maximum number of lots in the Conservation Subdivision shall be determined by the density of the underlying zoning district or by dividing the gross area of the proposed conservation subdivision by the minimum lot size allowed will have a minimum of 100' lot frontage.

6.3 Application Requirements

6.3.1 Site Analysis Map

Prior to the submission of a sketch plan and Project Proposal Conference Form, the applicant shall prepare and submit a Site Analysis Map to the City Engineer for review and approval in accordance with these regulations. The purpose of the Site Analysis Map is to ensure that important site features have been adequately identified prior to the creation of the site design, and that the proposed Open Space will meet the requirements of this article. The following information shall be included on the Site Analysis Map.

1. Delineation of Primary Conservation Areas by type including acreage. The source of this information shall also be indicated.

2. Delineation of Secondary Conservation Areas by type including acreage. The source of this information shall also be indicated. Information included on the site analysis map must be based on existing data sources (i.e. USGS maps, FIRM maps, etc.) and field inspections. All data shown on the Site Analysis Map shall be certified

by a professional engineer. Additional information may be required, as needed, to make further determinations.

6.3.2 Open Space Maintenance Plan

An open space maintenance plan, as described herein, shall be prepared and submitted prior to the initial final plat approval.

6.3.3 Instrument of Permanent Protection

An instrument of permanent protection, such as a conservation easement or permanent restrictive covenant and approved by the City Attorney, shall be placed on the Open Space prior to the filing of the initial final plat.

6.3.4 Other Requirements

Applicant shall adhere to all other applicable requirements of any underlying zoning and the Semmes Subdivision Regulations.

6.4 Open Space

6.4.1 Standards for Determining and Designing the Open Spaces

1. The minimum Open Space shall comprise at least 50% of the gross area of the Conservation Subdivision.

2. Primary Conservation areas are environmentally sensitive areas such as wetlands and floodplains regulated by State and Federal law. Primary conservation areas form the core of the open space to be protected. These areas are required to be included as open space. These areas must be covered by some provision for permanent protection. The following are considered Primary Conservation Areas and shall be included within the Open Space, unless the strict application of these standards would be counter to the purposes of these regulations:

    a. The 100-year floodplain
    b. Stream buffer zones along all perennial and intermittent streams
    c. Slopes above 3.5% of at least one acre contiguous area
    d. Wetlands, designated water-bodies, and associated buffers that meet the definitions used by the Army Corps of Engineers pursuant to the Mobile District and subject to the Clean Water Act
    e. Habitat areas, as designated by the USFWS, for Threatened and Endangered Species
    f. Existing and proposed greenways that connect the conservation subdivision to neighboring areas.

3. Secondary conservation areas include unprotected elements of the natural landscape such as mature woodlands, prime farmland, meadows, and scenic views. Secondary conservation areas consist of undeveloped but buildable land and

protected land. These areas are recommended and desirable for conservation open space and may be covered by the provisions for permanent protection.

4. Secondary conservation areas shall include any vegetated areas adjacent to or in close proximity to Primary Conservation areas.

5. Lots not adjoining the Open Space shall be provided with safe, convenient access to the Open Space.

6. Pedestrian access to the open space should be provided wherever possible and reasonable. The Open Space shall have access to one or more public rights-of-way via a pedestrian trail. Design Standards, for recommended trail standards.

7. All Open Space shall be a part of a larger, continuous and integrated open space system within the development site. Whenever possible, open space shall connect with existing open space or designated greenways on adjacent parcels.

8. All facilities and improvements proposed for construction or installation by the developer in the designated Open Space must be completed and available for use within a time frame determined by the Planning Commission. Such determination shall be based upon completion of a defined percentage of the total dwelling units in the development or by development phases as delineated on the Concept Plan and/or indicated in the written report.

9. If the Conservation Subdivision is divided into development phases, all required Open Space shall be identified on the initial preliminary and final plat.

6.4.2 Exclusions from Designated Open Space Requirements

Excluded from meeting the minimum open space requirement are the following (Also see what constitutes primary and secondary conservation areas):

1. Residential yards, as agreed upon within the Conservation Subdivision plan.

2. Required buffer-yards where such buffer-yards are located inside residential lots.
3. Areas that have been cleared of vegetation, excavated, filled, or otherwise altered from their natural states unless such alteration is consistent with the permitted use of the open space parcel.

4. No existing lake, pond, or other permanent water body shall constitute more than 25 percent of the total open space requirement for the development site.

5. Impervious surfaces in recreation areas.

6. Land devoted to public or private streets or driveways or any land that has been, or is to be, conveyed to a public agency via a purchase agreement for such uses as parks, schools, or other public facilities.

6.4.3 Permitted Uses of Open Space

1. Conservation of natural, archeological or historical resources;

2. Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;

3. Walking or bicycle trails, provided they are constructed of pervious materials;

4. Passive recreation areas, such as open fields.

5. Active recreation areas provided that they are limited to no more than 10% of the total required Open Space and are not located within Primary Conservation Areas. Active recreation areas may include limited impervious surfaces, as approved. Active recreation areas in excess of this limit must be located outside the designated required Open Space.

6. Existing agriculture, horticulture, silviculture or pasture uses, as of the date of the conservation subdivision application, provided that all applicable Best Management Practices are used to minimize environmental impacts and such activities are not conducted within Primary Conservation Areas. Planning Commission may consider a waiver if the proposed agricultural, horticulture or silviculture use is located and designed in such a way that the impact of the use upon the natural resources is substantially minimized;

7. Easements for drainage, access, and underground utility lines;

8. Other conservation-oriented uses compatible with the purposes of these regulations and approved by the Planning Commission.

All permitted uses of the Open Space shall be clearly noted on all subdivision plats and legal documents.

6.4.4 Ownership of Open Space

Open space within a conservation subdivision shall be owned and administered by one or a combination of any of the following methods.

1. *Homeowners Association.* The protected open space shall be held in common ownership in perpetuity by a homeowners association representing all owners of the Conservation Subdivision. Membership in the association shall be mandatory and automatic or all property owners of the subdivision and their successors. The homeowners association shall have lien authority to ensure the collection of dues

and special assessments from all members. The responsibility for maintaining the Open Space and any facilities located thereon shall be borne by the homeowners association. The homeowners association bylaws or the declaration of covenants of the homeowners association shall contain the following information:

a. The legal description of the common land, including any working agricultural uses as appropriate
b. A description of common facilities
c. The restrictions placed upon the use and enjoyment of the lands or facilities in accordance with the Conservation Subdivision regulations.
d. Persons or entities entitled to enforce the restrictions
e. A mechanism to assess and enforce the common expenses for the land or facilities including upkeep and maintenance expenses, real estate taxes, and insurance premiums
f. The conditions and timing of the transfer of ownership and control of land and facilities to the association
g. A provision for amendments to the restrictions placed on the Open Space only with permission from the City of Semmes and by majority vote of the property owners. Amendments shall be filed with the City of Semmes and recorded with the Judge of Probate of Mobile County
h. Any other matter the developer deems appropriate

2. Transfer to a Private Conservation Organization. The owner of the conservation subdivision may transfer the open space to a private, nonprofit organization among whose purpose it is to conserve open space and/or natural resources, provided that:

   a. The organization is a bona fide conservation organization with perpetual existence
   b. The conveyance contains provisions agreed to between the owner and the organization
   c. The receiving organization must use the land for open space purposes as provided by a permanent conservation easement

3. An individual or trust. The protected open space may be held by an individual or trust through fee simple title to the land. The individual or trust must use the land for open space purposes as provided by a permanent conservation easement.

4. Dedication to the City. The protected open space may be offered to the City of Semmes as a public land dedication. Dedication shall take the form of a fee simple ownership. The initial final plat shall not be considered approved until the Semmes City Council approves a resolution accepting the dedication of the conservation area or areas.

The City of Semmes may, but is not required to, accept protected open space. If the City declines the offer of dedication, then one of the other forms of ownership must be provided. If the City agrees to accept the dedication, the City must be provided suitable access to

the Open Space in order to maintain such land. In addition, such land shall be accessible to all residents of the City of Semmes, based upon the suitability and liability considerations of such access, for each dedicated conservation area.

6.4.5 Legal instrument for Permanent Protection

The Open Space shall be protected, in perpetuity, by a binding legal instrument recorded with the deed. The instrument shall be one of the following:

1. A permanent conservation easement in favor of either:

    a. A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions.
    b. A governmental entity with an interest in pursuing goals compatible with the purposes of these regulations, and if the entity accepting the easement is not the City of Semmes, then a third right of enforcement favoring the City of Semmes shall be included in the easement.

2. A permanent restrictive covenant for conservation purposes in favor of a governmental entity.

3. An equivalent legal tool that provides permanent protection, subject to approval by the City Attorney.

The instrument for permanent protection shall:

a. Include the boundaries of the property by survey and metes and bounds legal description
b. Clearly delineate primary and secondary conservation areas
c. Clearly list restrictions on use of the Open Space, including all restrictions contained in these regulations, as well as any further restrictions the applicant chooses to place on use of the Open Space
d. Specify how the property may be transferred as in the case of dissolution of the organization (i.e. homeowners association and conservation organization)
e. Provide for maintenance of the property.

6.4.6 Maintenance of Open Space

Applicant shall submit a Plan for maintenance of Open Space and common facilities that:

1. Designates the ownership of the Open Space and common facilities
2. Establishes and allocates regular and periodic operation and maintenance responsibilities of the Open Space (including signage) and any common facilities located thereon.

3. Establishes and estimates the on-going funding and funding source for the operation and maintenance of the Open Space and common facilities.
4. Includes a long-term management plan for common open space lands. The Maintenance Plan shall include a narrative describing:
    a. Existing conditions of all natural, cultural, historic, and scenic elements in the Open Space
    b. Proposed modification and improvement of natural features
5. Provides for implementation of the Maintenance Plan.

Natural features shall generally be maintained in their natural condition, but may be modified to improve their appearance, or restore their overall condition and natural processes, as recommended by natural resource professionals. Any modifications to the natural features shall be designed to ensure that the purpose of the Conservation Subdivision continues to be met. Permitted modifications may include:

a. Woodland management
b. Reforestation
c. Meadow/Pasture management
d. Wetlands management
e. Stream bank management
f. Trails management

In the event the ultimate owner responsible for maintenance of the Open Space fails to maintain all or any portion in reasonable order and condition, the City of Semmes may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. All costs of such maintenance shall be charged to the owner, or to the individual property owners that make up the homeowners' association, and may include administrative costs and penalties. Such costs shall become a lien on all subdivision properties.

6.4.7 Tax Assessment of Open Space

Once a legal instrument for permanent protection has been placed upon the Open Space, the Mobile County Tax Assessor shall be notified of the reduction in development rights of the Open Space in order to initiate reassessment of the Open Space at a value that reflects its permanent limited uses.

6.5 Concept Plan

A Concept Plan is a generalized plan that depicts the layout of lots, buildings, streets, Stormwater management appurtenances, and open space of the proposed conservation subdivision. The Concept Plan must be submitted prior to an initial preliminary plat for the conservation subdivision. Using the information provided in the Site Analysis Plan and applying the design standards specified in this Article for conservation subdivision, the applicant shall submit a Concept Plan containing the following information:

1. Subdivision name, boundaries, name of the owner and/or developer and registered land surveyor or engineer, date of the plan, a north arrow and scale.
2. A vicinity map showing the general location of the property, development and any incorporated city boundaries within 3 miles of the development.
3. Outer boundary lines or perimeter of the overall development site.
4. Proposed sizes of the various types of lots or parcels to be developed (acreage or square footage).
5. Approximate building footprint of all dwelling units and other structures.
6. Location and acreage of all primary and secondary conservation areas and labeled accordingly.
7. Location and acreage of all active and passive recreation areas including access.
8. The location of existing streets, buildings, railroads, bridges, sanitary sewers, drainage facilities, water mains, and any public utility easements on both the land being subdivided and on the adjoining land.
9. Location and percentage of impervious surfaces.
10. Overall gross density for the development site, as well as, density for each individual stage or phase.
11. Survey data showing the dimensions and bearings of the boundaries of the subdivision; section and corporate lines; and contours at five (5) foot intervals based on City of Semmes Datum or National Geodetic Survey Sea Level Datum, unless required by the City Engineer to submit contours at lesser intervals. In some cases the City Engineer may require spot elevations in sufficient number to provide necessary drainage information.
12. Name or numbering of phases.

The Concept Plan shall be accompanied by a written report describing the following:

1. Total acreage of the development site
2. Total acreage and percentage of Open Space
3. Acreage and percentage of the total land that will be retained as primary conservation areas
4. Acreage and percentage of the total land that will be retained as secondary conservation areas
5. Acreage and percentage of Open Space used as active recreation
6. Acreage and percentage of Open Space used as passive recreation
7. Acreage and percentage of Open Space that qualifies as greenspace in accordance with these regulations
8. Proposed use and improvements in the Open Space such as trails, agriculture, etc.
9. A narrative describing the ownership and method of protecting the Open Space. If the Open Space shall be owned by more than one entity, state the total acreage that shall be allocated to each entity
10. Total number of buildable lots
11. Average lot sizes
12. Minimum front yard setbacks
13. Average size of dwellings (including ISR tabulation)
14. Area of impervious streets, sidewalks, and trails

15. Where pervious materials will be used
16. Overall projected impervious surface ratio (ISR) for the development site
17. Maximum ISR per lot
18. Development Schedule, indicating the approximate date when construction of the various development phases will begin and end

Upon filing of an initial application, the Semmes Planning Commission shall review the application and concept plan. Members from other appropriate departments, including but not limited to, the City Attorney, City Engineer and City Planner may also be requested by the Semmes Planning Commission to review the application. The Semmes Planning Commission shall make the determination whether the Concept Plan is acceptable and meets all the requirements set forth in this Article. The City Engineer shall schedule a site visit to review the natural features of the development site as shown on the concept plan. Upon completion of the concept plan review, the Semmes Planning Commission shall issue comments to the applicant to be addressed on the Preliminary Plat.

6.6 Design Standards for Conservation Subdivisions

6.6.1 Dimensional Standards

Each lot shall have frontage on a public street.

Minimum Lot Area: The minimum lot size is as follows:

Within the Watershed:

Option 1: *Conservation Subdivision*

Minimum lot size for lots without sewer--1.0 acres
Minimum lot size for lots with sewer ---10,890 square feet
Minimum Lot Width: 80 feet
Front Setback: 35 feet
Side Setback: 10 feet
Rear Setback: 20 feet

Option 2: *Conventional Subdivision*

Minimum lot size for lots without sewer--2.0 acres
Minimum lot size for lots with sewer --- ½ acre
Minimum Lot Width: 80 feet
Front Setback: 35 feet
Side Setback: 10 feet
Rear Setback: 20 feet

Outside the Watershed:

Minimum lot size for lots with sewer ---10,890 square feet

Minimum Lot Width: 80 feet
Front Setback: 35 feet
Side Setback: 10 feet
Rear Setback: 20 feet

6.6.2 Maximum Impervious Surface:

The overall impervious surface ratio (ISR) of a conservation subdivision located in a watershed, should not exceed 10 percent of the gross area. If the ISR must exceed 10 percent, then appropriate stormwater Best Management Practices (BMPs) shall be incorporated on the development site outside the required Open Space. Outside the watershed areas, the overall ISR shall be determined by the underlying zoning district. If the development site is located outside the watershed but within the planning jurisdiction, there shall be no ISR requirement.

6.6.3 Shared Driveway

Common/shared driveways are encouraged to reduce impervious surface. All shared driveways must be constructed in accordance with standards approved by the City Engineer.

6.6.4 Sidewalk/Trail System

Sidewalks shall be installed along one side of the street within a conservation subdivision. Pedestrian trails shall also be permitted in a conservation subdivision. Sidewalks or trails must provide pedestrian access to all existing and planned bicycle and/or greenway networks that run through and adjacent to the development site. Trails shall be planned, designed and constructed to avoid or minimize degradation of natural resources. Trails shall be soft-surface except where necessary to prevent erosion and/or resource damage. To the extent possible, trails shall provide for pedestrian, bicycle, and/or other non-motorized uses.

All trails and sidewalks shall be designed in accordance with current American Association of State Highway & Transportation Officials (AASHTO) standards. Sidewalks and trails may be constructed of pervious concrete and other porous materials provided the runoff through the material will not be directed towards the subgrade of the traveled lane portion of a roadway. Sidewalks shall be no less than four feet in width.

The City may consider the installation of an alternating sidewalk/trail system in lieu of sidewalks. Such system must incorporate well-connected sidewalks and trails that link each residential lot with on-site open space, recreational facilities, and other amenities within the development site. A sidewalk/trail plan for the entire development site must be submitted to the City Engineer for approval. The plan shall include a map depicting the proposed location of all sidewalks and trails throughout the development site. The plan shall be submitted with initial set of construction plans for the proposed development site.

6.6.5 Stormwater Treatment Design Standards

When a Conservation Subdivision is located within any watershed, each development site's overall impervious surface ratio (ISR) should not exceed 10 percent of the gross area. Stormwater Best Management Practices (BMPs) shall be required for water quality control if the total ISR is projected to exceed 10 percent for the development site. For development sites with an ISR above 10 percent, stormwater treatment BMPs shall be designed and installed in a manner to achieve the targeted pollutant removal efficiencies.

Outside the watershed areas, the overall ISR shall be determined by the underlying zoning district. If the development site is located outside the watershed but within the planning jurisdiction, there shall be no ISR requirement.

The applicant shall submit a certified Stormwater Management Plan if the total ISR for the development site is projected to exceed 10 percent. The focus of this plan is to describe how the site will be developed in order to achieve the pollutant target removal efficiencies found in manual. The project engineer shall prepare the stormwater plan that includes a water quality/water quantity report, a water quality site development analysis, the location of all structural and nonstructural stormwater treatment BMPs, procedures for implementing non-structural stormwater treatment practices along with a proper maintenance plan. All stormwater management measures shall be incorporated into the design of the conservation subdivision.

The maintenance plan shall contain specific preventative maintenance tasks and an inspection schedule of all stormwater management techniques installed on the development site. The name of a person or persons responsible for preventative and corrective maintenance (including replacement) of the stormwater BMP techniques shall be stated in the maintenance plan. If the maintenance plan identifies a person other than the developer as having the responsibility for maintenance, the plan shall include documentation of such person's agreement to assume this responsibility. Responsibility for maintenance shall not be assigned or transferred to an owner of individual property within a conservation subdivision development, unless such owner owns the entire development. The Stormwater Management Plan shall be reviewed as a part of the subdivision plat review process and must be submitted with the construction plans.

7 PLANNED UNIT DEVELOPMENT (PUD)

7.1 Purpose

The purpose of the PLANNED UNIT DEVELOPMENT (PUD) is to allow diversification in the relationship of the various uses and structures to their sites and to permit more flexibility in the use of such sites. PUD concepts is intended to encourage good neighborhood, housing, or area design thus insuring substantial compliance with the intent of the Subdivision

Regulations and other provisions which relate to the public health, safety, general welfare and at the same time securing the advantages of site planning for residential and commercial use.

7.1.1 Planned Unit Development Example

These PUD regulations encourage imaginative design, planning, and environmental sensitivity based on a comprehensive, site-specific plan, and which enhance the developments ability to implement the Comprehensive Plan. The applicant may elect to apply for these alternative standards at its sole discretion. Use of these alternative standards requires a minimum of three (3) acres of property.

7.1.2 Application/Approval Procedures

1. The application procedure for a PUD shall be the same as for any Preliminary or Final Plat. Fees shall be paid accordingly.

2. A Master Plan that adheres to the requirements below shall be submitted to the Planning Commission for consideration prior to or in conjunction with the Preliminary Plat.

3. A Master Plan as approved becomes the tool that governs development of the property. Any and all plats of the property must be in substantial conformance with the site plan as determined by the Planning Director and/or his/her authorized agent. A Master Plan may not be substantially modified after approval without the re-approval of the Planning Commission.

7.1.3 Master Plan Required

A Master Plan is required to be submitted. The Master Plan is the instrument on which the plat for the project is based. All Master Plan shall provide, in addition to the information on a Preliminary and Final Plat, the following information:

1. Application form supplied by the City and appropriate fee;

2. Name and address of the owner, designer, applicant, and record owners of lands immediately adjacent to the subdivision;

3. North-point, Scale limited to 1:100, Vicinity Map limited to 1:9600, and the date of preparation of the plan;

4. Existing zoning, if any, and uses of contiguous land;

5. Size and location of all existing features including trees greater than 24" in diameter, significant tree stands, drainage channels, streams, ponds, lakes, or other natural features;

6. Classification and mixture or all proposed buildings types within the site plan;

7. Architectural features, including building elevations, exterior material, and roof pitches of all building classifications within the site plan;

8. Size, location, and sufficient dimensions of all buildings and improvements within the site plan to indicate their size and relationship to all proposed and existing streets, lot lines, and structures and improvements within or contiguous to the site plan;

9. Covenants and restrictions that will be recorded with the site plan and plat, and will run with the property;

10. Density in dwelling units per acre for residential uses;

11. Location and dimension of all site improvements including sidewalks, pedestrian paths, streets, lanes, driveways, and parking areas;

12. Landscape plan including the location, landscape elements, lighting, and other public or private amenities;

13. Landscape plan for all public areas, streetscapes, and greenspace, including location, dimensions, landscape elements,

14. Proposed phases of the site plan, if any, clearly showing phase lines and approximate time frames for construction of each phase;

15. Topographical information

16. Plans shall include a site data table box including, but not limited to, the total acreage of the site, the acreage of the common area, the number of lots, the density, and the number of units proposed.

17. A comprehensive narrative statement describing the proposed uses of all land, structures, and improvements, and explaining the function and operation of the site plan as a whole; and

18. Additional data as the Commission requires.

7.1.4 Master Plan Approval

The Master Plan approved by the Planning Commission stands for six months from the date of approval. If the preliminary plat is not submitted for approval within the six months after Master Plan approval, the approval becomes null and void. Review and re-approval shall be required for any new plan, or the same or similar plan, according to the standards and procedures of this section.

Following the review and approval of a Preliminary or Final Plat associated with a Master Plan, the Master Plan shall be valid for the period of the Preliminary or Final Plats validity.

7.1.5 Conformity with Subdivision Regulations

Any PUD plat must conform to all procedures and standards of the Subdivision Regulations, except where modification of the design, planning, and public improvements have been approved by the Planning Commission. The Planning Commission may modify the required standards of the subdivision regulations based on clear and convincing proof presented by the applicant, that each alternative standard proposed directly implements goals of the Comprehensive Plan and purposes of these regulations more effectively than the standard regulations.

8 ADMINISTRATION

8.1 General Provisions

These Subdivision Regulations shall be administered by the City of Semmes Planning Commission. The Mayor of the City of Semmes shall be the official responsible for such administration.

8.2 Penalties

Any person violating any of the provisions of these Regulations shall, upon conviction, be punished by a fine of not more than $500, or by imprisonment not more than six (6) months, or by both such fine and imprisonment, and also assessed court costs for each offense. Each

day such violation continues shall constitute a separate offense. The City has the express ability to issue stop work orders during the course of construction of a subdivision.

8.3 Application Fees

Upon submission of a subdivision application, the applicant shall pay all applicable fees in accordance with the City of Semmes Fee Ordinance. All fees for subdivision applications are non-refundable.

After filing an application with the Planning Commission for review, if the applicant, engineer, and/or owner requests withdrawal of the subdivision application at any time before the application is acted upon by the Planning Commission, and if said application is withdrawn from consideration before being acted upon by the Planning Commission, any subsequent requests by the applicant, engineer, and/or owner for review of the same or similar application will be treated as a new application. Therefore, the fee schedule as set by the City of Semmes Fee Ordinance will apply as if it were a new application, provided, however, that the foregoing shall not apply to withdrawal requests made by the Planning Commission.

8.4 Amendments

These regulations may from time to time be amended by the Semmes Planning Commission. Such amendments shall be published as provided by law for the publication of ordinances. Before the adoption of any amendment, the Planning Commission shall hold at least one public hearing thereon, notice of time and place of which shall be given by publication in a newspaper of general circulation in the City or by posting in at least three (3) public places in the City. The adoption of any such amendment shall be by resolution of the Planning Commission carried by the affirmative votes of not less than six (6) members of the Planning Commission. An attested copy of the amendment shall be certified to the City Council and to the Probate Judge of Mobile County, Alabama.

8.5 Requirements Held Minimum

In their interpretation and application, the provisions of these regulations shall be held to be minimum requirements for the promotion of the public health, safety, and general welfare. More stringent provision may be required if it is demonstrated that different standards are necessary to promote the public health, safety, and welfare.

8.6 Conflicting Provisions

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

8.7 Severability

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

8.8 Effective Date

These regulations shall take effect and be in force from and after the date of adoption according to law,

ADOPTED AND APPROVED THIS 9th DAY OF JUNE 2020

SEMMES PLANNING COMMISSION

Howard Smith, Chairman

ATTEST:

Beth Mowery, Planning Commission Secretary