

CITY OF BAYOU LA BATRE

SUBDIVISION REGULATIONS

DATE OF ADOPTION – MARCH 29, 2018

Provided by the South Alabama Regional Planning Commission (SARPC) in conjunction with the City of Bayou La Batre Planning Commission

MAYOR

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ARTICLE 1
AUTHORITY, PURPOSE, JURISDICTION & TITLE

SECTION 1.1 PURPOSE

The purpose of these Subdivision Regulations is to promote the health, safety, and general welfare of present and future residents and to effect the coordinated and efficient development of the City of Bayou La Batre, Alabama in accordance with the Comprehensive Master Plan and all other plans or programs adopted by the City for the physical development of the City of Bayou La Batre and neighboring territory. These regulations shall be implemented to achieve the following goals and purposes:

1. The proper arrangement of streets in relation to other existing and planned streets and the Comprehensive Master Plan;
2. Adequate and convenient open spaces for pedestrian, bicycle, and recreation;
3. Adequate and convenient open spaces for utilities and public safety access;
4. Adequate and required open spaces for storm water maintenance and flood prevention;
5. The avoidance of congestion of population;
6. Proper grading and drainage of streets and other ways;
7. Proper and timely installation of water, sewer, other utility mains, piping, or other facilities and improvements.
8. Accomplishing coordinated, adjusted, and harmonious development of the City and neighboring territory;
9. Promoting good civic design and arrangement;

SECTION 1.2 AUTHORITY

These subdivision regulations are adopted pursuant to the authority granted the Planning Commission of the City of Bayou La Batre by Section 11-52-30, *et seq*., of the Code of Alabama.

SECTION 1.3 JURISDICTION

These regulations shall govern the subdivision of lands within the Corporate Limits of the City of Bayou La Batre, including all land areas lying within the extra-territorial jurisdiction boundary of the Corporate Limits. Any owner of land within the jurisdiction wishing to subdivide land shall submit a plat of the subdivision to the Planning Commission which shall conform to the minimum requirements set forth in these regulations. No building permit and no certificate of occupancy shall be issued for any parcel of land created by subdivision; and no subdivider shall proceed with the sale or rental of lots or the erection of buildings, excluding required public improvements and utility structures, within

a subdivision until such subdivision plat shall have been granted Final Plat approval entered in writing on the plat and signed by the Chairman of the Bayou La Batre Planning Commission and recorded in the Office of the Probate Judge of Mobile County, Alabama.

SECTION 1.4 INTERPRETATION

In interpreting and applying the provisions of these regulations, it shall be determined that these provisions are to be considered ***minimum requirements*** for all subdivision of lands to ensure the public health, safety, and general welfare for the City of Bayou La Batre, Alabama and the extra territorial jurisdiction of the City. Whenever it is determined that a development requires higher standards for proper and safe development in addition to the requirements of the provisions of these subdivision regulations, such other applicable statutes, ordinances, or additional regulations shall govern.

SECTION 1.5 POLICY

Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from flood, fire, or other menace, and land shall not be subdivided until proper provision has been made for drainage, water, sewerage disposal and streets.

A subdivision of land is defined as the division of a lot, tract, or parcel of land into two (2) or more lots, tracts, or parcels or other divisions of land for the purpose of immediate or future sale or building development. The term subdivision includes the process of re-subdividing land.

SECTION 1.6 ADMINISTRATIVE SUBDIVISIONS

Notwithstanding the preceding paragraph, the following subdivisions of land shall be considered Administrative Subdivisions. Land owners of administrative subdivisions shall not be required to submit a plat to the City Planning Commission nor pay any of the required fees. A public hearing is not required. Administrative Subdivisions shall be subject to review by the city's Building Official for compliance with the minimum requirements contained in these subdivision regulations. The requirement for approval to subdivide does not constitute exemption from the minimum requirements of other applicable regulations including but not limited to zoning regulations and Health Department requirements. Any subdivider who appears to be circumventing the intent and substance of these Regulations may be required to submit a plat for review and approval by the Planning Commission and shall be subject to the penalties under Enforcement of these Regulations.

(a) Property that is divided by probated family estates.

(b) Subdivision of land by court order including, but not limited to, judgments of foreclosure.

(c) The subdivision of property for the limited purpose of sale, deed, or transfer of land by the land owner to a member or members of the land owner's legally related immediate family, including, parents, grandparents, spouses, siblings, children, grandchildren, or step-related individuals of the same status, either adopted or biological. Each newly created lot shall have deeded ingress/egress and front an existing road or right-of-way to ensure access is provided to all newly created lots.

Additionally, all newly created lots must meet the minimum standards of the street and lot requirements of these subdivision regulations.

(d) The public acquisition by gift or purchase of strips or parcels of land for the widening or opening of streets or for other public uses.

(e) An owner of a parcel of real property may convey a portion thereof to an adjacent land owner without being subject to the provisions of these regulations provided that no new lots are created, that the lots within the subdivision meet the minimum lot requirements, and that no existing easement shall be vacated or moved without approval by the City and the granting of a like easement acceptable to the city.

(f) The division of land wherein the size of each and every resulting parcel of land equals or exceeds twenty (20) acres including public rights-of-way and involves no street or other public improvements.

(g) The construction or development of roads or buildings on private property to be used for agricultural purposes.

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ARTICLE 2
DEFINITIONS

SECTION 2.1 USAGE

For the purpose of these regulations, certain numbers, abbreviations, terms and words used herein shall be used, interpreted, and defined as set forth in this section. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular number; the word "herein" means "in these regulations"; the word "regulations" means "these regulations".

SECTION 2.2 WORD INTERPRETATION

A "person" includes a corporation, a partnership and an incorporated association of persons such as a club; "shall" is always mandatory; "may" is permissive; a "building" includes a "structure" and includes any part thereof; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied".

SECTION 2.3 WORDS & TERMS DEFINED

Abutting/contiguous property: Any property that is immediately adjacent to touching or separated from such a common border by a right-of-way, alley or easement.

Accessory dwelling unit: a dwelling unit that is incidental and subordinate to the principal dwelling unit on the lot.

Accessory structure: A detached, subordinate building or structure, located on the same building site with the main structure, the use of which is incidental to that of the main structure.

ADEM: Alabama Department of Environmental Management

Administrative Subdivision: A subdivision of land that is handled administratively through the city's Building Official. Applications are not required to go before the Planning Commission and do not require a public hearing for approval.

Adverse Affect: the potential for harm or damage to downstream areas where receiving systems and facilities are deemed inadequate to satisfactorily accommodate runoff from upstream development.

ALDOT: Alabama Department of Transportation

Alley: a drive serving the rear or side of properties which also abut a street.

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

Arterial Street: see Street, Arterial

Authorized Representative or Agent: a person, firm or corporation who is empowered to act for a principal on matters which come within the scope of designated activities.

Base Flood: The flood having a one (1) percent chance of being equaled or exceeded in any given year.

Base Flood Elevation: The elevation for which there is a one (1) percent chance in any given year that flood levels will equal or exceed it.

Best Management Practices (BMP): are structural and non-structural measures to minimize quantity and maximize quality of runoff from a construction site, including sediment and erosion control BMPs, good housekeeping BMPs, and storm water BMPs.

Bioretention Cell (BRC): is a depression in the landscape that captures and stores runoff for a short time, while providing habitat for native vegetation that is both flood and drought tolerant.

Block: a division or parcel of land entirely surrounded by public highways, streets, alleys, or other rights-of-way - where platting is incomplete or disconnected, block outline may be determined by subdivider.

Buffer: see Screened Planting Strip

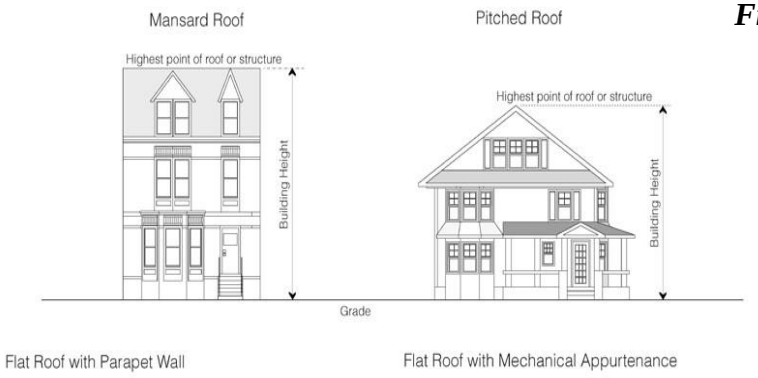
Buffers for Stormwater Management: See WATERCOURSE BUFFER.

Building: Any enclosed structure intended for shelter, housing or enclosure of persons, animals or chattels.

Building Area: that portion of a lot occupied by the main building, including porches, carports and other structures attached to the main building.

Building Height: the vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line for mansard roofs and to the main height between eaves and ridge for gable, hip and gambrel roofs. (see *Figure 2.1*)

Figure 2.1



Building Line: See Setback Line

Bulkhead: a retaining wall, sea wall, partition or any other hard surfaced partition along a waterfront separating a waterbody from uplands.

CPESC: Certified Professional in Erosion and Sediment Control

City: The City of Bayou La Batre, Alabama.

City Council: the governing body of the City of Bayou La Batre, Alabama.

Cluster Development. A site planning technique that concentrates buildings and structures in specific areas on a lot, site, or parcel to allow the remaining land to be used for recreation, open space, and/or preservation of features and/or structures with environmental, historical, cultural, or other significance. The techniques used to concentrate buildings may include, but shall not be limited to, reduction in lot areas, setback requirements, and/or bulk requirements, and with the resultant open space being devoted by deed restrictions for one or more reasons.

Collector Street: see Street, Collector

Comprehensive Master Plan: the long-range plan, adopted by the City, for the physical, systematic, and orderly development of the City and its planning jurisdiction with particular regard to streets, parks, industrial and commercial undertakings, civic beauty and other matters properly within the police power.

Conservation easement: an easement that transfers usage rights which is a legally enforceable land preservation agreement between a landowner and a municipality or qualified land protection organization (often called a land trust) for the purpose of conservation. It restricts real estate development, commercial and industrial uses, and certain other activities on a property to a mutually agreed upon level.

Condominium Development: real estate, portions of which are designated for separate ownership and the remainder of which is designated by common ownership solely by the owners of those portions. The development type is hereby subject to the same development reviews and procedures as a conventional subdivision.

Corner Lot: see Lot, Corner

Crosswalk: a designated transverse right-of-way across a public street for the purpose of protection of pedestrians crossing to the other side of the street.

Cul-de-sac: a minor street designed to have one end permanently closed, the closed end being terminated with a vehicular turnaround.

Curb or Curbline: shall mean the vertical face of a concrete curb nearest the center of the street or, where no curb exists, the edge of the traveled way.

Curb Cuts: A design method that is installed in easily flooded areas to redirect stormwater into vegetated areas such as roadside swales, parking lot islands, or grassy fields. They are an inexpensive and easy retrofit to traditional curbs that are effective in moving stormwater to landscaped areas to minimize erosion.

DBH: Diameter at Breast Height, or 4.5 feet above the grade. Used to measure all trees.

Dedication: the transfer of property from private to public ownership.

Detention Facility: a storm water management facility which provides temporary storage of storm water runoff in ponds, parking lots, depressed areas, rooftops, buried underground vaults or tanks, etc., for future release, and which is used to delay and attenuate peak flow and volume.

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

Development: Includes, but is not limited to, the design work of lot layout, the construction of drainage structures, the construction of buildings and public use areas, the planning and construction of public streets and public roads, and the placement of public utilities.

Differential Runoff: the difference between the rate and volume of storm water runoff from a particular parcel or project in its undeveloped or natural condition and that of the same property after development.

Double Frontage Lot: see Lot, Double Frontage or Through Lot

Drainage Easement: a restricted area on privately owned land that is typically located 5-10 feet inside property lines for the use of which is reserved for a drainage purposes, such land required for the installation of stormwater sewers or drainage ditches and /or required for the preservation and maintenance of a natural stream ore watercourse or other drainage facility. Any type of construction or obstructions are prohibited in the drainage easement for flood prevention purposes.

Dwelling/Dwelling Unit: Any covered structure intended for the shelter, housing or enclosure of persons.

Easement: a restricted area on privately owned land, the use of which is reserved for a specific purpose or public utility, such right of use to run with the land in perpetuity unless the governing body, by resolution, assents to the vacation of such easement upon a finding that there is no public need therefor.

Engineer: one who is licensed to practice as a Professional Engineer in his qualified field of expertise by the Alabama Licensing Board for Engineers and Land Surveyors. A qualified engineer undertaking the design and inspection of construction within subdivisions may be referred to herein as the Project Engineer.

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

Flood or Flooding: A general and temporary condition of partial or complete inundations of normally dry land areas from:

(a) the overflow of inland or tidal waters
(b) the unusual and rapid accumulation of runoff of surface waters from any source.

Flood Hazard Areas: Land in the floodplain subject to a one (1) percent or greater chance of flooding in any given year.

Flood Insurance Rate Map (FIRM): An official map of a community on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to a community.

Floodplain: Those area defined by the U.S. Geological Survey or the U.S. Army Corps of Engineers as subject to flooding once in 100 years, based on topography.

Floodway: The stream channel and the portion of the adjacent floodplain which must be reserved solely for the passage of floodwaters in order to prevent an increase in upstream flood heights of more than one (1) foot above the predevelopment conditions.

Floor Area, Gross (GFA): The sum of the gross horizontal areas of all enclosed floors of a building, including cellars, basements, mezzanines, penthouses, corridors and lobbies from the exterior face of exterior walls, or from the centerline of a common wall separating two buildings, but excluding any space with a floor-to-ceiling height of less than 6 feet, 6 inches.

Front Yard: see Yard, Front

Green Infrastructure: Natural features serving as protective and functional measures that serve multiple uses including stormwater flow rates, water storage areas, water conveyance areas, habitat protection, and runoff filters. Green infrastructure can include parks, buffers along waterways, greenways, farms, backyards, landscaped areas, community gardens, trails, and other recreational features.

Hardship: An unusual situation on the part of an individual property owner which will not permit the full utilization of property which is given to others within the county. A hardship exists only when it is not self-created.

Highway: a road or street that forms a part of the existing or projected Federal Aid Highway System, the State road system or the County road system.

Impervious Surface Cover: any surface that does not effectively absorb water and highly resistant to infiltrate water.

Interstate: Main function to accommodate significant high-speed, long-distance traffic and function as freight and commerce transportation corridors.

Jurisdictional Wetland: See WETLANDS, JURISDICTIONAL.

Living Shorelines: A variety of shoreline stabilization techniques adjacent to sheltered waterbodies other than beaches and open oceans that allows for natural coastal processes to remain through the strategic placement of native plants, stone, sand fill, and other structural and organic materials.

Local Street: a street used primarily to provide access to abutting property over short distances, generally designed to have little continuity or accommodate minimal volumes of vehicular traffic. Local streets are frequently interrupted by traffic control devices.

Lot: A lot is the basic development unit for determination of lot area, depth, and other dimensional regulations; or a parcel of land whose boundaries have been established by some legal instrument such as a recorded deed or recorded map and which is recognized as a separate legal entity for purposes of transfer of title. The following describes the types of lot configurations: (see *Figure 2.2*)

Lot, Corner: a lot situated at the junction of, and abutting on, two or more intersecting streets.

Lot, Double Frontage or Through Lot: a lot which abuts a public way on both front and rear or a lot which extends all the way through the block.

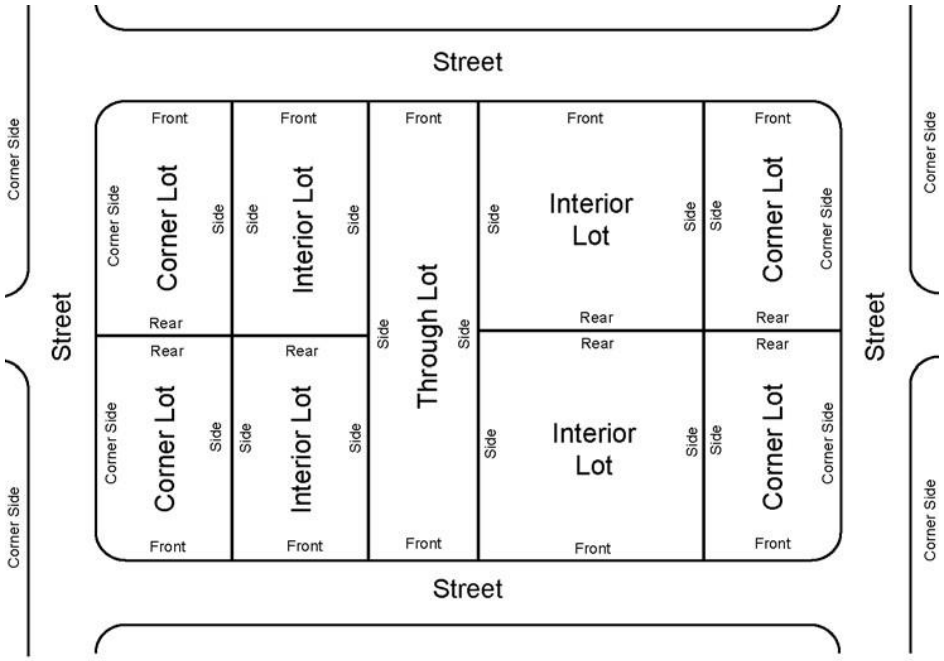
Lot, Flag: A lot with access provided to the bulk of the lot by means of a narrow corridor.

Lot, Improved: a lot with buildings or structures.

Lot, Interior: a lot other than a corner or through lot, bounded by two interior side lot lines.

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

Figure 2.2

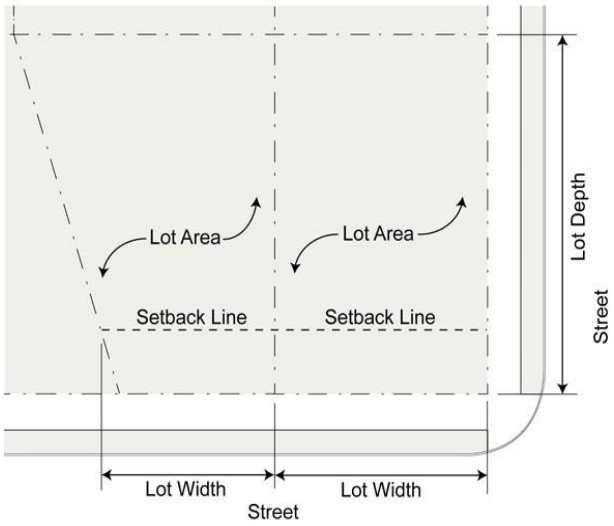


Lot Area: The total area within the boundaries of a lot, excluding any street right-of-way, usually reported in acres or square feet. (see *Figure 2.3*)

Lot Building Coverage: That portion of the lot that is or may be covered by buildings, accessory buildings, and other structures covered by a roof.

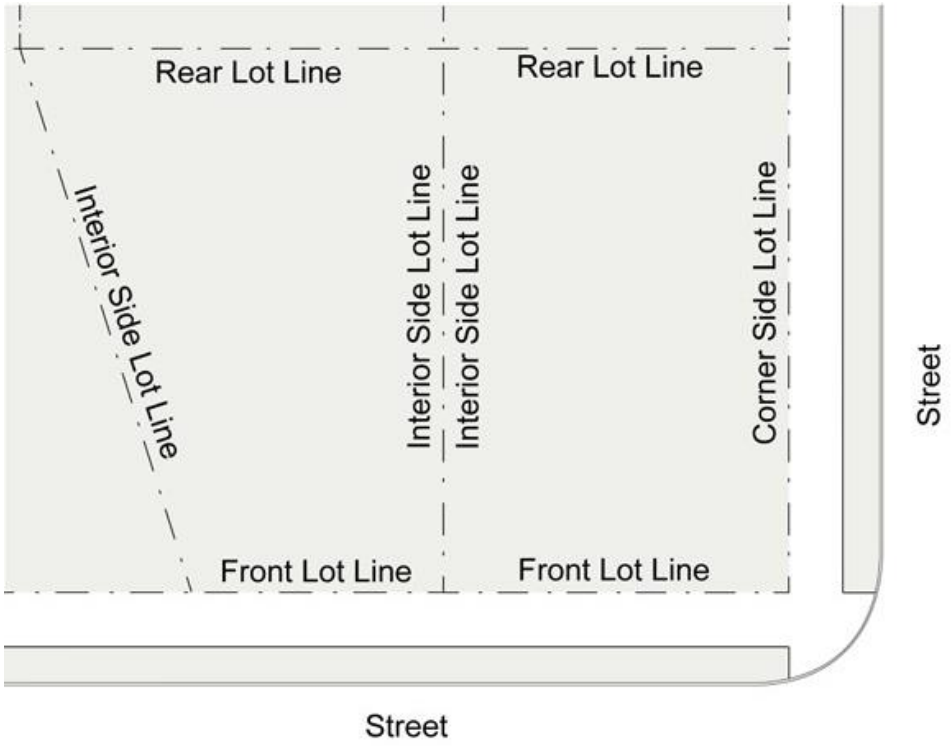
Lot Depth: The distance measured from the front lot line to the rear lot line. For lots where the front and rear lot lines are not parallel, the lot depth is an average of the depth. (see *Figure 2.2*)

Figure 2.3



Lot Line: A line of record, bounding a lot, which divides one lot from another lot or from a public or private street or any other public or private space and includes: (see *Figure 2.4*)

Figure 2.4



1. A front lot line: the lot line separating a lot from a street right-of-way. The front lot line of a corner lot is the shortest street lot line of a corner lot abutting a street. A front lot line for a through lot is both lot lines that abut a street.

2. A rear lot line: the lot line opposite and most distant from the front lot line, or in the case of triangular or otherwise irregularly shaped lots, an assumed line at least ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.

3. An interior side lot line: a lot line that is perpendicular or approximately perpendicular to the front lot line and abuts another lot.

4. A corner side lot line: a lot line that is perpendicular or approximately perpendicular to the front lot line and which is the longer street-abutting lot line of a corner lot.

5. A street lot line: a lot line that abuts a street.

Lot Width: Lot width is the horizontal distance between the side lot lines measured at right angles to its depth along a straight line parallel to the front lot line at the minimum front setback line. (see *Figure 2.3*)

Lot of Record: A lot which is part of a subdivision, the plat of which has been recorded in the Office of the Probate Judge of Mobile County.

Low Impact Development: a planning, land development, and engineering design approach to manage stormwater runoff using permanent, on-site natural features to protect water quality.

Low Traffic Area: Areas with less than 100 vehicles traveling on them per day.

Major Street: see Street, Arterial

Major Subdivision: see Subdivision, Major.

Master Plan: The master plan for the physical development of the planning of Bayou La Batre as adopted by the Bayou La Batre Planning Commission.

Minor Street: see Street, Minor

Minor Subdivision: see Subdivision, Minor

Monument: a permanent object which serves to indicate a limit or to mark a boundary.

Nonresidential subdivision. A subdivision which has an intended use other than residential uses. Such subdivision shall comply with the applicable provisions of these regulations.

Official Maps and Plans: the maps and plans prepared as a part of the Comprehensive Plan.

Open Space: Any parcel or area of land or water that is unimproved, not occupied by any structures or impervious surfaces. Designated or reserved for use and enjoyment of general public.

Owner: Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.

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

PE: Professional Engineer

Parkway: a road or street that forms a part of an existing or proposed Parkway System.

Pervious Surface Materials: An inexpensive alternative type of construction material that is used in placed of traditional concrete or asphalt surfaces to infiltrate and temporarily retain stormwaters. It provides a volume reduction of stormwater runoff through temporary storage. It is most suitable for residential driveways, walking paths, overflow parking areas, and other low traffic areas that might otherwise be paved as an impervious surface.

Planning Commission: the Planning and Zoning Commission of the City of Bayou La Batre, Alabama.

Preliminary Plat: A tentative plan of the complete proposed subdivision submitted to the Bayou La Batre Building Official and Planning Commission for consideration.

Principal Structure: A building in which the primary use of the lot on which the building is located is conducted.

Probate Judge: The Judge of Probate of Mobile County, Alabama.

QCP: Qualified Credentialed Professional

Rear Yard: see Yard, Rear

Recorded Plat: A Plat of a proposed subdivision meeting the conditions of the Final Plan approval, if any; and containing signatures on all of the required certifications and signature blocks.

Re-subdivision: A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or the adjustment of any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

Retention Facility: a storm water management facility that provides storage of storm water runoff and is designed to eliminate subsequent surface discharges from the property. These facilities are sometimes effective in reducing downstream flooding because they do not allow discharge of storm water runoff to downstream locations except in extreme flood events where the storage volume of the facility is exceeded. Retention facilities can also be effective in reducing surface water storm water

pollution since the pollutants contained in storm water are filtered and settled out in a retention facility and not released downstream.

Right-of-way: a strip of land acquired by the City by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a street, crosswalk, sidewalk, planting strip, median, bike lanes, railroad, utility transmission lines, and other similar uses for the benefit of the public.

Right-of-way width: the entire right of way, the perpendicular or radial distance between the boundaries of property abutting either side of the right-of-way.

Road, Traveled Way or Street Surface: that part of a street or highway available for use by vehicular traffic - the portion from face of curb to face of curb.

Screened Planting Strip: that portion of the street right-of-way between curb and the property line exclusive of the area occupied by sidewalks.

Secondary Street: see Collector Street

Setback Line: The minimum allowable horizontal distance between the street right-of-way line and the building, except for steps or terraces with no canopy, open fire escapes, roof overhangs, balconies, canopies or cornices projecting no more than two (2) feet beyond the main wall, offset or overlapping projections of second floors that project no more than three (3) feet beyond the main floor of the building.

Side Yard: see Yard, Side

Sidewalk: shall mean all of a street available for pedestrian traffic, exclusive of vehicular traffic upon the traveled way.

Single Tier Lot: See Lot, Single Tier

Site Plan: The development plan for one or more lots on which is shown the existing and/or proposed conditions of the lot(s).

Special Flood Hazard Area. Land in the floodplain as per the latest adopted FEMA Flood Insurance Rate Maps.

Stabilization Time: The amount of time a piece of disturbed land area can remain exposed or uncovered.

State Specifications: shall mean the latest revision of the Alabama Highway Department Specifications for Roads and Bridges.

Stormwater Management Practices: The use of specific practices, constructed or natural, to reduce, temporarily detain, slow down and/or remove pollutants from stormwater runoff. The redirecting of stormwater runoff from rooftops, roads, parking lots and other impervious surfaces into stormwater

management practices or vegetated areas, allowing the runoff to slowly soak into the ground. They are essentially designed to restore or mimic some of the natural processes provided by the vegetative cover that existed prior to land disturbance.

Stormwater Management Facilities: Landscaping, design, methods, and techniques that can be used to store and/or treat stormwater runoff. Facilities that are designed to control overland flow, velocity rates, and infiltration of stormwater runoff. Can include structural or non-structural elements such as dry basins, wet ponds, and vegetated swales.

Stormwater Runoff: Rainfall that flows over the ground surface or watershed. It is created when rain falls on roads, driveways, parking lots, rooftops and other paved surfaces that do not allow water to soak into the ground. Large volumes of water, sediment, and pollutants from paved surfaces are carried into local streams, bayous, lakes, rivers, wetlands and other bodies of water, causing flooding, erosion, destruction of aquatic habitats, and other negative impacts to the local waterways.

Street: The full right-of-way of a thoroughfare which affords the principal means of access to abutting property. Functionally classified by the Alabama Department of Transportation or ALDOT, by a hierarchical system based on street function and volume, see the following types of streets below:

Street, Arterial: a highway or street of considerable continuity which is used primarily for moving large volumes of traffic through or around the city; sometimes called a major street.

Street, Collector: a street which carries traffic from minor or neighborhood streets to a system of arterial streets.

Street, Minor: a neighborhood street or a street used primarily to provide access to abutting property.

Street, Sidewalk: an inner sidewalk system design with homes fronting a continuous sidewalk shared by adjoining properties. Back side of homes front the alley or street.

Subdivider: Any person who (1) having an interest in land, causes it, directly or indirectly, to be divided into a subdivision or who (2) directly or indirectly, sells, leases, or develops, or offers to sell, lease, or develop, or advertises for sale, lease or development, any interest, lot, parcel, site, unit, or plat in a subdivision, or who (3) is directly or indirectly controlled by, or under direct, or indirect, common control with any of the foregoing.

Subdivision: as the division of a lot, tract, or parcel of land into two (2) or more lots, tracts, plats, parcels or other divisions of land for the purpose, whether immediate or future, of sale or of building development. Such term includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

Subdivision, Major: A subdivision not classified as a minor subdivision of any size requiring any new streets, drainage or other public improvements.

Subdivision, Minor: A subdivision not involving the construction and installation of any new street or road or the extension of public facilities, or the creation of any public improvements.

Surety Bond. Any bond, certificate of deposit, irrevocable letter of credit, cashiers check, or other acceptable surety as approved by the City of Bayou La Batre guaranteeing performance of a contract or obligation.

Surface Drainage: a storm water drainage system consisting of gutters, culverts and open channels.

Swale: a shallow, open-channel stabilized with grass or other vegetation designed to filter pollutants and convey stormwater. Swales are typically an inexpensive alternative method in capturing stormwaters before they enter a primary waterbody. They are most effective when installed along roadsides, in parking lots, residential subdivisions, and commercial developments to infiltrate stormwater runoff and help alleviate pollutants running into adjacent water bodies.

Tract: A lot. The term "tract" is used interchangeably with the term "lot", particularly in the context or subdivision, where a "tract" is subdivided into several lots, parcels, sites, units, plots, tracts or interests.

Undeveloped Lot: see Lot, Undeveloped

Waiver: a request for the non-application of a standard contained in these regulations, granted at the discretion of the Planning Commission through a separate procedure, based on criteria unique to the specific site.

Watercourse: any depression serving to give direction to a flow of water, having a bed and well-defined banks and which shall, upon the rule or order of the Planning Commission also include other generally or specifically designated areas where flooding may occur. The flow of water need not be on a continuous basis, but may be intermittent, resulting from the surface runoff of precipitation.

Watercourse Buffer: an area adjacent to a shoreline, wetland or stream where development is restricted or prohibited; an area of transition between a developed area and a natural resource.

Watershed: the area of land that captures rainfall and drains to a particular point on a stream or storm water conveyance system.

Waterside Yard: see Yard, Waterside

Wetlands, Jurisdictional: Wetlands are areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions or otherwise delineated by the Army Corp of Engineers. Wetlands generally include swamps, marshes, bogs and similar areas.

Yard: An area within a lot that lies between the principal structure(s) on the lot and the nearest lot lines. Yards are further classified as front, rear, side, and waterside yards. See below for definition of each yard.

- *Yard, Front:* A yard extending the full width of the building site across its front, with required depth measured at right angles to the front street line of the building site.

- *Yard, Rear:* A yard extending the full width of the building site across its rear, with required depth measured at right angles to the rear line of the building site.

- *Yard, Side:* A yard extending from the rear line of the front yard to the front line of the rear yard, with required width measured at right angles to the adjacent side lines of the building site.

- *Yard, Waterside:* A yard abutting any body of water which may be either a rear yard or side yard, depending upon the orientation of the principal building on the lot.

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ARTICLE 3
SUBDIVISION PLAT REVIEW & APPROVAL PROCESS

SECTION 3.1 GENERAL STANDARDS

All subdivision of land within the corporate limits and the Extra Territorial Jurisdiction of the City of Bayou La Batre is required to submit a Subdivision Plat to the Planning Commission. No Plat shall be filed or recorded by the Judge of Probate, nor shall any lots be sold until the final plat has been submitted to, and approved by, the Bayou La Batre Planning Commission, and recorded by the Probate Judge. The Probate Judge, upon receipt of a copy of these regulations, shall not thereafter file or record a plat of a subdivision of land located within the City's subdivision jurisdiction, as defined herein, without the approval of such final plat in accordance with these regulations.

1. Generally - According to the City of Bayou La Batre Comprehensive Master Plan, no street, square, park or other public way, ground or open space or public building or structure or public utility, whether publicly or privately owned, shall be constructed or authorized in the municipality or in such planned section and district until the location, character and extent thereof shall have been submitted to and approved by the Planning Commission.

2. Consistency with Plans, Regulations and Laws - The Planning Commission shall not approve the subdivision of land if the Commission makes a finding that such land is not suitable for platting and development as proposed, due to any of the following:

a. The proposed subdivision is not consistent with the City's Comprehensive Plan, and/or the City's Zoning ordinance, where applicable;

b. The proposed subdivision is not consistent with these Regulations;

c. The proposed subdivision is not consistent with other applicable state or federal laws and regulations; or
d. The proposed subdivision otherwise endangers the health, safety, welfare or property within the planning jurisdiction of the City.

SECTION 3.2 APPLICATION PROCEDURE

Applications for approval of a proposed minor subdivision shall include a Final Plat. Applications for approval of a major subdivision shall include a Preliminary Plat and Final Plat.
Where a proposed subdivision of land does not require the installation of any public streets, roads, drainage, or any other infrastructure improvements, the Preliminary Plat shall be considered and labeled as the Final Plat and the Planning Commission may consider and act upon this as the Final Plat at the initial hearing. The subdivider is responsible for providing all engineering services, including plans and specifications in conformity with these regulations, in addition to post construction inspections as necessary to ensure the public improvements were installed as proposed on the Preliminary Plat and in conformity with these regulations.

The procedure for obtaining subdivision approval is as follows:

Application Procedure: The land owner or authorized representative shall:

(a) Be made aware of Preliminary Plat applications available at the office of the City Building Official and on the city's website;
(b) Be accompanied by the required application fee according to the current schedule of fees established by the City Council for the particular category of application.
(c) Provide Preliminary Plat Checklist from Appendix 1 of these Regulations
(d) Provide Three (3) paper copies of the Preliminary Plat.
(e) Provide One (1) digital copy in PDF format, and accompanying documents
(f) Submit to the Building Official at least thirty (30) days prior to a regularly scheduled meeting of the Planning Commission.
(g) If a major subdivision, the Preliminary Plat shall be accompanied by the additional plans required for any land disturbing activity in accordance with the Stormwater Management Standards Article of these regulations. All plats and plans submitted for a major subdivision shall bear the seal, original signature, name, address, telephone number, and certification of the project engineer, who shall be registered to practice as a Professional Engineer in the State of Alabama and who is qualified by reason of education and experience in the field of stormwater management.

SECTION 3.3 PRE-APPLICATION & SKETCH PLAN (OPTIONAL)

The applicant has the option to file an application for approval of a Sketch Plan. The Sketch Plan is highly encouraged and intended to be a relatively simple "sketch" or "drawing" of the proposed subdivision, submitted so that the subdivider may begin the approval process by meeting with and discussing the feasibility of the proposal with the City of Bayou La Batre Building Official and Planning Commission prior to incurring engineering and surveying costs. The subdivider or authorized representative shall be present at the Planning Commission meeting to discuss, answer questions, and

explain the proposed subdivision. The requirements stated for preparation of the Sketch plan are minimal requirements.

Sketch Plan requirements:

- contain at least a diagram showing the location and ownership of the land proposed to be subdivided
- note the location of all adjoining property, its ownership and the nature of its improvements
- location of all existing buildings and named public streets providing direct access to the land proposed to be subdivided.

SECTION 3.4 SUBMISSION & REVIEW OF PRELIMINARY PLAT

Applications for a Preliminary Plat shall include the Preliminary Plat and all accompanying plans, if applicable, for staff review demonstrating compliance with the regulations. The Preliminary Plat is intended to be a detailed presentation covering the engineering plans for the construction of all improvements. The Preliminary Plat must first be submitted and reviewed by the Building Official or his/her designee, who shall certify to the Planning Commission whether the Preliminary Plat meets the subdivision regulations. Should the Preliminary Plat be determined by the Building Official or his/her designee to be acceptable, the applicant shall file an application for approval of the Preliminary Plat with the Planning Commission. The subdivider or authorized representative shall be present at a regular meeting of the Planning Commission to discuss, answer questions, and explain the proposed subdivision. The requirements for preparation of the Preliminary Plat are minimum requirements.

Should the Preliminary Plat be determined by the Building Official or his/her designee to be deficient in any regard, the Building Official or his/her designee shall detail the deficiency to the Planning Commission along with a recommendation that the Preliminary Plat be disapproved. Notice of the recommendation of the Building Official or his/her designee shall be sent to the owner or developer whose name and address appears on the submitted Preliminary Plat by registered or certified mail at least 10 days before the recommendation shall be presented to the Planning Commission for action.

SECTION 3.5 PUBLIC HEARINGS & NOTICES

Prior to the approval of the Preliminary Plat, the Planning Commission shall first hold a public hearing. Notice of such public hearing shall be sent to all adjacent landowners by certified mail as their names appear upon the plats of the Mobile County Tax Assessor's Office. Such notices shall be sent at least ten (10) days prior to the date of the public hearing. Any plat submitted to the Planning Commission shall contain the name and address of all person to whom notice of a public hearing shall be sent.

SECTION 3.6 PRELIMINARY PLAT REQUIRED CONTENTS

The Preliminary Plat shall be submitted to the Building Official and the Planning Commission, along with the application, checklist of requirements, and application fees. All required forms, applications, and checklist are found in Appendix 1 of these Regulations. The following information shall be presented on the plat prepared by a professional engineer, or registered surveyor in the State of Alabama:

1. Name and address of land owner of record and name of applicant or authorized representative (form required for authorized representative).
2. Name, address, phone number, seal, and registration number of the Licensed Professional Surveyor or Engineer, registered in the State of Alabama.
3. Date survey was conducted.
4. North Point, graphic scale of not less than 1 inch equals 100 feet.
5. Vicinity map showing location of the subdivision in relation to existing major streets, etc. and name of subdivision, if applicable.
6. Acreage and number of newly created lots in subdivision, proposed lot lines with bearings and distances, lot and block number of each lot.
7. All erosion control measures to be used during construction including: Location and dimensions of existing storm and sanitary sewers, all proposed storm drains, sanitary sewer with approximate sizes and design data.
8. List of Names and addresses of owners of record of immediately adjacent land as their names appear in the office of the county tax assessor and their addresses appear in the directory of the county or on the tax records of the county; **Public streets, alleys and right-of-ways are not considered immediately adjoining land; therefore, property owners across or opposite of the proposed subdivision shall be indicated on the plat and notified via certified mail as well.*
9. All existing and proposed streets, rights-of-way, buildings, easements, including drainage, water courses, railroads, transmission lines, drainage structures, public utilities, jurisdiction lines, and any public utility or drainage easements on the parcel being subdivided and on adjacent land within 100 feet of the parcel being subdivided, including the size and width of each.
10. Proposed lot lines with bearings and distances, square footage or acreage of each and lot and block number.
11. Contour map at two-foot interval
12. Indication of zoning district boundaries, indicating the proposed use of all land within the subdivision as well as any restrictions on the lots.
13. Proposed minimum building setback lines according to the zoning ordinance, shown and labeled on each lot.
14. Location of wooded areas, marshes, cultural resources, and any other conditions affecting the site; streams, rivers, bayous, lakes, swamps, and other water bodies and land subject to flooding within or adjacent within 100 feet of the proposed subdivision subject to inundation by the 100-year flood as defined herein, or subject to periodic inundation by storm drainage overflow or ponding.
15. Location and dimensions of lands to be dedicated or reserved for parks, open space, schools, or other public use.
16. If waterbodies and/or wetlands are present in the subdivision, a permanent watercourse buffer area of 30 feet is required adjacent to a federal classified wetland and 25 feet adjacent to all other bodies of water.
16. Special flood hazard areas and/or coastal high hazard areas as indicated on the latest Flood Insurance Rate Map (FIRM) for the area, a statement to that effect
17. Minimum finished floor elevations for every lot.
18. U.S. Army Corps of Engineers wetlands jurisdictional determination if the proposed subdivision contains wetlands or is within 100 feet of a wetland as determined from the Generalized Wetland Map, if applicable.

19. Confirmation from Alabama Historical Commission determination if the proposed subdivision contains historical artifacts listed in the State's Inventory of Historical Artifacts.
20. Tree protection requirements
21. Off-street parking landscaping requirements
22. Signature block of all required signatures of approval from the Chairman of the Planning Commission, the Bayou La Batre Utility Department, and the Health Dept, if applicable. If subdivision is located outside the corporate limits, in the city's Extra Territorial Jurisdiction, a signature of approval from Mobile County Engineering Department.
23. All permits required, if applicable.
24. Inscription stating "Final Plat" if a minor subdivision, or "Not for Final Recording" if a major subdivision.

****End of list if minor subdivision***

If subdivision is considered major, and any land disturbing activity will be conducted, the following engineering & construction plans are required in addition to the items required for a minor subdivision:

SECTION 3.7 ENGINEERING & CONSTRUCTION PLANS

For any major subdivision, the Preliminary Plat shall be accompanied by the additional plans required for any land disturbing activity in accordance with the Stormwater Management Standards Article of these regulations. All plats and plans submitted for a major subdivision shall bear the seal, original signature, name, address, telephone number, and certification of the project engineer, who shall be registered to practice as a Professional Engineer in the State of Alabama and who is qualified by reason of education and experience in the field of stormwater management.

A. Street Plan containing the following information about the newly created streets:

1. Locations of all proposed and existing streets or rights-of-way in or adjacent to the subdivisions;
2. Width of existing and proposed rights-of-way and easements;
3. Street names and location of street signs;
4. Plan and Profile of all streets, showing natural and finished grades drawn to scale of not less than one (1) inch equals 100 feet horizontal and one (1) inch equals 10 feet vertical;
5. Typical Roadway Section detail;
6. Cross sections of proposed streets at a minimum of 100 foot stations;
7. Curve data for the centerline of each street: Delta, Tangent, and Radius;
8. Location of all proposed sidewalks and crosswalks.
9. Street lighting at all intersections, as required and a Street Lighting Plan showing additional lighting, if required, after review.

B. **Drainage Plans** showing plans and specifications that describe the measures proposed to manage stormwater runoff as per the requirements listed in the Stormwater Management Standards Article of these regulations. This shall include an overall drainage plan.

C. **Erosion Control Plans** showing plans and specifications that describe the measures and Best Management Practices which are proposed to control site erosion during and after construction as required in the Stormwater Management Standards Article of these regulations. This shall include an overall erosion control plan.

D. **Utility Plans** showing plans and specifications and feasible connections for the proposed water supply, sewage disposal, electrical services, and fire protection as applicable. This shall include an overall utility plan showing pipe sizes and the location of valves and fire hydrants.

SECTION 3.8 PLANNING COMMISSION DECISION MAKING PROCESS

The Planning Commission will receive public comments at the public hearing. The Planning Commission will review the plat and shall act on the Preliminary Plat at the meeting at which it is presented, either by:

1. Approve the Preliminary Plat as is;
2. Approve the Preliminary Plat with conditions;
3. Deny the Preliminary Plat with stated reason(s) for denial; or
4. Table the application for further study and additional review, provided the Planning Commission reconvenes within thirty (30) days to act on the Plat.

If the Planning Commission disapproves the Preliminary Plat, the reasons for such action shall be stated in writing upon the records of the Commission, and reference shall be made to the specific section(s) of the regulations with which the Preliminary Plat does not comply. If approved subject to modifications, the nature of the required modifications shall be indicated.

In the event that the Planning Commission needs further information in order to properly consider the Preliminary Plat, they may reject the presentation until the further information is provided, and may consider the Preliminary Plat as being presented at the meeting at which the additional information is provided.

In the event that the applicant or authorized representative wishes to withdraw the application for subdivision plat review for any reason during the meeting, he/she is permitted to do so.

No Preliminary Plat shall be approved by the Planning Commission until each utility affected has submitted a letter to the Planning Commission as to whether all provisions affecting the service to be provided by such utility are reasonable and adequate. No development may proceed until all required local, state and federal permits have been received and submitted to the Building Official or his/her designee including but not limited to: NPDES permit; Section 4091 and 404 Clean Water Act permit; Coastal Area Management Program permit; Alabama Department of Transportation access permit, and; Mobile County Highway Department access permit.

SECTION 3.9 THIRTY (30) DAY TIME LIMIT FOR APPROVALS

The Planning Commission must act on the Preliminary Plat within thirty (30) days after it submitted at the public hearing. The 30-day time period starts from the date on which the Commission holds the public hearing. The failure of the Planning Commission to act on the Preliminary Plat within the thirty

(30) day time period shall otherwise be deemed to have been approved, and a certificate to that effect shall be issued by the Commission on demand; provided, however, that the applicant for the commission's approval may waive this requirement and consent to an extension of such period. If the Commission disapproves a plat, the grounds for such action shall be stated in the record.

SECTION 3.10 FINAL ACCEPTANCE APPROVAL

The approval of the Preliminary Plat shall not be deemed final acceptance but rather an expression of approval of the layout as submitted on the Preliminary Plat and an authorization to proceed with the approved improvements as delineated on the Preliminary Plat. The Planning Commission files shall retain one copy of the Preliminary plat.

SECTION 3.11 EFFECTIVE PERIOD

Approval of the Preliminary Plat shall be effective for a period not to exceed one (1) year and shall thereafter expire and be considered null and void, unless a petition of an extension of time is submitted to and subsequently approved by the Planning Commission. Any plat not receiving final approval within the period of time set forth herein shall be null and void, and the applicant shall be required to resubmit a new plat for preliminary approval subject to all subdivision regulations and filing fees. However, upon written request from the applicant stating the reasons for such request, the Planning Commission upon advice from the City Building Official, may extend the effective period of the approval up to twenty-four months.

SECTION 3.12 CHANGES OR MODIFICATIONS

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

SECTION 3.13 PRELIMINARY PLAT RESUBMISSION

The Planning Commission shall not consider, for a period of twelve (12) months or one (1) year, a Preliminary Plat which has been submitted to the Planning Commission for review and denied, unless the applicant has complied with the Planning Commission's required changes and/or additions. Applications for approval of a Preliminary Plat which has been previously denied shall be submitted in accordance with the requirements of these regulations.

SECTION 3.14 FINAL PLAT PRESENTATION & APPROVAL

Prior to expiration of Preliminary Plat approval, the subdivider shall submit to the Bayou La Batre Building Official and Planning Commission the final plat for its approval in accordance with the following procedure. All required applications, fees, and checklist are found in Appendix 1 of these Regulations.

(a) Be made aware of Final Plat forms available at the office of the City Building Official and on the city's website;

(b) Be accompanied by the required application and fees according to the current schedule of fees established by the City Council for the particular category of application.

(c) Be accompanied by the Final Plat Checklist

(c) Be submitted to the Building Official at least thirty (30) days prior to a regularly scheduled meeting of the Planning Commission.

(d) Present Three (3) paper copies of the Preliminary Plat.

(e) Present One (1) digital copy in PDF format, and accompanying documents

(f) Comply in all respects with the Preliminary Plat and all terms agreed upon, as approved, except for minor modifications not altering the design of the subdivision.

(g) Be accompanied by a surety bond in a form satisfactory to the City Attorney and in an amount sufficient to guarantee the actual construction and installation of such approved public streets, roads, drainage structures and public utilities.

(h) Be accompanied by a transmittal letter listing all of the drawings, letters, attachments, permits, and other information submitted for the application.

SECTION 3.15 FINAL PLAT REVIEW PROCEDURE

After the Building Official or his/her designee has reviewed the Final Plat, the Building Official or his/her designee shall certify to the Planning Commission whether the Final Plat meets the subdivision regulations. If the Final Plat meets the subdivision regulations, including all terms agreed upon at the Preliminary Plat approval stage, it shall be approved by the Planning Commission.

Should the Final Plat be determined by the Building Official or his/her designee to be deficient in any regard, the Building Official or his/her designee shall detail the deficiency to the Planning Commission along with a recommendation that the Final Plat be disapproved. Notice of the recommendation of the Building Official or his/her designee shall be sent to the owner or developer whose name and address appears on the submitted Final Plat by registered or certified mail at least ten (10) days before the recommendation shall be presented to the Planning Commission for action. A similar notice shall be mailed to the owners of land immediately adjoining the platted land as their names appear upon the plats in the office of the county tax assessor and their addresses appear in the directory of the county or on the tax records of the county and to each utility affected thereby.

SECTION 3.16 FINAL PLAT REQUIRED CONTENTS

The Final Plat shall be prepared by a licensed engineer or land surveyor and shall conform to the conditions of the tentatively approved Preliminary Plat. It shall show sufficient detailed data to readily determine and to accurately reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line. The plat shall be clearly drawn on any acceptable polyester or cloth tracing sheet (not larger than 24 x 36 inches in size) at a scale of not less

than one hundred (100) feet to the inch and shall contain the following information. The final plat must be accompanied by the application and required fees, the checklist, and a copy of all construction permits required by any local, state, or federal agency before any land disturbing activity can occur.

1. Name and address of owner of record and subdivider and name and registration number of surveyor and/or engineer and date.
2. Name of subdivision, north point, graphic scale of not less than 1 inch equals 100 feet and date.
3. Vicinity map showing location and acreage of the subdivision.
4. Names of owners of record of adjoining land with their appropriate acreage.
5. Location of streams, lakes, and swamps and land subject to flood as determined from past history of flooding and as delineated by the U.S.G.S. or U.S. Army Corps of Engineers.
6. Bearings and distances to the nearest established street lines or official monuments; section lines accurately tied to the lines of the subdivision by distances and bearings, and bearing and distance to a section corner or to an immediately adjacent plat which is tied to a section corner.
7. Municipal and county lines shall be accurately tied to the liens of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision.
8. Location of land dedicated to a neighborhood park, natural areas, or open space area. A minimum of ten (10) percent of the subdivision is required for open and/or natural areas. All required open and/or natural area shall be platted on the recorded plat as a conservation easement for public use and provide public access, with a note stating that the area shall be used for public common area and if said area is not dedicated to the City of Bayou La Batre, then the City is not responsible for the maintenance of any and all of the required open and /or natural space. The open and/or natural areas shall meet the following requirements:
    a) Shall be usable land for public active or passive recreation purposes;
    b) Can be located in a floodplain;
    c) Can be located in a wetland area;
    d) Cannot include any retention, detention, or similar holding basin;
    e) Cannot include any right-of-way;
    f) Cannot be located on any archeological sites;
    g) Shall be located at the edge of development sites;
9. Exact boundary lines of the lot, determined by a field survey, giving distances to the nearest one-tenth (1/10) foot and angles to the nearest minute.
10. Exact location, widths, and names of all streets and alleys within and immediately adjoining the new subdivision.
11. Street right-of-way lines showing angles of deflection, angles of intersection, radii, and lines of tangents.
12. Street lighting locations at all intersections. Additional street lighting may be required in other locations throughout the subdivision after review to ensure public safety and community needs.
13. Location of all utilities and drainage facilities as well as easements for such facilities.

14. Lot lines with dimensions to the nearest one-tenth (1/10) foot and bearings to the nearest minute.
15. Lots numbered numerically and blocks lettered alphabetically.
16. Each lot shall have a house number.
17. Indication of zoning district boundaries if such exist. Otherwise indicate the proposed use of and restrictions on each lot within the subdivision. These restrictions to be recorded on or with the plat.
18. If waterbodies and/or wetlands are present in the subdivision, a permanent watercourse buffer area of 30 feet is required adjacent to a federal classified wetland and 25 feet adjacent to all other bodies of water.
19. Accurate location, material, and description of all monuments and markers.
20. Minimum building front yard setback lines.
21. Certifications showing:

    a. Notarized proof of ownership of the land.
    b. Surveyor's attest to the accuracy of the survey.
    c. Lot restrictions, trusteeships and/or protective covenants.
    d. Dedication of streets, rights-of-way and other sites.
    e. Compliance with applicable Board of Health Codes and Ordinances.
    f. Granting of all easements included in the plat.
    g. Engineer's attest that all improvements have been installed in accordance with the requirements of the subdivision regulations or that a bond in sufficient amount to assure the proper installation of such improvements has been accepted by the City of Bayou La Batre.
    h. Space on the plat for approval of the City of Bayou La Batre Planning Commission and authorization for the recording of said plat by the judge of probate.
    i. Special flood hazard areas and/or coastal high hazard areas as indicated on the latest Flood Insurance Rate Map (FIRM) for the area, along with a statement to that effect.
    j. Signature block for all utility providers
    k. Signature of Mobile County Engineer if subdivision is located within the City's extra territorial jurisdiction.

SECTION 3.17 FINAL PLAT RESUBMISSION

The Planning Commission shall not consider a Final Plat which has been resubmitted for approval after Planning Commission disapproval, unless the applicant has complied with the Planning Commission's required changes and/or additions. Applications for approval of a Final Plat which has been previously disapproved shall be submitted in accordance with the requirements set forth in these Subdivision Regulations.

SECTION 3.18 COMPLETION OF IMPROVEMENTS & SURETY BONDS

Before an approved final plat is signed on behalf of the Planning Commission and approved for recording, the subdivider shall be required to satisfactorily complete all improvements specified in the final subdivision plat and to submit necessary offers of dedication for streets, easements, and land

intended for public use. Satisfactory completion of improvements shall be certified by the city Building Official and the Licensed Professional Engineer.

The subdivider is required to install or construct the improvements herein described prior to having released the bond or other surety which guarantees installation of such required improvements that were presented and approved on the Preliminary Plat. All improvements required shall be constructed in accordance with the standards set forth in these regulations, or as required by the Bayou La Batre Building Official or his duly authorized representative, the state or county highway department, and the department of the respective utility.

- All water mains, sanitary sewers and laterals, and storm sewers shall be installed as necessary to prevent the future cutting of the pavement of any street, sidewalk, or other required pavement.

- When all required improvements are installed, the subdivider shall call for a final inspection. The Building Official or his duly authorized representative shall inspect the site to determine if the required improvements are satisfactorily installed according to the plans and specifications. To determine if the streets are installed to minimum design standards, the city shall select an independent testing laboratory to make the necessary tests. These tests shall be conducted at the expense of the subdivider.

SECTION 3.19 FINAL PLAT OFFICIAL RECORDING

No Plat or description of land subdivided shall be filed in the Probate Records until such plat shall have been finally approved by the Planning Commission.

- Upon determination that the Final Plat should be approved and that the installation of all required improvements has been satisfactorily completed in accordance with City specifications and approved by the City Engineer or that an acceptable financial guarantee has been provided for the satisfactory completion of all required improvements, the original Final Plat tracing shall be signed by the Chairman of the Planning Commission. The original Final Plat tracing and three (3) blue or black line copies shall then be submitted to the offices of the Building Official Department for signature of the City Building Official.

- Following signature, the original Final Plat tracing will be returned to the subdivider for recording at the office of the judge of probate of Mobile County.

- No final plat will be approved without submission and compliance with all required engineering and construction plans.

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ARTICLE 4
MINIMUM DESIGN STANDARDS & REQUIRED IMPROVEMENTS

SECTION 4.1 SUITABILITY OF LAND

The Planning Commission shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public the site is not suitable for platting and development purposes of the kind proposed. The design and improvements of all subdivisions and developments shall meet all state and county health department requirements and proof thereof shall be submitted.

SECTION 4.2 MINIMUM STANDARDS

The following planning and design standards shall be complied with for all subdivisions within the corporate limits of Bayou La Batre and the extra territorial jurisdiction of the city. Higher standards and additional improvements may be required by the Planning Commission when exceptional or unique conditions of the subdivision exists including such elements, but not limited to topography, location, shape, size, drainage, floodways, wetlands, or other physical features of the site, and surroundings, that would create unacceptable demands on the accompanying infrastructure, or impact adjacent properties. Additional improvements may be required if it is demonstrated that the minimum standards specified herein will not reasonably protect or provide for public health, safety, or welfare. Any higher standard required shall be reasonable and shall be limited to the minimum additional improvements necessary to protect the public health, safety, or welfare. In addition to the requirements established herein, all subdivision plats shall comply with the following laws, rules, and regulations.

SECTION 4.3 LAND SUBJECT TO FLOODING

Land subject to flooding or inadequately served by drainage facilities will not be acceptable for subdivision unless the subdivider agrees to make such improvements as will render the land fit for occupancy in conformity with the National Flood Insurance Program. Fill may not be used to raise land in a floodway. Fill may be used in areas subject to flood and/or excessive erosion, only for structures that are required to be elevated no more than two (2) feet above base flood elevation, and

fill proposed does not restrict the natural flow of water, advance erosion, and unduly increase flood heights.

A. To insure proper development in flood-prone areas, the Planning Commission shall require the subdivider to provide elevation certificates and flood profiles sufficient to demonstrate that the sites will be free from the danger of flooding.

B. If a waterway flows through or adjacent to the proposed subdivision, the plat shall provide for an easement or right-of-way along the stream for a floodway. For the smaller streams, the plat shall also provide for channel improvement to enable them to carry all reasonable floods within banks. The floor elevations of houses shall be high enough to be above the regulatory flood. The floodway easement shall be wide enough to provide for future enlargement of the stream channel as adjacent areas become more highly developed and runoff rates are increased.

C. Land within any floodway shall not be platted for residential occupancy or building sites. Land outside the floodway, but subject to flood, may be platted for residential occupancy, provided each lot contains a building site that may reasonably lend itself to construction of a minimum floor level of two (2) feet above base flood elevation, or for such other uses which will not increase the danger to health, life, and property.

D. Approval will not be given for streets within a subdivision which would be subject to excessive inundation or flooding without the proper stormwater management practices installed and inspected for compliance with the Stormwater Management Standards in these regulations. Land subject to flood must not be platted as lots and/or streets, unless the developer demonstrates to the satisfaction of the Planning Commission that the property in question is free from the danger of inundation by the base flood, or that adequate remedial measures have been taken to allow the watercourse to safely accommodate the base flood. The developer shall submit such data or studies based on the watershed characteristics, probable runoff, and other topographic and hydraulic data prepared by a licensed professional engineer from the State of Alabama.

Special Flood Hazard Area

All lands located in a special flood hazard area shall adhere to the following provisions:

(1) New construction and substantial improvements of existing structures shall be anchored to prevent flotation, collapse or lateral movement of the structure;

(2) New construction and substantial improvements of existing structures shall be constructed with materials and utility equipment resistant to flood damage;

(3) New construction or substantial improvements of existing structures shall be constructed by methods and practices that minimize flood damage;

(4) Elevated buildings. All new construction or substantial improvements of existing structures that include any fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed so as to be an unfinished or flood-resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and

exit of floodwaters. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

- Provide a minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
- The bottom of all openings shall be no higher than one foot above grade; and
- Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.

So as not to violate the lowest floor criteria of this article, the unfinished or flood-resistant enclosure shall only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

(5) All heating and air-conditioning equipment and components, all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(6) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.

(7) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;

(8) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters;

(9) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding; and

(10) Any alteration, repair, reconstruction or improvement to a structure which is not compliant with the provisions of this article, shall be undertaken only if the nonconformity is not furthered, extended or replaced.

(11) No new critical infrastructure and public safety facilities are not permitted in a special flood hazard area.

SECTION 4.4 STREET CONSTRUCTION REQUIREMENTS

1. The arrangement, character, extent, location and grade of all 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.

2. 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.

3. Pavement Requirements

   All proposed streets in any subdivision, including apartments, city houses, condominiums, patio homes, etc., whether such streets shall be private or dedicated for public use, shall be paved and adequately drained, using stormwater management practices found in these regulations when applicable. This requirement is not subject to modification by the Bayou La Batre Planning Commission. The subdivider shall construct streets in the subdivision in conformance with good engineering practices to the standards prescribed herein or by the state or county highway department, whichever is more restrictive.

4. Private Streets

   There shall be no private streets platted within a subdivision where abutting properties will be sold to the public; however, in certain instances, private streets may be approved by the Planning Commission, provided they are constructed according to the standards of these regulations. In the event that the Planning Commission does approve a private street, the developer shall install street signs in accordance with these regulations for private streets. The following statement shall be shown on the preliminary and the final plats:

   "All roads and rights-of-way shown on this plat are PRIVATE, and are not subject to public maintenance.

5. Subdivisions that adjoin existing streets with inadequate right-of-way shall dedicate additional right-of-way to meet the minimum street width requirements, or as required by the engineer.

6. Street Names

   Proposed streets, which are in alignment with others existing and named, shall bear the assigned name of the existing streets. All proposed streets shall be given a name. In no case shall the names of proposed streets duplicate or be phonetically similar to existing street names, irrespective of the use of the suffix street, avenue, boulevard, drive, place, court, etc. Street names are subject to the approval of E-911 Addressing. All applications involving new streets shall be accompanied by a letter from the E-911 Addressing office indicating the names of the approved street names.

7. Cul-de-sacs

   (a) Permanent dead-end streets shall not exceed 1,320 feet (1/4 mile) in length. Permanent dead-end streets with a pavement width of 20 feet or less shall be provided with a turnaround having a roadway diameter of at least 70 feet, and a right-of-way diameter of at least 100 feet. Permanent dead-end streets with a pavement width of more than 20 feet shall be provided with a turnaround having a roadway diameter of at least 80 feet, and a right-of-way diameter of at least 100 feet.

   If medians and/or islands are proposed in the cul-de-sacs, a minimum of 25 foot wide driving surface shall be maintained at all points around said cul-de-sac.

   (b) Temporary dead-end streets greater than 200 feet in length are required to have a temporary turnaround at least 70 feet in diameter, constructed of an all-weather surface, and have an easement or right-of-way at least 100 feet in diameter. Said temporary turnaround shall be graded properly to drain, and be maintained by the developer until the roadway is continued. If adjacent property is not owned by the developer or no other Preliminary Plat is approved at the time of final inspection, a permanent cul-de-sac shall be required.

8. Street Elevations
   No street shall be approved for construction, within an area subject to flood that is proposed to be constructed more than 2 feet below the elevation of the base flood, as defined in these regulations, unless approved by the engineer. Drainage openings shall be designed so as not to restrict the flow of flood waters, or increase upstream flood heights.

9. Street Lighting
   Street lighting shall be installed at all intersections. If additional lighting consistent with safety and other community needs is deemed necessary, the Planning Commission may require the subdivider to present a street lighting plan developed in conjunction with the utility company having jurisdiction within the area.

10. Maintenance Bonds
    The Bayou La Batre Planning Commission may require the posting of a maintenance bond on all street improvements for a period of two (2) years. This bond shall be in an amount equal to ten (10) percent of the total street improvements in the subdivision or of specified street improvements in the subdivision.

Design Standards

The following design standards shall be considered ***minimum requirements*** and shall apply to all major subdivisions and non-residential site plans involving street construction activities. The applicant shall construct streets in the subdivision in conformance with good engineering practices, adhering to the recommendations of the ***Alabama Department of Transportation (ALDOT) Standard Specifications for Highway Construction*, (2012 edition or latest revisions)** and ***Construction Specifications and Engineering Requirements For Subdivisions in Mobile County, Alabama.***

A preliminary Soils Investigation Report shall be completed prior to any design and engineering of all roads and/or streets. All materials used and construction methods employed for constructing streets shall comply with the ***Alabama Department of Transportation (ALDOT) Standard Specifications for Highway Construction (2012 edition or latest revision)*** and the required Preliminary Soils Investigative Report. In addition, the subbase, base, and asphalt of all new road and/or streets shall be tested at each level of construction for compliance with ALDOT Standard Specifications. The tests will be performed by a geotechnical testing test laboratory licensed to practice in the State of Alabama. The costs of the tests for each level (subbase, base, and asphalt) will be paid for by the developer.

1. The full width of the right-of-way shall be graded including the subgrade of the areas to be paved. This requirement may be modified for the purpose of preserving the natural beauty of the area.

2. A base course consisting of at least five (5) inches of crushed aggregate shall be laid in accordance with the *Alabama Department of Transportation (ALDOT) Standards Specifications for Highway Construction*. Upon the recommendation of the engineer, a base course consisting of at least eight (8) inches of sand-clay may be utilized in lieu of crushed aggregate. A base course consisting of at least eight (8) inches of sand-clay mixture with one hundred (100) percent compaction shall be laid on a soundly prepared subgrade.

3. A prime coat shall be sprayed uniformly over the base course at the specified rate.

4. An approved type-wearing surface in conformance with State Highway Standard 424-A one and one-half (1 ½) inches thick compacted shall be laid over the prime coat.

5. A licensed professional engineer supplied by the subdivider must determine if curbs and gutters should be required for a subdivision. If the engineer determines that curbs and gutters should be required, they must be in conformance with the Bayou La Batre City Standards for Roadway Improvements and Drainage. A curbless and gutterless street may be permitted if the designer can show that soils, terrain, on-street parking needs, and overall site design warrant such an approach.

	Major Street	**Collector Street**	**Local Street**	**Cul-de-Sac [1] (Turnaround)**	**Alley**
Minimum Right-of-Way	100'	50'	50'	70'	20'
Minimum Pavement	As required	35'	25'	20'	10'
Maximum Grade [2]	10%	10%	10%	10%	10%
Minimum Angle of Intersection	80	60	60	60	60
Minimum Intersection Offset	150'	150'	150'	150'	150'
Minimum Curb Radius at Intersection	40'	30'	15'	15'	15'
Curve Radius	300'	250'	100'	100'	100'
Minimum Reverse Curve Tangent	100'	100'	100'	100'	100'

SECTION 4.5 CURB & GUTTER REQUIREMENTS

Curbs and gutters shall be installed on both sides of all streets within the planning jurisdiction of the City of Bayou La Batre. Either valley type or barrier type concrete curb and gutter shall be installed and constructed with concrete with a minimum 28 day compressive strength of 3000 psi.
Curbs and gutters shall be designed and installed in accordance with good engineering practice. Face of curbs shall be not less than six inches in height. Backfill behind curbs shall slope to the back of the curb for drainage.
Markings shall be added to the curb to indicate the location of water and sewer laterals.

SECTION 4.6 SIDEWALKS REQUIREMENTS

All newly created streets shall have a minimum 5-foot wide sidewalk on each side of the street. All new construction projects shall have a minimum 5-foot wide sidewalk.

(a) Sidewalks shall be located within the right-of-way or within an easement of sufficient width adjacent to the right-of-way.

(b) Sidewalks shall be a minimum of 5 feet wide.

(c) All materials used and construction methods employed for building sidewalks shall comply with the requirements of the *Alabama Department of Transportation (ALDOT) Standards Specifications* and implement stormwater management practices in these regulations, using the highest percentage of pervious surface allowed for construction materials.

(d) All sidewalks shall be in accordance with current A.D.A. requirements.

(e) Sidewalks shall include curb ramps meeting accessibility requirements of the Americans with Disabilities act at all intersections and any non-grade driveway or land intersecting the sidewalk.

(f) Where applicable, sidewalk materials shall be used and constructed to encourage maximum tree preservation.

(g) New sidewalks shall connect to any adjacent sidewalks and/or bike paths, and shall be interconnected within said development to allow for sufficient pedestrian access.

(h) All sidewalks must be constructed during the construction phase of development, unless appropriate surety bond is provided.

SECTION 4.7 MEDIANS & ISLANDS

Medians and islands may be used, provided that vehicular travel is not hindered or restricted and that the effective centerline meets all geometric requirements. All medians or islands shall be completely surrounded by curbing to protect the areas from vehicular encroachment. Medians and islands should be graded to provide positive drainage to either a storm inlet or to the roadway surface. Medians and islands intended to be landscaped or provide some other decorative or recreational function shall be recorded on the Final Plat as Common Area. In all cases, a clear zone of at least 6 feet must be provided from the edge of pavement.

SECTION 4.8 BLOCKS

Blocks shall be arranged to assure maximum use of the topographic features of the land.

1. Blocks shall not be less than four hundred (400) feet nor more than twelve hundred (1200) feet in length, except as the planning commission considers necessary to secure efficient use of land or desired features of street patterns. In blocks over eight hundred (800) feet in length, the planning commission may require one or more public cross walks of not less than ten (10) feet in width to extend entirely across the block at locations deemed necessary.

2. Blocks shall be wide enough to allow two (2) tiers of lots of minimum depth, except where fronting on major streets, limited access highways, railroads or where prevented by topographical conditions or size of the property, in which case the planning commission will approve a single tier of lots of minimum depth.

SECTION 4.9 LOTS

Residential lots shall comply with the following requirements:

1. The size, shape, and orientation of lots shall be such as the Planning Commission deems appropriate for the type of development and use contemplated and shall properly relate to the topography of the land and character of the surrounding development. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot must front upon an existing or proposed street or road which has a right-of-way not less than fifty (50) feet in width.

2. Where central water and sanitary sewer systems are reasonably accessible, the subdivider shall connect to such systems and provide connections to each lot. Where such systems are not accessible, alternate methods of water supply and sewage disposal must be used; provided that such systems meet all applicable public health regulations.

3. Except as otherwise required by the zoning district in which the newly created lots are located within the corporate limits, each newly created lot shall have a minimum area of 6,000 square feet, a minimum width of sixty-five (65) feet at the building setback line, exclusive of drainage easements, a side yard width of ten (10) feet and a minimum rear yard width of thirty (30) feet.

4. A subdivision shall not be permitted if it created a newly created lot in the shape of a "flag", "pipe", or "stem" configuration.

5. Subdivision or re-subdivision of a through lot or parcel that extends from a right-of-way to a body of water to create a tier of lots fronting on a new water access right-of-way shall not be allowed except in that each of the newly created lots must conform to the minimum lot size and dimensions applicable under these regulations and that of the zoning district that the newly created lots are located in.

6. An unimproved natural watercourse buffer not less than twenty five (25) feet in uniform width and new water access right-of-way must be established and maintained along the side boundaries of the lot or parcel being subdivided. If a federally classified wetland is present on property being subdivided, a thirty (30) foot buffer zone is required.

7. Size of properties reserved or laid out for commercial or industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.

SECTION 4.10 OTHER REQUIRED IMPROVEMENTS

Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds, parks for local or neighborhood use and other public service areas. In all subdivisions, due regard shall be shown for all natural features such as large trees, water courses, historical areas, archaeological sites, and similar community assets which, if preserved, will add attractiveness and value to the property.

1. In subdivisions of fifty (50) or more lots or twenty (20) or more acres in size, the subdivider shall provide suitable recreation land of a minimum of (10) percent of the total area of land to be subdivided. In the event the subdivision is to be developed in phases, appropriate agreement shall be made with the Planning Commission to assure the dedication of the required land.

2. Utility and drainage easements shall have a minimum width of fifteen (15) feet and located along the side or rear lot lines to provide the necessary area for utility lines and underground mains and cables, as well as appropriate drainage pathways. Where subdivision is traversed by a watercourse, drainage way, channel or stream there shall be provided a storm water or drainage right-of-way of adequate width to accommodate normal runoff.

3. Whether it is provided by means of open ditches, closed storm drains, or curbs and gutters, the subdivision shall have an adequate storm water collection system.

4. Storm sewers and drainage structures shall be designed and installed as required in accordance with good engineering practice. The minimum pipe diameter of storm drains shall be fifteen (15) inches. In no case shall stromwater empty into the sanitary sewer system.

    a) Where a storm sewer system is reasonably accessible to the subdivision, the subdivider shall connect with such network and install all drainage structures necessary to convey the water to the storm drainage system.

    b) Where a storm drainage system is not accessible, the subdivider shall install all drainage structures necessary to convey the water to a location acceptable to the city. All drainage methods shall be designed with stormwater maintenance standards and low impact development methods at the discretion of the engineer.

5. Water, sewer, and gas utilities shall be installed underground in the street right-of-way by the subdivider before any street base is applied unless special conditions require otherwise.

    a) Water mains for both domestic use and fire protection shall be properly connected with a central water system. In areas where water and sewer service are not available the subdivider shall install alternative sewer and/or water systems approved by Mobile County Board of Health. The line(s) shall be constructed in such a manner as to serve adequately all lots shown on the subdivision plat.

    b) Where a public water supply is within reasonable distance of the subdivision, as determined by the planning commission, the subdivider shall connect with same. The design of the distribution system shall meet the Utilities Board of the city of Bayou La Batre Standard specifications latest revision.

    c) Fire hydrants shall be installed along each street at a maximum interval of five hundred (500) feet, or at the ends and center of each block. The water supply and pressure shall be sufficient to provide adequate fire protection as well as the future needs of the intended land use. Where applicable, all sewer and water plans and specifications shall be approved by the Utilities Board of the City of Bayou la Batre prior to submittal of

Preliminary Plat. A letter of approval of the Utilities Board of the City of Bayou La Batre shall accompany Preliminary Plat approval documents.

d) A public sanitary sewer system shall be installed on all newly created lots in a subdivision a public sanitary sewer is available. The design shall be in accordance with the Utilities Board of the City of Bayou La Batre Standard Specifications.

e) When gas mains and/or electric lines are connected with central distribution systems, the lines shall be installed in such a manner as to serve adequately all lots shown on the subdivision plats.

6. Street lighting shall be installed at all intersections. If additional lighting consistent with safety and other community needs is deemed necessary, the Planning Commission may require the subdivider to present a street lighting plan developed in conjunction with the utility company having jurisdiction within the area.

7. Appropriate permanent type street name signs shall be placed at all intersections within the subdivision. The developer may select signs which will be in keeping with the theme of the development subject to approval of the building inspector. A monument sign identifying the subdivision by name shall be placed at the entrance of the subdivision.

8. Right-of-way and property line monuments shall be placed in each subdivision.

   a) Concrete monuments three and one-half (3 ½) inches square and two (2) feet long shall be driven flush with the grade at the intersection of all street rights-of-way and radius points.

   b) Iron pins one-half (1/2) inch in diameter and two (2) feet long shall be driven flush with the grade at each lot corner and at each point where the property line changes direction.

SECTION 4.11 INSPECTION OF IMPROVEMENTS

The subdivider is required to install or construct the improvements herein described prior to having released the bond or other surety which guarantees installation of such required improvements that were presented and approved on the Preliminary Plat. All improvements required shall be constructed in accordance with the standards set forth in these regulations, or as required by the Bayou La Batre Building Official or his duly authorized representative, the state or county highway department, and the department of the respective utility.

All water mains, sanitary sewers and laterals, and storm sewers shall be installed as necessary to prevent the future cutting of the pavement of any street, sidewalk, or other required pavement.

When all required improvements are installed, the subdivider shall call for a final inspection. The Building Official and the project engineer shall inspect the site to determine if the required improvements are satisfactorily installed according to the plans and specifications on the Preliminary Plat.

ARTICLE 5
STORMWATER MANAGEMENT STANDARDS

For any major subdivision or site plan involving land disturbing activity, the Preliminary Plat shall be accompanied by the additional construction plans required for any land disturbing activity in accordance with the Stormwater Management Standards Article of these regulations. No said plat or plan which does not make adequate provision for storm or flood water runoff channels or basins will be approved. The storm water drainage system shall be separate and independent of any sanitary sewer system. All plats and plans submitted for a major subdivision or site plan with land disturbance shall bear the seal, original signature, name, address, telephone number, and certification of the project engineer, who shall be registered to practice as a Professional Engineer in the State of Alabama and who is qualified by reason of education and experience in the field of stormwater management.

Each person, firm, corporation, utility, entity, or agent thereof engaged in any site preparation and/or construction activities shall acquire a Site Disturbance Permit from the Building Department prior to commencement of such activities as established pursuant to the provisions of this Article and no such activity shall commence prior to the approval of a Preliminary Plat by the Planning Commission. A copy of all other required state and federal permits shall be submitted with any plat or site plan before any approval is granted and construction activities can occur.

SECTION 5.1 REQUIRED CONSTRUCTION PLANS

A. Street Plan containing the following information about the newly created streets:

1. Locations of all proposed and existing streets or rights-of-way in or adjacent to the subdivisions;
2. Width of existing and proposed rights-of-way and easements;
3. Street names and location of street signs;
4. Plan and Profile of all streets, showing natural and finished grades drawn to scale of not less than one (1) inch equals 100 feet horizontal and one (1) inch equals 10 feet vertical;
5. Typical Roadway Section detail;
6. Cross sections of proposed streets at a minimum of 100 foot stations;
7. Curve data for the centerline of each street: Delta, Tangent, and Radius;
8. Location of all proposed sidewalks and crosswalks.
9. Street lighting at all intersections, as required and a Street Lighting Plan showing additional lighting, if required, after review.

B. **Drainage Plans** showing plans and specifications that describe the measures proposed to manage stormwater runoff as per the requirements listed in the Stormwater Management Standards Article of these regulations. This shall include an overall drainage plan.

C. **Erosion Control Plans** showing plans and specifications that describe the measures and Best Management Practices which are proposed to control site erosion during and after construction as required in the Stormwater Management Standards Article of these regulations. This shall include an overall erosion control plan.

D. **Utility Plans** showing plans and specifications and feasible connections for the proposed water supply, sewage disposal and fire protection as applicable.This shall include an overall utility plan showing pipe sizes and the location of valves and fire hydrants.

SECTION 5.2 DRAINAGE & STORM SEWERS

1. ***General Requirements.***

The responsible Design Engineer shall not submit any plat of a subdivision which does not appear to make adequate provision for storm or flood water runoff channels or basins. The storm water drainage system shall be separate and independent of any sanitary sewer system.

The applicant shall submit a design narrative and complete drainage calculations, including but not limited to, assumptions, maps, and computations for each inlet, pipe, or ditch section. The design data and calculations shall be prepared, sealed and submitted by a licensed, professional engineer in the State of Alabama. The design narrative shall summarize the assumptions, calculations, and results of the design. Adequate provision shall be made for the disposal of storm waters into existing channels, pipes, or body of water.

All subdivisions shall be provided with adequate storm drainage facilities. Any areas subject to periodic flooding caused by poor drainage facilities will not be accepted unless the developer or subdivider makes necessary provisions to eliminate such flooding.

Low-lying lands along existing watercourses subject to flooding or overflowing during a storm event up to and including the 100 year storm shall be preserved and retained in their natural state within a common area, except where improvements are warranted as may be proposed by the applicant and approved by the Planning Commission.

2. ***Accessibility of Public Storm Sewers***

Where a public storm sewer is accessible, the applicant will be required to install storm sewer facilities or if no outlets are within a reasonable distance, adequate provisions shall be made for the disposal of storm waters, subject to the specifications and calculations submitted by the Design Engineer.

If a connection to a public storm sewer will be provided eventually, as a result of phased construction, the developer shall make arrangements for future storm water disposal by a storm sewer system at the time the plat receives final approval. Provisions for such connection shall be incorporated by inclusion in the performance bond required for the subdivision plat. Where a storm drainage system is not accessible, the subdivider shall install all drainage structures necessary to convey the water to a location acceptable to the City. All open drainage ditches shall be paved with an acceptable material.

3. ***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.

4. ***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. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the City Engineer or his/her designee, may withhold approval of the subdivision until provision has been made for the necessary downstream improvement.

SECTION 5.3 DRAINAGE DESIGN REQUIREMENTS

(a) All developments shall be provided with adequate storm drainage facilities.
(b) Any areas subject to periodic flooding caused by poor drainage facilities will not be accepted unless the developer or subdivider makes necessary provisions to eliminate such flooding in conformity with the National Flood Insurance Program.
(c) Inlets shall be provided so that surface water is not carried across any intersection, nor for a distance of more than 600 feet in the gutter. When calculations indicate that curb capacities are exceeded at a point, catch basins shall be used to intercept flow at that point.
(d) The drainage system(s) shall accommodate flows from at least a 25 year frequency design storm. Bridges and box culverts shall accommodate a minimum of a 50 year frequency design storm, unless the City Engineer, or his/her designee, requires a 100 year frequency design storm.

(e) On any single drainage structure requiring 20 square feet or more of end area, a special design drawing will be required for approval. All roadway cross drain pipes shall be reinforced concrete and have a minimum size of 18 inches in diameter, or an equivalent arch pipe. Only pipe that meets specifications equaling Alabama State Highway Department Specifications or Mobile County Standards will be acceptable. Pipes other than cross drain pipes may utilize other ALDOT approved materials. Concrete box culverts used shall be designed and constructed according to the latest edition of the ALDOT Standards and Specifications for Road and Bridge Construction.

(f) The method of determining storm runoff shall be based on acceptable engineering practice and/or these standards.

(g) *Headwalls and Riprap.* A concrete headwall shall be required on all pipe culverts. Special types of headwalls, rip-rap, and other materials may be required by the City Engineer of his/her designee when deemed necessary for erosion control, protection of existing downstream drainage facilities, and roadside safety.

Drainage Plan Requirements

The Design Engineer shall submit detailed drainage plans to the County for review and approval. Said plans shall be prepared by a Professional Engineer licensed in the State of Alabama and shall contain the following information. A Drainage Plan shall show adequate provision for storm and flood water control by channel, conduit or basins, which takes into account the ultimate or saturated development of the tributary area in which the proposed subdivision is to be located, and which includes but shall not be limited to:

(a) Topography map of proposed developed areas.

(b) Existing and proposed contours at 2 foot intervals.

(c) Existing drainage system, including, but not limited to, pipes, culverts, inlets, ditches, and ponds.

(d) Proposed drainage system, including pipes, culverts, junction boxes, inlets, ditches, detention and retention facilities, and an outline of the on-site drainage areas for each inlet and ditch cross-section.

(e) Structure location, type and size, and the Inlet and Outlet Flow line Elevation.

(f) Cross-section of each ditch section.

(g) Other pertinent information necessary for review of the drainage plans as may be required by the City Engineer, or his/her designee.

(h) Copy of notice of coverage and storm water pollution plan for coverage under the Alabama Department of Environmental Management for issuance of NPDES Permit, and permits from any other agency, where required.

(h) A complete erosion and sedimentation control plan showing the requirements listed in these regulations.

(i) All off project drainage, draining onto the subdivision, shall be shown on contour maps and/or construction plans showing the areas in acres the subdivision will have to accommodate.

(j) Where the subdivider has open ditches, a maximum of three to one (3:1) front slopes and flat bottom ditch is required; the width of the ditch shall be determined by the required flows and the existing conditions and as determined by the Design Engineer. V-bottom ditches or other special designs may be permitted in special cases if they are concrete slope paved.

The provisions of this Article shall apply to all developers and/or subdividers.

Construction Requirements

(a) All pipes shall be placed in excavated trenches to the line and grade shown on the plans. The maximum width of the excavated trenches shall not exceed the outside diameter of the pipe by more than 1.5 feet on either side of the pipe.

(b) Material used for backfilling pipe trenches shall consist of small diameter uniform material and shall be free of large rock or other unsuitable material. The backfill material shall be placed in uniform 8 inch lifts and mechanically compacted to 95% of relative density. The backfill shall be placed uniformly on each side of the pipe and all pipe shall be laid in accordance with City standards.

(c) A minimum of 12 inches cover shall be placed over each pipe 48 inches or less in diameter and 24 inches or more of cover shall be placed on all larger diameter pipes.

(d) When a battery of pipes is used, a clear spacing of ½ the pipe diameter or span shall be provided between adjacent pipes.

(e) The maximum cover allowed, pipe class, and strength requirements shall be in accordance with the manufacturer's recommendation.

(f) A structure suitable for maintenance and inspection access shall be provided at least every 300 feet for continuous pipes of 24 inches in diameter or less and at least every 400 feet for larger continuous pipes, and at each angle point and at each change in grade.

SECTION 5.4 DRAINAGE EASEMENTS

(a) *General Requirements.* Where a subdivision or development of land is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water or drainage easement conforming substantially to the lines of such water course, and of such width and construction or both as will be adequate for the purpose.

(b) *Drainage Easements.* Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual unobstructed easements at least 15 feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. No obstructions of any kind are allowed in the drainage easement. Easements shall be indicated on the Preliminary and Final plat.

SECTION 5.5 EROSION & SEDIMENTATION PLANS

During construction accelerated erosion will occur during storm water runoff with a proportionate increase in visible erosion, scour and siltation both within and outside of the construction site. The following provisions impose requirements on persons engaged in land disturbing activities which require planning and implementation of effective sedimentation controls for subdivision development sites. All developments must adhere to the design, implementation, maintenance, and inspection of adequate, effective Best Management Practices (BMP's) for the control and management of erosion and sedimentation.

(a) *Construction Requirements.* An erosion and sedimentation control plan shall be a part of the construction plans and shall be filed with the City Engineer, or his/her designee prior to the commencement of any land-disturbing activity including but not limited to tree cutting and root removal.

(b) *Protection of Property.* Persons engaged in land-disturbing activities shall take all reasonable measures to protect all public and private property, including roadways, from damage by such activities.

(c) *More Restrictive Rules Shall Apply.* Whenever there is a conflict between Federal, State, or Local Laws, Ordinances, Rules and Regulations, Orders, and Decrees the more restrictive provision shall apply.

SECTION 5.6 EROSION CONTROL OBJECTIVES

The basic control objectives which should be considered in developing and implementing an erosion and sedimentation control plan are to:

(a) *Identify Critical Areas.* On-site areas which are subject to severe erosion, and off-site areas which are especially vulnerable to damage from erosion and/or sedimentation, are to be identified and receive special attention.

(b) *Limit Exposed Areas.* All land-disturbing activities should be planned and conducted to minimize the size of the area to be exposed at any one time.

(c) *Limit Time of Exposure.* All land-disturbing activities should be planned and conducted to limit exposure to the shortest feasible time. Per ADEM requirements, any land area not actively worked for thirteen(13) days or more, and any area where construction activities have permanently cease, are to be immediately stabilized.

(d) *Control Surface Water.* Surface water runoff originating upgrade of exposed areas should be controlled to reduce erosion and sediment loss during the period of exposure.

(e) *Control Sedimentation.* All land-disturbing activities should be planned and conducted so as to minimize off-site sedimentation damage as per standards listed in the *Alabama Handbook for Erosion Control, Sediment Control, and Stormwater Management on Construction Sites and Urban Areas.*

(f) *Management of Stormwater Runoff.* When the increase in the peak rates and velocity of storm water runoff resulting from a land-disturbing activity is sufficient to cause damaging accelerated erosion of the receiving ditch or channel stream, plans shall include low impact development (LID) measures listed in ADEM's *Low Impanct Development (LID) Handbook for the State of Alabama* to control both the velocity and rate of release so as to minimize accelerated erosion and increased sedimentation of the ditch or stream channel.

SECTION 5.7 EROSION CONTROL DESIGN REQUIREMENTS

(a) *Mandatory Standards.* No land-disturbing activity subject to these provisions and requirements shall be undertaken except in accordance with the following mandatory requirements.

1. No land-disturbing activity shall be permitted in proximity to a lake, natural watercourse, or adjacent property where applicable unless an undisturbed natural buffer zone is provided along the boundary with a minimum width of 25 feet to confine visible siltation and/or prevent erosion, provided that the land-disturbing activity is not in connection with the construction of facilities to be located on, over, or under a lake, natural watercourse, or adjacent property. A minimum thirty (30) foot natural undisturbed buffer area is required when a federally classified wetland is located on property.

2. The angle for graded slopes and fills shall be no greater than the angle which can be retained by vegetative cover or other adequate erosion control devices or structures. In any event, slopes left exposed will, within the shortest feasible time of feasible grading, be planted or otherwise provided with ground cover, devices, or structures.

(b) *Design and Performance Standards.* Erosion and sedimentation control measures, structures, and devices shall be so planned to best management practices, designed, and constructed as to provide control from the calculated peak rates of runoff from a 25 year storm event. Runoff rates may be calculated using the procedures in the USDA, Soil Conservation Service's "National Engineering Field Manual for Conservation Practices", or other acceptable calculation procedures. Runoff computations shall be based on rainfall data published by the National Weather Service for the area. Persons engaged in planning, designing, installing and maintaining sedimentation control measures may use generally accepted references on the subject following standard engineering and/or practices such as the Alabama Soil Conservation Service manual for standards and specifications for erosion control. All plans will be subject to review by the City.

(c) *Permanent Downstream Protection of Stream Banks And Channels.* Provision may be required for the permanent protection of on-site or adjacent stream banks and channels from

the erosive effects of increased velocity and volume of storm water runoff resulting from certain land-disturbing activities. These can include, but are not limited to, slope paving, rip rap, energy dissipaters, solid sodding, and grassing.

(d) *Borrow and Waste Areas.* When the person conducting the land-disturbing activity is also the person conducting the borrow or waste disposal activity, areas from which borrow is obtained shall be considered a part of the land-disturbing activity where the borrow material is being used or from which the waste material originated. When the person conducting the land-disturbing activity is not the person obtaining the borrow and/or disposing of the waste, these areas shall be considered a separate land-disturbing activity.

(e) *Access and Haul Roads.* Temporary access and haul roads, other than public roads, constructed or used in connection with land-disturbing activity shall be considered a part of such activity.

(f) *Operations in Lakes or Natural Watercourses.* Land-disturbing activity in connection with construction, in, on, over, or under a lake or natural water course shall be planned and conducted in such a manner as to minimize the extent and duration of disturbance of the stream channel. The relocation of a stream, where relocation is an essential part of the proposed activity, shall be planned and executed so as to minimize changes in the stream flow characteristics, except when justification for significant alteration to flow characteristic is provided.

(g) In any event, slopes left exposed shall within thirty (30) working days of completion of final grading be planted or otherwise provided with ground cover, devices, or structures sufficient to restrain erosion.

(h) Whenever land-disturbing activity is undertaken on a tract comprising more than one (1) acre, if more than one (1) contiguous acre is uncovered, a ground cover sufficient to restrain erosion must be planted or otherwise provided within thirty (30) working days on the portion of the tract upon which further active construction is not being undertaken, provided this activity shall not apply to cleared land forming the basin of a reservoir later to be inundated.

Erosion Control Plan Requirements

The design Engineer shall submit an erosion and sediment control plan for review and approval to the Building Official and Planning Commission. Said plan shall be prepared by a Qualified Credentialed Professional (QCP) such as a Professional Engineer (PE) or a Certified Professional in Erosion and Sediment Control (CPESSC), as required by ADEM, licensed in the State of Alabama. If the City determines, upon review of such plan that a significant risk of off-site sedimentation or erosion exists, it will require a revised plan to be prepared. An Erosion Control Plan shall show the required items:

(1) Erosion and sediment control plans shall contain architectural and engineering drawings, maps, assumptions, calculations, and narrative statements as needed to describe adequately the proposed development of the site and the measures planned to meet best management practices (BMP's). Plan content may vary to meet the needs of specific site conditions. Large and/or

complex sites shall include the proposed stages of construction and the proposed erosion and sediment control measures proposed to be used in each different stage of construction.

(2) Data on historical runoff, developed runoff, detention pond details, and method of discharge.

(3) Operations and Maintenance (O&M) Plan and Agreement for maintenance of detention facilities and other storm water quantity and quality BMPs during development and documents providing for continued inspection and maintenance after completion of development and sale of all lots, such documents running as a covenant with the lands.

(a) An Operations and Maintenance (O&M) Agreement signed by the developer or owner for any required detention facilities or other storm water quantity and quality BMPs must be submitted with the proposed plans. The agreement must contain a long-term maintenance plan prepared by the design engineer for each BMP. The maintenance plan must include a description of the storm water conveyance system and its components, inspection priorities, schematics for each BMP, and inspection schedule for each water quantity and quality BMP. The O&M Agreement must be recorded prior to final plans approval. If the final configuration of the storm water system or BMPs differs from the original design on the approved plans, the O&M Agreement must be revised, finalized, and rerecorded. Failure to follow the O&M Agreement could result in enforcement action.

(b) The long-term maintenance plan within the O&M Agreement contains the inspection priorities and schedule for the storm water BMPs. The owner is responsible for inspecting the storm water system and BMPs according to the schedule and submitting reports to the Building Official every three (3) years to document that inspections have been completed and necessary maintenance has been performed.

(c) Prior to the full release of the performance bond for any new or substantially improved storm water facilities, an Alabama registered engineer shall submit to the Building Official certification that the proposed storm water management system and BMPs for the development are complete and functional in accordance with the approved plans and shall also provide as-built drawings for the storm water management systems and BMPs.

(4) Basic Design Data and calculations including routing calculations in legible tabulated form and proof of adequacy of volume of retention and sizing computations for low flow structures.

(5) Copy of notice of coverage and storm water pollution plan for coverage under the Alabama Department of Environmental Management for issuance of NPDES Permit, and permits from any other agency, where required.

(6) Any additional engineering information the Planning Commission deems necessary to make a decision on subdivisions and other development where adequacy of drainage is reasonably questioned.

(7) A natural, unimproved buffer adjacent to any waterbody located in the subdivision or on an existing lot of record for all construction projects that involves land disturbing activities. Buffer zones are required to be shown on the Erosion Control Plan and adhere to the following:

(a) A 25 foot natural buffer zone is required for all water bodies located on the land being disturbed unless said water body is a federally classified wetland, which requires a 30 foot buffer zone.

(b) Allowable uses in the buffer include: flood control structures; utility easements as deemed necessary and approved by the Planning Commission; natural footpaths; greenways; pedestrian

and bikeway crossings perpendicular to the streamside including approaches, dock and ramp access, and other uses as determined by the Planning Commission. All buffer disturbances associated with allowable uses shall be to the minimal extent practicable and all disturbed areas shall be stabilized as soon as possible.

(c) The vegetated target for the buffer shall be undisturbed natural vegetation. Any of the allowable uses shall be designed and constructed to minimize clearing, grading, erosion, and water quality degradation.

(d) All new platted lots shall be designed to provide sufficient land outside of the buffer to accommodate primary structures. Buffers should be delineated before streets and lots are laid out to minimize buffer intrusion and to assure adequate buildable area on each platted lot. Land within the buffer can serve to meet the minimum lot requirements.

(e) In order to maintain the functional value of the buffer: dead, diseased, or dying trees that are in danger of falling and causing damage to dwellings or other structures may be removed at the discretion of the landowner; debris in the buffer that is a result of storm damage may be removed; and, invasive plant species may be removed if they are replaced by native species.

(f) Stream boundaries including each buffer zone must be clearly delineated on all grading plans, subdivision plats, site plans and any other development plans.

(g) Buffers must be specified on all surveys and recorded plats and noted on individual deeds. Buffer requirements must be referenced in property owner's association documents and shall be labeled on the plat.

SECTION 5.8 INSPECTIONS & MAINTENANCE

(a) *Notification.* The applicant shall notify the City Building Official or his/her designee as soon as the initial best management practices (BMP's) have been installed so that an inspection of the BMP's can be made. Such Inspection shall be made within two (2) working days of said notice. No land disturbing activities, except those necessary to install the BMP's shall take place until after the inspection is complete and no additional BMP's are required.

(b) *Inspection.* The City may perform periodic inspections of the BMP's on the job site. Upon finding that erosion and sedimentation is taking place; or that the proposed BMP's are not installed, installed incorrectly, or not operating properly, the applicant will be notified verbally and in writing that all work affecting the BMP's in question shall have five (5) days per ADEM requirements to be repaired, otherwise construction activities will be immediately suspended until proper, adequate, and functioning BMP's are installed.

After a rainfall event of ¾" or more in a 24-hour time period, an inspection will be required as per ADEM standards, for a visual observation by the Building Official. Monthly inspections of the construction site may be required as well at the request of the Building Official.

(c) *Responsibility for maintenance.* The person engaged in or conducting the land-disturbing activity shall be responsible for maintaining all temporary and permanent erosion and sedimentation measures and facilities during the development of a site. The responsibility for maintaining all permanent erosion and sedimentation control measures and facilities after site development is completed shall lie with the landowner, until such time adequate vegetative cover and site stabilization is achieved. Maintenance of these facilities lies with the landowner until assumed by other parties.

SECTION 5.9 STORMWATER DETENTION

Developments which produce an increase in the amount of storm water runoff will be required to construct stormwater management facilities. The developer shall submit, detailed engineering calculations and plans to the City including historical runoff, developed runoff, storm water facility details, method of discharge, and other information as required for review. The developer shall also include the method of maintenance for the detention pond after the development is completed.

The natural condition of the land before development is in relative balance with the natural capacity of the receiving streams. The undeveloped conditions provide greater permeability and longer time of concentration. By modification of the surface from the irregular, pervious, areas are changed to a more impervious and more effectively drained and in most cases denuded of vegetation.

In order to provide some control of these possible harmful elements of development and to reduce economic losses due to erosion and flooding, the criteria of differential runoff and storm water detention are hereby established. Post-development release rates shall not exceed pre-development rates. When feasible, the differential runoff should be less.

Post development release rates shall not exceed pre-development rates. Provisions shall be made to address 100 year storm events to ensure that detention facilities survive such events. Detention facilities shall be owned, operated and maintained by development entities and shall not be accepted for maintenance by the City Council.

Detention criteria shall consist of a maximum release rate equivalent to the pre-development flow from a 10 year storm event. The minimum detention capacity must be adequate to accommodate the volume of a 50 year post development storm event. All outfall structures shall be sized so that the post development runoff from a 100-year storm may safely pass out of the detention facility. All storm water detention areas must be shown on the plans and denoted on the record plat as a common area that will be maintained without cost or expense to the City, and the details of the maintenance plan for such areas, including appropriate provision for assumption by the developer or his successors in interest of the financial responsibility for such maintenance, must be provided in form and substance satisfactory to the Planning Commission.

SECTION 5.10 MINIMUM REQUIREMENTS & STORMWATER DESIGN

(a) *Liability.* The design criteria establish minimum elements of design which must be implemented with good engineering and good workmanship. Use of the information contained herein for placement of any structure or use of land, shall not constitute a representation, guarantee, or warranty of any kind by the City of Bayou La Batre, its offices or employees, of the practicability, adequacy or safety and shall not create liability upon or cause action against any such public body, office, or employee for any damage that may result pursuant thereto.

(b) *Engineer's Seal.* All plans and specifications submitted for review and/or approval shall be prepared by, or under the direct supervision of a registered professional engineer, licensed in the State of Alabama, and shall meet the minimum standards and requirements of the City,

and other applicable authorities. Each plan, profile and special drawing sheets for a project shall bear a legible stamp of the Professional Engineer in charge. If the name or license number is not clear, the signature and number shall be added. It is imperative that the professional design engineer be qualified in the area of drainage per the State of Alabama registration laws.

(c) *Pre-design Conference.* The developer and the consulting engineer are encouraged to contact the City for a pre-design conference at the conceptual stage of the project. Such conference would be mutually beneficial to outline the complexity and scope of design, applicability of criteria and elimination of possible items of conflict during the review process. Subsequent conferences, during the preparation of plans may be arranged by the consulting engineer or the developer to obtain preliminary, informal decisions on items in need of clarification.

(d) *Method of Evaluation*. Differential runoff evaluation consists of determination of rates of runoff before and after development, determination of required volume of detention and verification of adequacy of discharge and control structures. Design should be based on a 25 year storm, a 24 hour event, or greater if required by the Planning Commission. This shall be based on sound engineering criteria and computations and shall be submitted to the City's Building Official for review.

(e) *General Location*. Detention facilities shall be located within the parcel limits of the project under consideration. No detention or ponding will be permitted within public road rights-of-way. Location of detention facilities immediately upstream or downstream of the project, will be considered by special request unless proper documentation is submitted with reference to practicality, feasibility and proof of ownership or right-of-use of the area proposed.

(f) *Common Ground Projects.* It is preferred that detention facilities be always located in common ground. Projects developed under these procedures shall establish (in the recorded plat) maintenance and access easements for the detention facilities and include provisions for maintenance in the Trust Indentures.

(g) The entire reservoir area of the open channel shall be seeded, fertilized and mulched, sodded, paved, or lined prior to final plat approval by the City.

(h) The hydraulic elevations resulting from channel detention shall not adversely affect adjoining properties.

(i) *Permanent Lakes.* Permanent lakes with fluctuating volume controls may be used as detention areas provided that the limits of maximum ponding elevations are no closer than thirty (30) feet horizontally from any building and less than two (2) feet below the lowest sill elevation of any building.

1. Maximum side slopes for the fluctuating area of permanent lakes shall be one (1) foot vertical to three (3) feet horizontal (3:1) unless proper provisions are included for safety, stability and ease of maintenance.

2. Maximum fluctuation from permanent pool elevation to maximum ponding elevation shall be three (3) feet.

3. Special consideration is suggested to safety and accessibility for small children in design of permanent lakes in residential areas.

4. Viability of the permanent impoundment shall be considered. An acceptable guideline is to make the area of the permanent pool no greater than one-tenth the size of the tributary drainage area. It is suggested that the minimum depth of twenty-five percent (25%) of the permanent pool area be no less than eight (8) feet. Allowances for silting under denuded soil conditions (during construction) for a period no less than one year is also recommended.

5. The entire fluctuating area of the permanent reservoir shall be seeded, fertilized and mulched, sodded or paved prior to release of surety if required by the City. Any area susceptible to or designed as overflow by higher design intensity rainfall, as indicated previously, shall be sodded or paved.

(j) *Other Methods*. Other methods of detention such as seepage pits, french drains, etc. are discouraged. If other methods are proposed, proper documentation of soils data, percolation, geological features, etc. will be needed for review and consideration. Infiltration controls (including grass-lined ditches) will be needed if the project runoff volume, for the set of 1 year, exceeds the pre-development runoff volume.

(k) *Verification of Adequacy*. Analysis of all elements of design is always performed by the registered professional engineer. The following outline is provided to ascertain that certain critical elements of design are in workable compliance with the aims of design:

1. volume of retention for the total project
2. tributary (Q) peak runoff to basin
3. balanced maximum outflow rate from the low-flow structure
4. ratios of inflow to outflow
5. sizing of the overflow facilities
6. stability of dikes
7. safety features
8. maintenance features

For projects up to 200 acres, routing calculations shall be submitted in legible tabulated form. Proof of adequacy of volume of retention and sizing computations for low-flow structures shall also be submitted. Features of stability and safety may also need to be documented if the scope of the project requires special attention in this area of design.

Projects over 200 acres in area shall provide documented verification of adequacy according to scope and complexity of design.

(l) *Control Structures.* Detention facilities shall be provided with obvious and effective control structures. Plan view and sections of the structure with adequate detail shall be included in plans.

1. The maximum overflow opening or emergency spillway shall be designed to accept the total peak runoff of the improved tributary area during the 100 year storm.

2. Proper engineering judgment shall be exercised in analysis of secondary routing of discharge of greater intensity than the basic design storm in order to avoid economic losses or damage downstream. Review with the maximum probable precipitation event is recommended.

3. When existing downstream pipe sizing, outside the developers control jurisdiction, is inadequate, an evaluation for under sizing of pipes may be undertaken by the City upon receipt of written request from the engineer specifying the run or runs desired to be undersized. Applicant shall submit a plan/profile view and appropriate calculations of the entire undersized system (if less than 600 feet in length), or a minimum of 600 feet. No under sizing will be allowed if the requested under sizing will affect the performance of an existing structure.

SECTION 5.11 STORMWATER PLAN REQUIREMENTS

The Design Engineer shall submit detailed plans for review and approval. Said plans shall be prepared by a Professional Engineer licensed in the State of Alabama and shall contain, the following information:

(a) Topography map of the proposed detention facility area(s);

(b) Existing and proposed contour lines at 2 foot intervals;

(c) All proposed pipes, control structures, headwalls, riprap, junction boxes, including location, size, flow line elevations;

(d) Detailed drawings of the control structure(s);

(e) Cross sections of each storm water facility.

SECTION 5.12 EASEMENTS

Two types of easements shall be provided in plans for detention facilities.

(a) *Maintenance Easement.* All detention reservoirs with the exception of parking lot and roof detention shall be enclosed by a maintenance easement. The limits of the easement shall extend ten (10) feet beyond the maximum anticipated ponding area for a base flood event.

(b) *Drainage Easement.* A minimum fifteen (15) foot wide drainage easement shall be provided within the reservoir area connecting the tributary pipes and the discharge system along the best possible routing of a piping system for possible future elimination of detention.

Dedication of Drainage Easements

(a) General Requirements. Where a subdivision or development of land is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a stormwater or drainage easement conforming substantially to the lines of such water course, and of such width and

construction or both as will be adequate for the purpose. Easement width must allow for maintenance access.

(b) Drainage Easements. Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, common areas with perpetual unobstructed easements at least 20 feet in width for such drainage facilities shall be provided across property outside the road lines, and with satisfactory access to the road. All existing and proposed easements shall be clearly indicated in the plan view of the Preliminary and Final plats.

(c) Side and Rear Lot Lines: A minimum 15 foot (total width) drainage easement shall be provided along all side and rear lot lines to allow for the proper drainage of stormwater from both rear yards and off-site areas.

SECTION 5.13 MAINTENANCE

Detention facilities are to be built in conjunction with the storm sewer installation and/or grading. Since these facilities are intended to control increased runoff, they must be partially or fully operational prior to the clearing of the vegetation. Silt and debris connected with early construction shall be removed periodically from the detention area and control structure in order to maintain close to full storage capacity.

The responsibility for maintenance of the detention facilities in subdivision projects, if such has been required, shall remain with the developer until such time as applicable escrows are released. Upon release of escrows the maintenance responsibility shall be vested in the Trustees of the subdivision, by virtue of the trust indenture. The indenture of trust shall clearly indicate resident responsibility for maintenance in cases of projects without common ground. These maintenance requirements do not imply that any drainage structures or systems are or will become the maintenance responsibility of City of Bayou La Batre. A letter from the owner/developer indicating responsibility for maintenance of all drainage structures or systems shall be submitted and will become part of the official record that will run with the land.

SECTION 5.14 LOW IMPACT DEVELOPMENT REQUIREMENTS

The design and integration of the following low impact development (LID) techniques are intended to promote the health, safety, and general welfare of the community and are designed to work in a complimentary fashion with the required drainage plan for the proposed development. All major subdivision plats and site plans involving land disturbing activities require the following LID techniques to be shown on the plat or plan and implemented into the project, when applicable. Design guidelines and project implementation are referenced in ADEM's Low Impact Development Handbook for the State of Alabama. The following illustrations are taken from the handbook as well. See below for a list of suggested LID methods and techniques.

1. **Permeable Pavement Systems:** The benefits of permeable pavement systems are, among other items, flow attenuation, infiltration, and filtration of stormwater. There are many products and strategies that can be utilized and the Building Official and Planning Commission is open to the use of varied products in accordance with manufacture recommendations and suggestions listed in the Low Impact Development Handbook for the State of Alabama, see *Figure 5.1*. Consultation and approval with the Building Official and Planning Commission prior to design of the product to be utilized is required.

Figure 5.1

2. **Vegetated Swales:** Vegetated swales are highly effective and an inexpensive method in straining stormwater, providing limited quality treatments, while providing some moderate flow attenuation, see *Figure 5.2.* Special design considerations are: Typically, swales work best in smaller drainage areas where volumes are reduced, special consideration should be given in pervious soils, not recommended with high swell soils, should have low slopes, adjacent areas and layout should be considered in the design. Suggested characteristics where topography, soils, and slope permit vegetated open channels and spaces should be considered as a significant or a primary means of stormwater conveyance.

Figure 5.2 ***Vegetated Swale***

3. **Open and/or Natural Space:** The installation of this LID technique provides numerous active and passive recreation opportunities and benefits for wildlife corridors. This technique allows for the creative integration into a development proposal that is frequently linked with other natural or recreation systems that extend past the property lines of the proposed development. They are frequently utilized as linear parks and often include sensitive wetland areas, steep

slopes, gullies or other natural land forms, creeks, and unique wildlife habitat for protected species.

4. **Curb Cuts:** Curb cuts convey stormwatrer into vegetated areas such as roadside swales, parking lot islands, grassy fields, and yards. They are an easy and inexpensive retrofit that can be used in residential and commercial areas. They are highly effective at moving stormwater to landscaped areas and are often used to convey stormwater into another LID facility. They minimize erosion by creating diffuse flow into other stormwater control measures, reducing stormwater quantity in the receiving water body. They typically intercept perpendicular stormwater flow and redirect stormwater to vegetated areas that can hold, filter, and slow the rate of runoff.

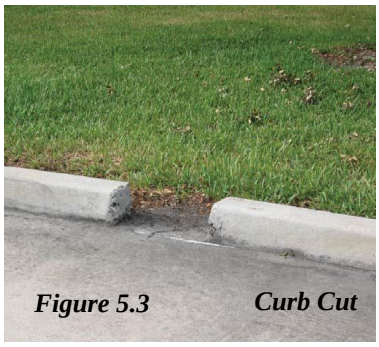

Figure 5.3 ***Curb Cut***

5. **Wet Basins:** The potential benefits of wet basins are, among other items, allowing sedimentation to fall out of stormwater, attenuating flows, assisting in evapotranspiration, and improving the stormwater quality. Special design considerations are: groundwater elevations, large surface areas are encouraged, special attention should be given in pervious soil, surface area of the basin should take into account nutrient loading from lawns for example in order to treat and improve stormwater quality to the maximum extent possible, ensuring that an adequate base flow is provided to maintain water levels. They are not recommended to be constructed in an inline facility, utilize low slopes; however, the use of forbays are recommended. Upstream and downstream areas shall be considered in the design in accordance with Bayou La Batre standards.

6. **Site design for habitat, wetland, and water body conservation:** Proper site design that incorporates the natural features of the property can help to minimize erosion and reduce stress on natural water conveyance and attenuation systems by preserving a natural vegetated state of native plants, water courses, and flood prone areas. This design method uses only native plants in the development process and take special consideration to restore portions of the site to predevelopment native ecological communities, water bodies or wetlands with more than 10% of the development footprint. An example of such is a living shoreline that utilizes the placement of native plants and vegetation, stone, sand, and other organic materials which allow for proper, natural coastal process to occur, while creating a more stabilized and natural shoreline, see *Figure 5.4*. This stormwater management practice is recommended in place of bulkhead or other hard surface construction adjacent to shorelines to minimize flooding and decrease erosion rates that occur on neighboring properties.

Figure 5.4 ***Living Shoreline***

7. **Bioretention:** This technique removes pollutants in stormwater runoff through adsorption, filtration, sedimentation, volatilization, ion exchange, and biological decomposition. A Bioretention Cell (BRC) is a depression in the landscape that captures and stores runoff for a

short time, while providing habitat for native vegetation that is both flood and drought tolerant. BRCs are stormwater control measures (SCMs) that are similar to the homeowner practice, of installing rain gardens, with the exception that BRCs have an underlying specialized soil media and are designed to meet a desired stormwater quantity treatment storage volume. Peak runoff rates and runoff volumes can be reduced and groundwater can be recharged when bioretention is located in an area with the appropriate soil conditions to provide infiltration. Bioretention is normally designed for the water quality or "first flush" event, typically the first I " -1.5" of rainfall, to treat stormwater pollutants. Suggested characteristics are: To be used as both a stormwater and aesthetic feature frequently throughout developments. Special attention should be given to plant and ground cover considerations given the volume and duration of the designed stormwater. Special design considerations are: Typically work best in small drainage areas with frequent use and distribution, special attention is required in pervious soils and should be used in areas with high permeable soils, but not recommended in high swell soils.

8. **Greenways:** Greenways provide for beneficial use of Low Impact Developments for potentially active and passive recreation opportunities and wildlife corridors. This technique allows for the creative integration into a development proposal that is frequently linked with other natural or recreation systems that extend past the property lines of the proposed development. Suggested characteristics: Typically greenways are easier to integrate into a development proposal on larger acreages. They are frequently utilized as linear parks and often include sensitive wetland areas, steep slopes, gullies or other natural land forms, creeks, and unique wildlife habitat for protected species.

9. **Grass Buffers:** The potential benefits of grass buffers are, among other items, their ability in straining stormwater, providing limited quality treatments, while providing some moderate flow attenuation. Special design considerations are: Typically work best in smaller drainage areas where volumes are reduced, special consideration should be given in pervious soils, not recommended with high swell soils, should have low slopes, adjacent areas and layout should be considered in the design. Suggested characteristics where topography, soils, and slope permit vegetated open channels and spaces should be considered as a significant or a primary means of stormwater conveyance.

SECTION 5.15 UTILITY PLAN

The applicant is required to place all utilities underground when feasible as determined by the design engineer of the construction project. All existing and proposed utility facilities throughout the subdivision shall be shown on the engineering and construction plans submitted with the Preliminary Plat. All pressurized underground utility lines located under pavement shall be encased, except for service lines less than 2" in diameter. Minimum cover must be provided over all utility lines as required by the Town Engineer.

Water System.

(1) Major subdivisions. Every major subdivision shall connect to an existing public water supply system capable of providing both domestic water use and fire protection when the

existing system borders the subdivision, or the system is reasonably available and the utility has submitted a statement that it is willing and able to provide service.

(2) Minor subdivisions. Every minor subdivision shall connect to an existing public water supply system capable of providing both domestic water use and fire protection when the existing system borders the subdivision and the utility has submitted a statement that it is willing and able to provide service.

(3) Where public water is existing or is installed, fire hydrants shall be installed at a spacing not to exceed 1,000 feet along each street, and within 500 feet of all proposed lots. The water supply volumes and pressures shall be sufficient to adequately serve the subdivision. The design engineer shall submit a written report and calculations that include recent flow rate tests of the existing water system that verify the adequacy of the fire protection being provided. A letter must be submitted from the local fire protection authority, indicating that the proposed volumes and pressures are sufficient.

Sanitary Sewer System.

1) Connection to a sanitary sewer system is required when public sewer is available to the subdivision. When sanitary sewer is installed, sewer stub-outs shall be provided for each lot, and shall extend to the property line of the said lot.

(2) If no sanitary sewer system is provided, on-site disposal systems may be used after approval is received from the Health Department.

(d) Easements. An easement a minimum of 15 feet wide on the rear and/or side lot lines shall be provided for utilities, as required by the utility providers and/or the City of Bayou La Batre Planning Commission. Proper coordination shall be established between the applicant and the applicable utility companies for the establishment of utility easements. All existing and proposed easements shall be clearly indicated in the plan view of the Preliminary and Final plats.

SECTION 5.16 TREE PROTECTION REQUIREMENTS

(a) Purpose: The purpose of this section is to establish minimum standards for protection and restoration of trees and natural features for any major subdivision or site plan that requires land disturbing activity. Trees provide the City of Bayou La Batre with aesthetics, historical values, flood prevention controls, environmental quality, and increased land values. The objectives are to increase the current canopy coverage by trees and to increase the green space areas preserved within the city limits and the extra territorial planning jurisdiction of the City of Bayou La Batre.

(b) Exemptions: The following are exempted from compliance with the tree and landscape provisions of these regulations.

1. Utility easement for power lines, pipelines, drainage ditches, etc.
2. Public utility construction activities within the public rights-of-way.
3. Trees irreversibly damaged or destroyed by natural disaster.

(c) Definitions: For the purposes of these regulations, certain words or terms herein shall be defined as follows. Words not defined herein shall be interpreted so as to give them the meaning they have in common usage. The word "shall" is mandatory and not discretionary. The word "may" is permissive.

1. *Caliper*: The diameter or thickness of the main stem of a young tree or sapling as measured at six inches above the ground.
2. *Circumference*: The distance around the periphery of a tree at 4 ½ feet above exiting grade.
3. *Diameter Breast Height*: The diameter, in inches, of a tree trunk measured at 4½ feet above existing grade. DBH is also referred as the diameter of a tree.
4. *Greenspace*: Any area retained as permeable unpaved ground and dedicated to supporting vegetation.
5. *Heritage Tree*: A healthy, protected native tree and its root system with a diameter at breast height equal to or greater than 15 inches. (See "Overstory" Tree list) Also redbuds and dogwoods with a diameter at breast height equal to or greater than 6 inches. Any tree determined by the Building Official and Planning Commission, as provided herein, to be of notable historic interest, high aesthetic value, or of unique character because of species, type, age, or size.
6. *Overstory Tree*: Trees which, at maturity, comprise the canopy of a natural forest which are generally greater than fifty (50) feet at mature height.
7. *Site Clearing/Land Disturbing*: Any development or other activity which alters the land upon which it is located, except for normal sodding and placement of signs.
8. *Site Plan*: A plan describing for a particular site where the building(s), driveway, utility easements, parking, stormwater management facilities, and other required elements are to be located and where greenspace is to be retained or planted in compliance with these regulations.
9. *Species Diversity*: A diverse planting or retention of tree species on a site within the city to prevent dominance by any single type of tree. The purpose of this diversity is to prevent the destruction of the entire urban forest in the event of disease or pestilence.
10. *Understory Trees*: Trees, which, at maturity, comprise the sub-canopy of a natural forest. These are generally less than fifty (50) feet at a mature height.

(d) Requirements:

A Landscape Plan shall be required for any land disturbing activity prior to the issuance of a Land Disturbing Permit. The Plan shall clearly show the existing trees, shrubs, and other vegetation to be retained. The Plan shall be submitted with the Preliminary Plat to the Building Official and the Planning Commission for review and include the following items:

1) **Natural Features:** Preservation of outstanding and irreplaceable natural features may be required by the Planning Commission, and shall be determined on a case-by-case basis. These features may include, but are not limited to, watercourses, historical lands, wetlands, and protected species habitat.

2) **Heritage Trees:** Heritage trees in excess of 24 inches in diameter are hereby protected and cannot be cut or intentionally harmed without the expressed written permission of the City of Bayou La Batre Planning Commission. Species include, but are not limited to:
   - long leaf pine
   - live oaks
   - southern magnolia

Replacement trees shall be required for the removal of all heritage trees. The developer is required to plant two (2) trees for each heritage tree removed without permission, and will be subject to the fines listed in these regulations. The replacement trees shall correspond to the tree removed. For example a heritage live oak could be replaced by two live oak plantings. Replacement trees must be native non-invasive trees. The Landscape plan shall show the placement and species of the proper number of required new trees.

e) Heritage Tree Removal: Any developer/builder wishing to remove or relocate a heritage tree shall submit a heritage tree removal plan to the Building Official and Planning Commission accompanied by a site plan for reviewing the plan for consistency with these requirements. The site plan must identify the location and type of heritage tree to be removed and the location and type of plantings for replacement. Heritage trees may be removed, subject to review, if it is in immediate threat to life, safety and welfare. Examples:

1. The tree is located in an area where a structure or improvement is to be placed in accordance with the proposed plan.
2. The tree is diseased, injured, or in danger of falling too close to an existing or proposed structure, interferes with the existing utility service, creates and unsafe vision clearance or conflicts with other Ordinances, Articles or Regulations.
3. The tree shall be prior to or after construction in violation of federal, state or local laws or regulations including, but not limited to, laws and regulations pertaining to government programs for the financing of the construction.

(f) Tree Survey:

All major subdivisions and non-residential site plans involving land disturbing activities shall detail the following on the Landscape Plan:

a) All heritage trees to be preserved and to be removed;
b) Areas of tree preservation in common areas and/or buffer;
c) Areas of tree plantings to include replacement heritage plantings and plantings per these requirements.

(g) Tree Density: All newly created residential lots of a major subdivision shall have a minimum of two (2) overstory trees, one of which must be between the front setback line and the right-of-way. These individual trees per lot may be counted as part of the required tree density units per acre for the development, but they may be an additional requirement if the appropriate units per acre requirement are met elsewhere on the site. This tree per lot requirement shall apply to the developer or homebuilder, whoever is responsible for obtaining the building permit for the individual lot, but if it is applied to the homebuilder, the developer will be given credit on the whole project for the trees which will be required to be planted on the lots which may be built upon later.

Residential subdivisions developments shall have a minimum tree density of four (4) native trees per acre. All preserved and planted trees shall be included in the tree density, which includes trees located in the buffers, parking areas, perimeter, individual lots, and common areas.

(h) Tree Planting: The following standards shall apply to all trees planted as required as part of these regulations.

1. All tree plantings shall be installed to current nursery industry standards.
2. Trees selected for planting must be free from injury, pests, disease, nutritional disorders or root defects, and must be of good vigor in order to assure a reasonable expectation of survivability.
3. Tree plantings and overstory shall measure a minimum of 3 inches, 4 feet above grade and shall measure a minimum of 5 feet of clear trunk.
4. Understory trees shall have an initial caliper diameter of at least 1 inch and shall measure a minimum of 4 feet of clear trunk.
5. No overstory trees shall be planted within twenty (20) feet of overhead wires.
6. All plantings that die or are destroyed must be replaced by developer or builder during the next suitable planting season.
7. Maintenance of new plantings after the initial warranty period is the responsibility of the property owner.

(i) Maintenance: Maintenance shall include the replacement of all dead plants. Dead plant material shall be replaced within a time appropriate to the growing season of the species in question, not to exceed on year. The maintenance for the initial twelve (12) months will be the responsibility of the developer or burden of record.

(j) Abrogation and Greater Restrictions: This section is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this section and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(k) Allowable Overstory Trees: The following species are acceptable for planting. Other species that are recognized as suitable for this area may be used if approved by the Planning Commission and are native to coastal Alabama.

- *Acer rubrum* – Red Maple
- *Betula nigra* – River Birch
- *Carya spp* – Hickory (*any species native to coastal Alabama*)
- *Fraxinus spp* – Ash (*any species native to coastal Alabama)*
- *Liridendron tulipifera* – Yellow-poplar/Tulip-Tree
- *Nyssa sylvatica* – Black Gum, Tupelo
- *Quercus spp.* – Live, Southern Red, or Laurel Oak
- *Taxodium distichum* – Bald Cypress

(m) Recommended Understory Trees: The following species are recommended for planting. Other species that are recognized as suitable for this area may be used if approved by the Planning Commission and are native to coastal Alabama.

- *Amelanchier aboreum* – Downy Serviceberry
- *Cercis Canadensis* – Eastern Redbud
- *Chamaecyparis thyoides* – Atlantic White Cedar
- *Chionanthus virginicus* – Fringe-tree/Grandsie-graybeard
- *Cornus florida* – Flowering Dogwood
- *Ginkgo biloba* – Ginkgo/Maidenhair Tree (*use male plants only*)
- *Halesia caroliniana* – Carolina Silverbell
- *Halesia diptera* – Two-wing Silverbell

- *Ilex spp.* – Holly/Ilex (*arborescent species native to coastal Alabama)*
- *Juniperus virginiana* – Eastern Red Cedar
- *Juniperus silicicola* – Southern Red Cedar
- *Lagerstroemia indica* – Crape-myrtle
- *Magnolia Magniflora*- Southern Magnolia
- *Myrica cerifera* – Southern Bayberry, Wax Myrtle
- *Nyssa ogeche* – Ogeeche Gum
- *Osmanthus americanus* – American Olive, Devilwood
- *Oxydendrum arboretum* – Sourwood
- *Persea borbonia* – Redbay
- *Styrax americanum* – American Snowbell

The following plants are exotic species, which are difficult to control, or otherwise unsuitable for this area, and are not acceptable to meet any of the requirements for overstory trees, understory trees or buffer zone planting.

- *Ailanthus altissima* – Tree of heaven
- *Cinnamomum camphora* – Camphor Tree
- *Melia azedarach* – Chinaberry
- *Pawlonia tomentosa* – Princess Tree
- *Sapium sebiferum* – Chinese Tallowtree/Popcorn Tree

Additionally, all species of bamboo and all invasive exotic vines (such as Kudzu, Chinese Wisteria, Japanese Honeysuckle, and Air Potato) are not acceptable.

SECTION 5.17 OFF STREET PARKING LANDSCAPE REQUIREMENTS

The design and appearance of parking areas are intended to be compatible with the character of the community. Low Impact development methods and techniques shall be integrated into all landscaping and design plans. Toward this objective, the following landscaping standards shall be observed in the construction of off-street parking areas which accommodate ten (10) or more parking spaces. Additionally, the implementation of low impact develop (LID) methods and techniques is recommended in the design of these landscaping requirements.

(a) Landscaped areas and perimeter areas shall be so graded as to receive a reasonable portion of the rainfall from the surrounding pavement. Protective curbing around landscaped areas will leave openings for the flow of water onto unpaved areas.

(b) At least fifteen percent (15%) of the total interior area intended for off-street parking shall be suitably landscaped.

(c) Interior portions of the parking area at intervals of twelve (12) parking spaces shall be broken by provision of landscaped islands. Such landscape islands shall include the placement of shade or flowering trees at least two and one half (2 ½) inches or greater in caliper and ten (10) feet in height at planting.

(d) Each separate landscaped area must be a minimum of ninety (90) square feet if it is to be counted toward the minimum landscaped area requirements.

(e) Landscaped areas shall be protected from vehicular encroachment by the use of curbing or wheel stops.

(f) The owner, tenant and/or agent, if any, shall be jointly and severally responsible for watering and maintaining all landscaping in a healthy, neat and orderly condition, replacing it when necessary, and keeping it free of refuse and debris.

(g) A minimum of five (5) feet side and rear landscaping may be required in the landscape plan depending on the topography and arrangement of parking facilities.

If required, such areas shall be planted with a combination of trees, shrubs, and grass or other ground cover adequate to break the expanse of contiguous parking areas and to present an attractive appearance as determined by the Building Official.

(h) Adjacent property owners may jointly agree on the establishment of a common landscaped area between their properties that meets the requirements of this Article; provided that such agreement and the planting and maintenance of the common area shall be binding upon both parties, his successors in interest, heirs, and assigns.

(i) Innovative landscape designs using "natural cluster of trees" rather than the required one (1) tree at intervals of twelve (12) parking spaces may be approved by the Planning Commission if it is determined that the design is compatible with the character of the community and is shown not to be a safety hazard.

ARTICLE 6
REQUIREMENTS FOR NON-RESIDENTIAL SUBDIVISIONS

In addition to the principles and standards in these regulations which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Planning Commission that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed. When feasible for the site, it is recommended that low impact development (LID) standards and methods be used to control and reduce flooding on the site.

(a) Proposed nonresidential street layout, blocks, and parcels shall be suitable in area and dimensions to the types of development anticipated.

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

(c) Street rights-of-way and pavement shall be adequate and in accordance with these regulations to accommodate the type and volume of traffic anticipated to be generated thereon. Curb radii at driveway intersections shall be at least 25 feet.

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

(e) With respect to physical improvements, special requirements may be imposed by the Planning Commission with the advice of the City Building Official, or his/her designee, within the nonresidential subdivision.

(f) Every effort shall be made to protect adjacent residential areas from potential nuisances from nonresidential subdivisions, including the provision of extra depth in parcels backing up on existing or potential residential developments and provision for a permanently landscaped buffer strip when necessary.

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ARTICLE 7
PENALTIES & WAIVERS

SECTION 7.1 PENALTIES

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

The City of Bayou La Batre, Alabama may enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction or may recover the same penalty by a civil action in any court of competent jurisdiction.

SECTION 7.2 WAIVERS

Modifications and waivers may be granted under the following conditions:

A. Hardship - Where the Planning Commission finds that extraordinary hardship may result from strict compliance with these regulations due to unusual topographic or other conditions beyond the control of the subdivider, it may modify the regulations so that substantial justice may be done and the interest secured; provided, however, that such waiver will not have the effect of nullifying the purpose and intent of the regulations, the Zoning Ordinance or the Comprehensive Master Plan. Any waiver granted must be entered upon the minutes and the reason for the waiver specified therein.

B. Sale or Exchange - The sale or exchange between or among owners of adjoining lots is exempt from these regulations provided that no new lots are thereby created and that no lot is reduced below the minimum size otherwise required by the provisions herein or by provisions of the Zoning Ordinance.

C. Conditions- In granting waivers and modifications provided herein, the Planning Commission may require such conditions as will, in its judgment, secure the objectives and interest of the City.

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ARTICLE 8
AMENDMENTS & VALIDITY

SECTION 8.1 AMENDMENT PROCEDURE

For the purpose of providing for the public health, safety and general welfare, the Planning Commission may from time to time amend the provisions imposed by these regulations. Any article, section, subsection, or provision of these Subdivision Regulations proposed for amendment shall be subject to a public hearing. Said public hearing shall be advertised a minimum of fifteen (15) days prior to the date of the hearing. Notice of the public hearing shall be published in a newspaper of general circulation published in the City or posted in four (4) public places, one of which shall be at the City Hall and shall contain the time, place and description of the proposed amendment. Following its adoption, the amendment shall be published as provided by law for the publication of ordinances. A copy of the amendment shall be certified by the City of Bayou La Batre to the Probate Judge of Mobile County.

The adoption of any amendment to these subdivision regulations shall be by resolution of the Planning Commission carried by the affirmative votes of a majority of the members of the commission.

SECTION 8.2 VALIDITY

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

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ARTICLE 9
ADMINISTRATION & ENFORCEMENT

SECTION 9.1 GENERAL

Regulation of the subdivision of land and the attachment of reasonable conditions to the development of land is an exercise of valid police power. The developer has the duty of compliance with reasonable conditions laid down by the Planning Commission for design, dedication, and improvement of the land so as to conform to the physical and economical development of the incorporated areas of the City and to the safety and general welfare of future property owners.

SECTION 9.2 ADMINISTRATION

The City Building Official is appointed by the City of Bayou La Batre and acts as their authorized agent in the interpretation and enforcement of the plans, specifications and requirements of these regulations. The City Building Official shall determine the amount, quality, and acceptability of the work as specified in these regulations.

SECTION 9.3 ENFORCEMENT

§ 9.31 General

It shall be the duty of the City Building Official to enforce these regulations and to bring to the attention of the City Attorney, any violations or lack of compliance with these regulations.

§ 9.32 Violations & Penalties

No owner, or agent of the owner, of any parcel of land that lies, either in part or whole, within the corporate limits and the extra territorial jurisdiction of the City of Bayou La Batre may transfer or sell any part of this land by reference to or exhibition of or by other use of a plat of a subdivision, before such plat has been approved by the Planning Commission and recorded with or filed with the Mobile County probate office. Any such action by the owner, or agent of the owner, shall after 30 days written notice constitute a violation of these regulations and result in an assessment to the owner a penalty of up to five hundred dollars ($500.00) for each lot or parcel so transferred or sold or agreed or negotiated to be sold; furthermore, each such violation shall constitute a separate offense for each day past thirty days after the date that the owner, or agent of the owner, was officially notified by the City of Bayou La Batre of noncompliance with these regulations until such noncompliance has been rectified to the satisfaction of the Planning Commission. Notice to said owner or agent of the owner shall be deemed sufficient if

hand-delivered or mailed by certified or registered mail as evidenced by return receipt to the address listed for the owner in the Probate or Tax Revenue office of Mobile County, Alabama. In the alternative, the municipal corporation may enjoin such transfer or sale or agreement by civil action by injunction brought in any court of competent jurisdiction and may recover the penalty fees by the same action. The description of such a lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from any penalties or remedies herein prescribed.

ARTICLE 10
ADOPTION & EFFECTIVE DATE

These Subdivision Regulations are approved and adopted by the City of Bayou La Batre Planning Commission. They shall take effect and be in force from and after the date of adoption and publication as required by law.

ADOPTED THE 29th DAY OF March, 2018.

The Bayou La Batre Planning Commission

BY: Debra Jones
Debra Jones, Chair

ATTEST: Rita Reese
Rita Reese, Recording Secretary

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Appendix I

OFFICIAL FORMS

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Submission Deadline: _____ **Hearing Date:** _____

CITY OF BAYOU LA BATRE
SUBDIVISION APPLICATION

PLEASE READ ALL INFORMATION CAREFULLY AND COMPLETE FULLY

	--OFFICIAL USE ONLY--
APPLICANT'S NAME:	Site Address/Location:
	Project Name:
MAILING ADDRESS:	Current Zoning:
	Permitted Use? Conditional Use? *(circle one)*
	Administrative Review Y/N
	Master Plan/Special District Y/N
DAYTIME TELEPHONE:	Tax Parcel I.D.:
EMAIL:	Case #: X-Ref Case #:

A COPY OF THE DEED TO THE SUBJECT PROPERTY MUST BE SUBMITTED WITH THIS APPLICATION. If the applicant is not the current owner, then a signed statement allowing the applicant to act as an "authorized agent" must be on file. All associated fees will be charged to the applicant unless otherwise arranged.

General Location or Address of Subject Property: _____
Gross Area: _____ acres
Proposed Land Use: _____

Type of Plat Approval Requested:
☐ Concept/Sketch Plan ☐ Preliminary Plat ☐ Final Plat *(includes Administrative Approvals)*

Does Subject Property currently front on a public road? ☐ YES ☐ NO

Does any part of the Subject Property lie within the 100-year flood plain? ☐ YES ☐ NO

Does the subdivision require any other official action by the City? ☐ YES ☐ NO, If so, please specify:

☐ Annexation ☐ Rezoning to: _____ ☐ Other: _____

Number of Lots Proposed: _____ Gross Density: _____

Size of Largest Lot: _____ *(The subdivision plat must show the sizes of all lots.)*
Size of Smallest Lot: _____

Is Water service currently available? _____ If NO, is it available within 300 feet? _____
Is Sewer service currently available? _____ If NO, is it available within 300 feet? _____

If not City water service, please specify: _____

Staff Member and/or Committee reviewing this application: _____

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I understand that any approval(s) granted pursuant to this application shall be subject to all applicable regulations of the City.

APPLICANT'S SIGNATURE:	DATE:
PRINT NAME:	

Application Fee: $_____ Received By: _____ Date: _____

Paid By: ☐ Cash ☐ Check #_____ ☐ Credit Card

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Revised 08/17

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CITY OF BAYOU LA BATRE
PRELIMINARY PLAT CHECKLIST

Name of Plat: _____

Developer: _____

Developer's Engineer/Surveyor: _____

All Preliminary Plats submitted to the Bayou La Batre Planning Commission shall include with the mylar, a digital copy in pdf format and three (3) copies of the Preliminary Plat along with the Preliminary Plat plat checklist. Please check accordingly before submittal. Incomplete Applications will not be accepted.

- ❒ Name and address of owners and the designer of the plat. Said designer shall be a land surveyor registered to practice in the State of Alabama.
- ❒ Names and addresses of current record (as per the tax assessor's records) of adjoining property owners, which shall include those across public rights-of-way, other rights-of-way, easements, creeks, etc.
- ❒ Date of the plat, north arrow, scale of not less than one inch equals 100 feet, amount of acreage contained in the plat and a statement as to the remaining adjoining acreage the developer or subdivider owns, has an option on or leases.
- ❒ Contours shall be shown at an interval of not more than five feet for slopes over five percent, and for slopes less than five percent contours shall be shown at an interval of not more than two feet. All contours shall be based on the true city elevation, which is the USGS-MSL datum. No assumed datum will be accepted. A note on the plat shall indicate which city B.M. was used.
- ❒ Lot dimensions, building lines and back and side setback lines and lot and block numbers and proposed street names.
- ❒ Rights-of-way, easements, alleys, location, and proposed widths of all.
- ❒ Proposed subdivision boundaries, with dimensions and tie to nearest government monument, with description of monument.
- ❒ Any pertinent topographic features existing on the site.
- ❒ Proposed storm drains, sanitary sewer with approximate sizes and design data.
- ❒ Location and dimensions of existing storm and sanitary sewers.
- ❒ A statement as to the current and proposed zoning (if applicable); or a statement of the allowable use of each lot.
- ❒ A vicinity sketch showing location of proposed site in relation to existing major streets, etc.
- ❒ Erosion control measures to be used during construction of the subdivision.
- ❒ Width of all proposed paving in the proposed project from back to back of curb.
- ❒ Proposed location of "stop," "yield" and other traffic control signs and devices to be installed. If the proposed subdivision abuts an existing street, the location of any intersecting streets on the other side abutting street shall be depicted.
- ❒ Watercourse and/or wetland buffer, if applicable
- ❒ Indication of Special Flood Hazard Area (SFHA) and reference FIRM panel number
- ❒ Minimum finished floor elevations for every lot.
- ❒ Location of classified wetlands on property, if applicable
- ❒ Confirmation that no historical artifacts are present on property.

- ❒ Off-street parking landscaping requirements.
- ❒ Signature block for all required signatures
- ❒ Inscription stating either “Final Plat” or “Not for Final Recording”

CITY OF BAYOU LA BATRE
FINAL PLAT CHECKLIST

Name of Plat: _____

Developer: _____

Developer's Engineer/Surveyor: _____

All final plats submitted to the Bayou La Batre Planning Commission shall include with the mylar, a digital copy in pdf format and three (3) copies of the final plat along with the final plat checklist. Please check accordingly before submittal. Incomplete Applications will not be accepted.

- ☐ Application forms completed.
- ☐ Fees paid.
- ☐ Application is submitted within one (1) year of preliminary plat approval
- ☐ Surety bond, if required, to guarantee installation of improvements.
- ☐ All requirements shown on plat:

- ☐ Final plat shall be drawn on a scale of not less than one inch equals 100 feet. Size shall be such that the plat will be suitable for recording in the probate office of Mobile County, Alabama. The scale of one inch equals 100 feet.
- ☐ Title, graphic scale, north arrow, name and registration number of subdivision engineer, and date, together with a vicinity map in which the subdivision is located and the total acres in the subdivision acres in the platted lots.
- ☐ Tract boundary lines, right-of-way lines of streets, easements, and other rights-of-way, and property lines of lots, all building and yard setback lines, with accurate dimensions, bearings, or deflection angles, radii, arcs, central angles of all curves, front building lines and rear and side setback lines.
- ☐ Name, number and right-of-way of each street and other right-of-way.
- ☐ Locations, dimensions, and purposes of any easements
- ☐ Location of lands dedicated to open space areas.
- ☐ Lot lines with dimensions and number to identify each lot or building site and the approved street name or number and street address of each lot.
- ☐ Purpose for which sites, other than residential lots, are dedicated or reserved, it being understood that any reservations of areas for other than residential purposes shall be subject to the proper zoning thereof or being restricted by covenants.
- ☐ Location of monuments.
- ☐ Reference to recorded subdivision plats of adjoining platted land by plat book and page number.
- ☐ Signature block for the approval of all required signatures.
- ☐ Proper identification and notations of any areas subject to flooding, along with indication of Special Flood Hazard Areas (SFHA) and reference to the FIRM panel number. The developer's engineer (is) to include a statement on the plat if none of the development is located in a flood hazard area.
- ☐ Watercourse and/or Wetland buffer, if applicable
- ☐ Copy of restrictive covenants for approval by the Planning Commission to insure said use(s) of each

lot, if applicable, to be recorded with the Plat.

- ☐ Location of all utilities and drainage facilities as well as easements for such facilities.
- ☐ A certified statement by the subdivider's engineer that the improvements within this development were constructed in accordance with the approved plans and specifications, and meet the minimum requirement of the City of Bayou La Batre.
- ☐ Signature of Mobile County Engineer if subdivision is located within the City's Extra Territorial Jurisdiction.

_____ _____

Engineer/Surveyor's Signature Date

CITY OF BAYOU LA BATRE
AUTHORIZATION TO ACT AS APPLICANT

I, _____ , being owner of the property which is the subject of this application hereby authorize _____ , to act as my representative with the City of Bayou La Batre's (Board of Zoning, and/or Planning Commission, and/or City Council), as required by the type of request listed on the attached application form.

Property Owner's Signature:_____Date: _____

Property Owner's Mailing Address: _____

_____

Phone#

Authorized Agent's Mailing Address: _____

Phone# _____

STATE OF ALABAMA COUNTY

OF MOBILE

I,_____, a Notary Public in and for said County and State, hereby certify that

_____, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears the same date.

Given my hand and seal of office this _____day of_____, _____

_____

Notary Public

My Commission Expires: _____

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CITY OF BAYOU LA BATRE
APPLICATION FOR ADMINISTRATIVE SUBDIVISION APPROVAL

OFFICE USE ONLY	
SUBDIVISION NAME:	
CURRENT ZONING	
CASE #	X-REF CASE #

APPLICANT NAME: _____

ADDRESS: _____

DAYTIME PHONE:_____**FAX:** _____

EMAIL: _____

- **A COPY OF THE DEED TO THE SUBJECT PROPERTY MUST BE SUBMITTED WITH THIS APPLICATION.**
- **IF THE APPLICANT IS NOT THE CURRENT OWNER, THEN A SIGNED STATEMENT ALLOWING THE APPLICANT TO ACT AS AN "AUTHORIZED AGENT" MUST BE ON FILE.**
- **ALL ASSOCIATED FEES WILL BE CHARGED TO THE APPLICANT UNLESS OTHERWISE ARRANGED.**
- **ALL ADJOINING PROPERTY OWNERS MUST SIGN A WAIVER OF PUBLIC HEARING**

General Location or Address of Subject Property: _____
Gross Area:_____ac.
Proposed Land Use: _____
Does Subject Property currently front on a public road? _____
Does any part of the Subject Property lie within the 100-year flood plain? _____

Does the subdivision require any other official action by the City? If so, please specify:

_____

☐ Annexation ☐ Rezoning to:_____ ☐ Other: _____

Number of Lots Proposed: _____
Gross Density: _____
Size of Largest Lot:_____ (*The subdivision plat must show the sizes of all lots.)*
Size of Smallest Lot: _____

Is Water service currently available? _____
Is Sewer service currently available? _____

Member of Planning Department reviewing this application: _____

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge.

APPLICANT'S SIGNATURE:	DATE:
PRINT NAME:	

Received:_____Date:_____

ADSD
Revised 08/17

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Submission Deadline: 12 Noon _____ **Hearing Date:** _____

CITY OF BAYOU LA BATRE
PETITION FOR ANNEXATION

PLEASE READ ALL INFORMATION CAREFULLY AND COMPLETE FULLY

	--OFFICIAL USE ONLY--
APPLICANT'S NAME	
	CITY ADDRESS ASSIGNMENT
	ORDINANCE #
ADDRESS	CASE #
	XREF. CASES:
DAYTIME TELEPHONE	
	REQUESTED ZONING (if other than AG):
EMAIL	
County Address (if any) of subject property	

Applicant must attach deed(s) covering the entire subject property. All metes and bounds descriptions must be supplied in a compatible electronic format (Microsoft Word).

OWNERSHIP CONFIGURATION: ☐ single parcel/single ownership ☐ multiple parcels/single ownership ☐ single parcel/multiple ownership ☐ multiple parcels/multiple ownership

THE FOLLOWING INFORMATION IS REQUIRED BY THE U.S. JUSTICE DEPT. AND BUREAU OF THE CENSUS.
Answers to the following questions should reflect the conditions existing on the subject property at the time of annexation.

1. a. Is this property your principal residence? ☐ YES ☐ NO (if "yes," answer part B)

   b. Applicant's Marital Status: ☐ Now Married ☐ Separated ☐ Divorced ☐ Widowed ☐ Never Married

2. a. Total number of buildings on subject property: _____

   ☐ Number of houses ☐ Number of manufactured homes ☐ Other:

   b. Number of persons living on subject property: _____

   c. Of all persons residing on the property, how many are of voting age (18 years or older)? ☐

   d. Of all persons residing on the property, how many are:

   ☐ White ☐ Black ☐ Hispanic ☐ Asian or Pacific Islander ☐ American Indian/Eskimo/Aleut ☐ Other

   e. Number of children in household :_____Ages: _____

   f. Proposed Use of Property (if any): _____

GENERAL DESCRIPTION OF PROPERTY (Include Acreage, Subdivision Name, Lot Number, etc.):

_____

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge.

APPLICANT'S SIGNATURE:	DATE:
PRINT NAME:	

Note: If Applicant is not the current owner of record a "Designation of Agent" form must be completed and submitted with this petition

Received by: _____ Date: _____

(Received Date is considered official date of submission)

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SURVEYOR'S CERTIFICATE AND DESCRIPTION OF LAND PLATTED

STATE OF ALABAMA)

COUNTY OF MOBILE)

I, (name of surveyor), a registered Engineer-Surveyor of_____County, Alabama, hereby certify that I have surveyed the property of the (name of company or proprietor), a (Corporation or proprietor), situated in Bayou La Batre, Alabama and described as follows:

(Insert Legal Description)

And that the plat or map contained hereon is a true and correct map showing the subdivision into which the property described is divided giving the length and bearings of the boundaries of each lot and easement and its number and showing the streets, alleys and public grounds and giving the bearings, length, width and names of the streets, said map further shows the relation of the land so platted to the Government Survey, and that permanent monuments have been placed at points marked thus (o) as hereon shown.

WITNESS my hand this the_____day of_____, _____.
(Month) (Year)

_____
(Name of Surveyor)

Registration #_____

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DEDICATION

I/We (land owner or developer, address), as proprietor(s), have caused the land embraced in the within plat to be surveyed, laid out and platted to be known as (Subdivision Name), a part of (Section Call Out), Bayou La Batre, Alabama, and that the (Streets, Drives, Alleys, Easements, etc.) as shown on said plat are hereby dedicated to the use of the public.

Signed and sealed in the presence of:

_____	_____
Witness	Property Owner
_____	_____
Witness	Property Owner

Commentary

In any case that the developer and the land owner are not one and the same, two or more Dedication Certificates may appear on the plat in order to allow for the owner's signature to be fixed to said Plat, in which case one of the following notary's acknowledgments must appear for each Dedication Certificate.

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ACKNOWLEDGMENT

STATE OF ALABAMA)
)
COUNTY OF MOBILE)

I, _____, Notary Public in and for said County, in said State, hereby certify that (individual's name), whose name as (title) of the (corporation name), is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the content of the instrument, and as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN under my hand and official seal this_____day of_____, _____.
(Month) (Year)

_____
NOTARY PUBLIC

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CERTIFICATE OF APPROVAL BY THE BAYOU LA BATRE UTILITIY DEPARTMENT

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

this_____day of_____,_____.
(Month) (Year)

_____
(Electric utility authorized signature)

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CERTIFICATION OF FLOOD HAZARD ZONE

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

_____

Engineer/Surveyor for the Applicant

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CERTIFICATE OF APPROVAL BY THE
Bayou La Batre Utility Department

The undersigned, as authorized by the (name of water and/or sewer utility) hereby approves the within plat for the recording of the same in the Probate Office of Mobile County, Alabama, this

the_____ day of _____, _____.
(Month) (Year)

_____
(Water and/or Sewer Utility authorized signature)

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CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER

The undersigned, as County Engineer of Mobile County, Alabama, hereby approves the within plat for the recording of same in the Probate Office of Mobile County, Alabama,

this the _____ day of _____, _____.
(Month) (Year)

_____
Mobile County Engineer

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CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION

The within plat of _____ ,

(Subdivision Name)

Mobile County, City of Bayou La Batre, Alabama, is hereby approved by the Bayou La Batre Planning Commission,

this the _____ day of _____, _____.
(Month) (Year)

THE BAYOU LA BATRE PLANNING COMMISSION

_____

Chair

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CERTIFICATE OF APPROVAL
BY THE MOBILE COUNTY HEALTH DEPARTMENT

The undersigned, as authorized by the Mobile County Health Department, Alabama, hereby approves the within plat for the recording of same in the Probate Office of Mobile County, Alabama,

this the ____ day of _____, _____.
(Month) (Year)

_____
Authorized Signature

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CERTIFICATE OF REGISTERED PROFESSIONAL ENGINEER

I_____ a registered Professional Engineer, registered in the State of Alabama, registration number _____, hereby certify that I have reviewed this plat and that it is in compliance with the Drainage Design requirements of the Bayou La Batre Subdivision Regulations.

_____

Engineer / Date

_____

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Appendix II

SCHEDULE OF FEES

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SCHEDULE OF FEES

A. Sketch Plan Review NoFee

B. Residential Subdivisions (MINOR)

Preliminary Plat*

Filing fee .....$ 50.00
Preliminary site inspection fee .....$ 5.00/lot or unit
Public Hearing fee.....$ 100.00

C. Residential Subdivisions (MAJOR)

Preliminary and Final Plat*

Filing fee .....$ 50.00
Preliminary site inspection fee.....$ 5.00/lot or unit
Public Hearing fee.....$100.00

Final Plat

Filing fee .....$ 50.00
Engineering inspection fee.....$ 5.00/lot or unit
Additional inspection by Engineer (if required)……$3.00/lot or unit

D. Nonresidential Subdivisions

Preliminary Plat*

Filing fee .....$ 50.00
Preliminary site inspection fee $100.00
Public Hearing fee.....$100.00

Final Plat

Filing fee .....$ 50.00
Engineering inspection fee.....$100.00
Additional inspection by Engineer (if required) .....$ 50.00

**Full payment of all fees is required for resubmission of plats denied by the Planning Commission. Any resubmission of denied plats must be in compliance with the requirements of theses Subdivision Regulations.*

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