



SUBDIVISION REGULATIONS

CITY OF CREOLA, ALABAMA

ADOPTED:

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*Prepared by:
The City of Creola
Planning Commission*

*With Assistance From:
The South Alabama Regional
Planning Commission*

CITY OF CREOLA, ALABAMA

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Creola, AL 36525

Creola Mayor

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City Clerk

Carolyn Cain

Creola City Council

William Criswell	Mayor
Lee Anne Greene	Place 1
Harold Martin	Place 2
Ralph Avis Walker	Place 3
Tonya Moss	Place 4
Kendal Hadaway	Place 5

Creola Planning Commission

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William Chambers	Chairman
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Don Moss	Building Official
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Eddie Duke	

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ARTICLE 1

PURPOSE, TITLE, AND ENACTMENT

§1	PURPOSE
§2	TITLE
§3	ENACTMENT
§4	REPEAL OF REGULATIONS
§5	EFFECTIVE DATE

SECTION 1 PURPOSE

Subdivision Regulations govern the manner in which land is platted into lots, blocks, and streets, in preparation for development. They are, therefore, very important in that they establish the street pattern and the type of improvements that must be made as land is brought into use and accommodate activities.

These regulations are to provide for the harmonious development of the land areas of Creola, Alabama, for the coordination of streets within subdivisions with other existing or planned streets and for the provision of adequate open spaces for recreation, light and air; to avoid undue concentration of population and to facilitate provision of water, sewerage, and other public requirements.

It is the intent of these regulations is to establish objective, community wide standards for public improvements and the subdivision of land within the City. These regulations are based upon:

1. Proper subdivision design criteria;
2. Limiting the impact of development upon adjacent property;
3. The definition of public and private development responsibilities;
4. Concern for the health, safety and welfare of the entire City;
5. Orderly and efficient development patterns that enhance property values and, where applicable, are compatible with adjacent neighborhoods;
6. Coordination with other applicable ordinances and plans;
7. The preservation of valuable and scenic natural features and open spaces;
8. The use of imagination and creativity in development of property.

SECTION 2 TITLE

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

SECTION 3 ENACTMENT

It is hereby declared by resolution of the City of Creola, Alabama to consider the subdivisions of land and the subsequent development of the subdivided land as subject to the control of the Creola Planning Commission pursuant to the authority granted to the City by Alabama Law,

governing the subdivision of land in areas within the planning jurisdiction of the City of Creola, prescribing the procedure in creating and adopting subdivision regulations, reviewing and acting on subdivision plats, and providing penalties for the violation thereof.

SECTION 4 **REPEAL OF REGULATIONS**

This is an enactment of Subdivision Regulations for the City of Creola. All prior Subdivision Regulations are hereby superseded and repealed.

SECTION 5 **EFFECTIVE DATE**

These Regulations shall take effect and be in force from and after the date of its adoption by the Creola Planning Commission.

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ARTICLE 2

POLICY, AUTHORITY, AND INTERPRETATION

- §1 POLICY
- §2 AUTHORITY & JURISDICTION
- §3 CONFLICT WITH OTHER LAWS
- §4 INTERPRETATION
- §5 VALIDITY
- §6 DISCLAIMER OF LIABILITY
- §7 VACATION OF PLAT
- §8 PUBLIC USES AND SERVICE AREAS

SECTION 1 POLICY

- §1.1 Any person owning land which lies within the subdivision jurisdiction of the City of Creola who wishes to develop, subdivide, or re-subdivide such land into two (2) or more lots, plats, sites, or other divisions for the purpose, whether immediate or future, of sale, lease, or building development shall submit for review to the Planning Commission and, if applicable, the Mobile County Engineer, a plat of the subdivision, which shall conform to the minimum requirements set forth in these Regulations.
- §1.2 No developer shall proceed with any construction improvements or with the installation of utilities in a subdivision until such subdivision plat shall have been reviewed and approved by the Planning Commission and, if applicable, the Mobile County Engineer, if in City's incorporated extra-territorial jurisdiction.
- §1.3 No developer shall proceed with the sale or lease of lots or the erection of buildings, excluding required public improvements and utility structures, until a Final Plat approval for the subdivision is entered in writing on the plat and signed by the Chairman of the Planning Commission and recorded in the Office of Probate Judge of Mobile County in accordance with the procedures prescribed in these Regulations.
- §1.4 **Conformity with Comprehensive Plan and Other Laws.** The Planning Commission shall only approve the subdivision of land if the following are found to have been satisfied.
- a. The subdivision is consistent with the City's Comprehensive Plan, where applicable.
 - b. The subdivision is in conformance with the applicable zoning regulations.
 - c. The subdivision is in compliance with these Subdivision Regulations.
 - d. The subdivision is in compliance with other Federal, State or local laws, rules and regulations, as applicable.
 - e. The subdivision is in compliance with the current edition of the ALDOT Specifications and Standard Drawings.

SECTION 2 **AUTHORITY & JURISDICTION**

§2.1 These Subdivision Regulations for the City of Creola are created and enacted under the authority of Title 11 of Chapter 52 of the Code of Alabama (1975), as the same may be amended from time to time.

§2.2 These Regulations shall apply to all land within the corporate limits of the City of Creola, Alabama, as said limits are amended from time to time. These Regulations shall also apply to all land within the extra-territorial planning jurisdiction of the City as authorized by the Code of Alabama, Title 11, Chapter 52, as amended.

SECTION 3 **CONFLICT WITH OTHER LAWS**

Whenever the requirements of these Regulations are in conflict with the requirements of any other lawfully adopted statutes, rules, regulations or ordinances, the more restrictive, or that imposing the higher standards, shall govern.

SECTION 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 Creola, 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 5 **VALIDITY**

Each phrase, sentence, paragraph, section or other provision of these Regulations is severable from all other such phrases, sentences, paragraphs, sections and provisions. Should any phrase, sentence, paragraph, section or provision of these Regulations be declared by the courts to be unconstitutional or invalid, such declaration shall not affect any other portion or provision of these Regulations.

SECTION 6 **DISCLAIMER OF LIABILITY**

These Regulations shall not create liability on the part of the City of Creola, the Creola Planning Commission, the Creola Board of Adjustment or any officer or employee thereof for any damages that may result from reliance on these Regulations or any administrative decision lawfully made thereunder.

SECTION 7 **VACATION OF PLAT**

Any subdivision plat, whether or not executed and recorded as provided in these regulations, may be vacated by the owner, his executor, administrator or guardian of the lands at any time before the sale of any lot therein by a written instrument declaring the same to be vacated, executed, acknowledged and recorded in like manner as conveyances of land which declaration, being duly recorded, shall operate to destroy the force and effect of the recording of the subdivision plat so

vacated and to divest all public rights in the streets, alleys and public grounds and all dedications laid out or described in such plat or map.

When lots have been sold, the plat may be vacated, in the manner herein provided by all the owners of lots in such plat joining the execution of such writing, as prescribed by law.

SECTION 8 PUBLIC USE AND SERVICE AREAS

- §8.1 Public Uses.** Where a park, neighborhood recreational open space, a school site, or other areas for public use shown on an official plat adopted by the Planning Commission is located in whole or in part in the proposed subdivision, the Planning Commission shall seek to secure the reservation of the necessary land for such use.
- §8.2 Easements for Utilities.** Except where alleys are provided for the purpose, the Planning Commission may require easements not exceeding fifteen (15) feet in width for poles, wires, conduits, storm, and sanitary sewer, gas, water, or other utility lines on each side of the common rear lot line and along side lot lines if necessary or advisable in the opinion of the Planning Commission, and unless wider easements are required in the opinion of the Building Official.
- §8.3 Dedication to Public Use.** There shall be no reserve strips except those which are conveyed to the government having jurisdiction.

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ARTICLE 3 DEFINITION OF TERMS

- §1 USAGE
§2 WORDS AND TERMS DEFINED

SECTION 1 USAGE

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

SECTION 2 WORDS AND 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, railroad, waterbody, easement, or any other impediment.

ADEM. Alabama Department of Environmental Management

Administrative Officer. The person appointed by the City Council to enforce all provisions of these Regulations.

ALDOT. Alabama Department of Transportation

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

Applicant. The land owner, person, corporation, or duly authorized agent who undertakes the subdivision of land as defined herein. For the purposes of these Regulations, the term “Applicant” shall include the term “Developer” and/or “Subdivider”. Consent shall be required from the legal owner of the premises.

Authorized Agent. An individual appointed or named by the property owner to represent the property owner in the subdivision process.

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 stormwater runoff from a construction site, including sediment and erosion control BMPs, general maintenance BMPs, and stormwater 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 tract or parcel of land entirely surrounded by public highways or streets, other than alleys.

Boundary Survey. A process carried out to determine property lines and define true property corners of a parcel of land described in a deed. It also indicates the extent of any easements or encroachments and may show the limitations imposed on the property by state or local regulations.

Buffer. Land which is maintained in either a natural or landscaped state and is used to screen and/or mitigate the impacts of development on surrounding areas, wetlands, or other boundary lines.

Buffers for Stormwater Management. See *WATERCOURSE BUFFER*.

Building Official. The duly designated Building Official of the City of Creola, Alabama.

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

Caliper. The diameter or thickness of the main stem of a young tree or sapling as measured at six inches above the ground.

Circumference. The distance around an object.

City Engineer. The duly designated Engineer of the City of Creola, Alabama.

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

Clear-Cutting. The large-scale, indiscriminate removal of trees, shrubs, and undergrowth with the intention of preparing real property for non-agricultural development purposes. This includes any land disturbing activity that changes the physical conditions of land form, vegetation and hydrology, creates bare soil, or otherwise may cause erosion or sedimentation. Such activities include, but are not limited to clearing, removal of vegetation, stripping, grading, grubbing, excavating, filling, logging and storing of materials.

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.

Common Area. See *Open Space*.

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

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.

Construction Plans. Architectural drawings, engineering plans, or other documents that describe a proposed construction project which may include building or structure, street, utility, drainage, stormwater and/or erosion control plans.

Corner Lot. A lot which occupies the interior angle at the intersection of two (2) street lines. On corner lots the front yard shall be considered as parallel to the street upon which the lot is numbered.

County Engineer. The duly designated Engineer of Mobile County, Alabama.

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

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

Curb or Curblin. 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.

Dedication. The transfer of property from private to public ownership.

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

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. See *Applicant*.

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.

Diameter Breast Height (DBH). 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.

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

Engineer. A Professional Engineer (P.E.), licensed and registered by the State of Alabama Board of Registration for Professional Engineers and Land Surveyors.

Engineered Plans. Specifications and technical drawings to define requirements for engineered works to be constructed.

Extra Territorial Jurisdiction (ETJ). The legal ability of a municipal government to exercise authority over subdivisions of land beyond its incorporated area, including its planning jurisdiction upon a written agreement with Mobile County.

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

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.

Flood Zone. A geographic area defined by FEMA as varying levels of flood risk. These zones are depicted on a community's Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map. Each zone reflects the severity or type of flooding in the area.

Floodplain. A generally flat area of land adjacent to a river, stream, bayou, or like waterbody, 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.

Freeboard. A unit of measure expressed in feet above a flood level, for the purpose of floodplain management.

Green Infrastructure. The use of natural features that are designed to move and control stormwater away from the built environment. Green infrastructure reduces, recycles, and treats stormwater at its source while providing 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.

Greenspace. Any area retained as permeable unpaved ground and dedicated to supporting vegetation.

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

Governing Body. The Mayor and the City Council of Creola, Alabama.

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

Health Department. The Mobile County Health Department.

Heritage Tree. A healthy, protected native tree and its root system with a diameter at breast height equal to or greater than fifteen (15) inches. (See “Overstory” Tree list). This term shall refer to any tree determined by the 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.

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

Land Disturbance. Any activity that changes the physical conditions of land form, vegetation and hydrology, creates bare soil, or otherwise may cause erosion or sedimentation. Such activities include, but are not limited to clearing, demolition, removal of vegetation, stripping, grading, grubbing, excavating, filling, logging and storing of materials.

Lot. A portion of a subdivision or any other parcel of land intended as a unit for transfer of ownership or for development or both. The word “lot” includes the word “plot” or “parcel”.

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.

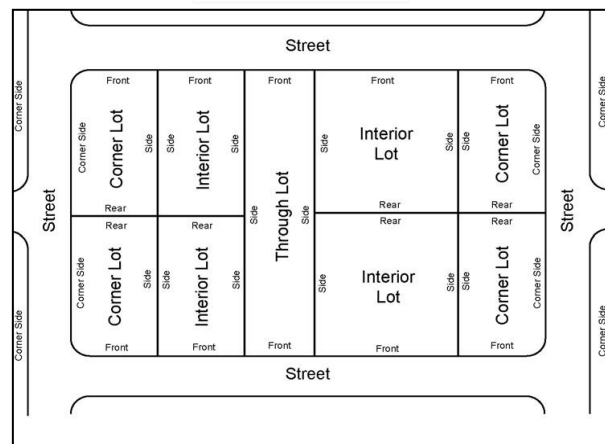
Lot, Improved. a lot with buildings or structures.

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.

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*)

Figure 1



Lot Building Coverage. That portion of the lot that is covered with impervious surface materials, 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 1*)

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 3*)

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*)

Figure 2

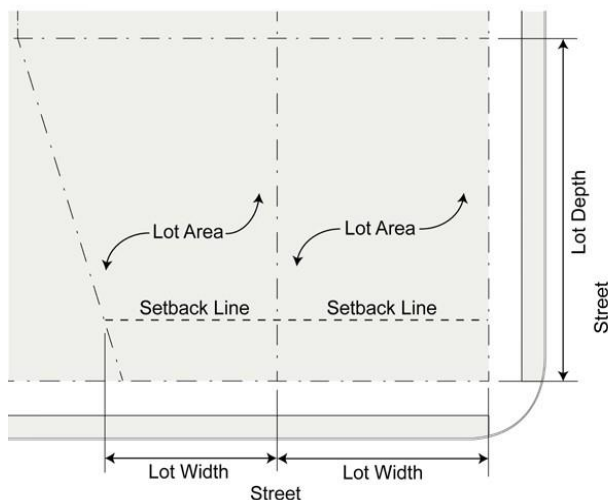
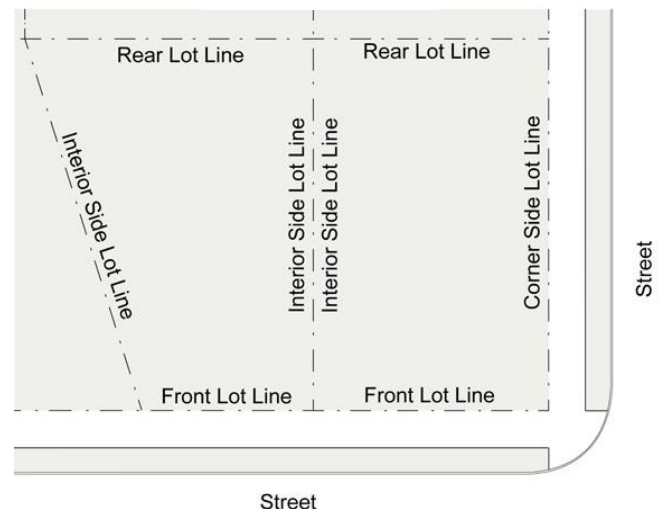


Figure 3



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. Techniques and practices that use natural processes which manage the infiltration and recycling of stormwater in order to protect and ensure water quality.

Maintenance Bond. A cash bond used to insure the proper operation of all public improvements which may be taken over by the City. The bond will be made payable to the City of Creola, Alabama and remain in effect for one year from the date of completion of construction. The bond will be equal to ten percent (10%) of the performance bond.

Major Subdivision. See Subdivision, Major.

Master Plan. The twenty (20) year, long-range plan Master Plan or Comprehensive Plan for the physical development of the planning area of Creola as adopted by the Creola Planning Commission.

Minor Subdivision. See Subdivision, Minor.

Monument, Permanent. Any structure of masonry, metal, or other permanent, durable material placed in the ground, which is exclusively identifiable as a monument to a survey point, expressly placed for surveying reference.

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

Overstory Tree. Trees which, at maturity, comprise the canopy of a natural forest which are generally greater than fifty (50) feet at mature height.

Owner. Any person, group of persons, firm (s), corporation (s), or any other legal entity having legal title and deed to or sufficient proprietary interest in the land sought to be subdivided under these regulations.

Parcel. A portion or tract of land which has not been previously subdivided or recorded in the Judge of Probate's Office.

Performance Bond. A cash bond equaling one hundred percent (100%) of the costs of constructing water, sewer, drainage, street, and other public improvements. The bond is to insure the complete construction of such facilities and is to be made payable to the City of Creola, AL.

Planned Unit Development (PUD). An area with a specified minimum contiguous acreage to be developed as a single entity according to a plan.

Planning Commission. The planning Commission of the City of Creola.

Planning Commission Application Review Committee. An appointed committee that assists the Building Official with the technical review and compliance of all Subdivision Plats and Site Plans submitted to the City for consideration.

Planning Jurisdiction. The legal right or authority to control, operate, regulate use of land within the incorporated area of a municipality.

Plat. A map, plan or layout of a county, city, section or subdivision indicating the location and boundaries of properties.

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

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

Principal Use. The principal purpose for which a lot, the principal building thereon, or establishment therein is designed, arranged or intended, and for which it is or may be used, occupied or maintained. In the event of mixed uses, the use with the greatest square footage shall be considered as the principal use.

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

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

Protected Tree. See *Heritage Tree*.

Public Improvement. Any structure or facility constructed to serve more than one lot in a subdivision which is dedicated to the public or otherwise acquired by a government entity for public use. Examples of typical public improvements include parks, streets or roads, sidewalks, curbs, gutters, and street lighting, utilities, and systems for water supply, sewage disposal, drainage, or fire protection.

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. The relocation of existing lot lines, the combination of two or more lots, or the further division of lots within a previously approved and recorded subdivision plat.

Right-of-Way. A strip of land dedicated for use as a public way to be separate and distinct from the lots adjoining said right-of-way and not included within the dimensions or areas of such lots.

In addition to the roadway, it is typically occupied or intended to be occupied by a street, curbs, lawn strips, sidewalks, lighting, drainage, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or other utility facilities, and may include special features for another special use such as landscaped areas, viaducts, and bridges.

Setback line. A line defining the limits of a yard in which no building or structure, other than an accessory structure, may be located.

Sidewalk. A walkway constructed for use by pedestrians.

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

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

Special Flood Hazard Area (SFHA). The land area covered by the floodwaters of the base flood is the Special Flood Hazard Area (SFHA) on National Flood Insurance Program (NFIP) maps. The SFHA is the area where the National Flood Insurance Program's (NFIP's) floodplain management regulations must be enforced and the area where the mandatory purchase of flood insurance applies. The SFHA includes Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE, and V.

Stormwater Management. The process of ensuring that the magnitude and frequency of stormwater runoff do not increase the hazards associated with flooding and that water quality is not compromised by untreated stormwater flow.

Street. Any public or private right-of-way for vehicular traffic which affords the principal means of access to abutting property.

Streets are classified as follows.

- a. Major Street. A street of exceptional continuity designed primarily to carry high volumes of vehicular traffic considerable distances.
- b. Collector Street. A street designed to carry medium volumes of vehicular traffic, provided access to the major street system, and collect the vehicular traffic from the intersecting minor streets.
- c. Minor Street. A street, designed primarily to provide vehicular access to abutting properties.
- d. Cul-de-Sac. A short street designed to have one end open to traffic and one terminating in a vehicular turnaround.

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

Subdivider. See *Applicant*.

Subdivision. The division of a lot, tract, or parcel of land into two (2) or more plats, sites, or other division of land for the purpose, whether immediate or future, of sale or of building development. It includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory being subdivided. It shall include all divisions of land involving the dedication of a new street or a change in existing streets.

Any sale or exchange of a division of land by metes and bounds constitutes a subdivision of land and shall require compliance with these Regulations unless it falls within one of the exceptions hereinafter set out.

Subdivision, Major. A subdivision not classified as a minor subdivision, of any number of lots involving the construction and/or installation of any new streets, drainage or other public improvements.

Subdivision, Minor. A subdivision containing not more than six (6) lots, including remnant parcels, fronting on an existing publicly maintained street, and not involving the construction and/or installation of any new street or road or the extension of public facilities, or the creation of any public improvements.

Subdivision Jurisdiction. The territorial jurisdiction of the Mobile County Planning Commission over the subdivision of land including all unincorporated areas of the County except areas within the jurisdiction of any organized and functional municipal planning commission.

Surety. Any bond, certificate of deposit, irrevocable letter of credit, cashier's check, or other acceptable surety as approved by the Creola Planning Commission, the City of Creola, and the City Attorney, guaranteeing performance of a contract or obligation.

Survey. See *Boundary Survey*.

Surveyor. A Land Surveyor licensed and registered by the State of Alabama Board of registration for Professional Engineering and Land Surveyors.

Through Lot. A lot having frontage on two (2) non-intersecting streets as distinguished from a corner lot. Also known as a double frontage lot.

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.

Usable Open Space. Any land either publicly or privately owned which is dedicated as being used for recreation space for the residents, conservation, or preservation purposes. These areas must be usable and accessible by the public for the purposes stated above. Drainage ponds, detention and/or retention ponds, and all other stormwater management facilities shall not be considered or accepted as usable open space requirements on subdivision plats.

Watercourse Buffer. A defined area along a watercourse that is to be protected from development for the purpose of preserving the natural benefits and reducing hazards risks of such areas. Intended to protect the natural functions of the waterbody (hydrologic, biological, ecological, aesthetic, recreational, etc.) and reduce or eliminate the adverse effects of land development areas adjacent to the waterbody.

Wetland. An area that is 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 as delineated by the Corps of Engineers.

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

Yard. A space on the same lot with a principal building, such space being open, unoccupied and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings are expressly permitted and comply with applicable building codes.

Yard, Front. A yard extending the full width of the lot and situated between the right-of-way line and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front lines of the building and the right-of-way line. On corner lots, the front yard shall be considered the yard that is parallel to the street upon which the shortest lot line dimension is measured.

Yard, Rear. A yard extending the full width of the lot between the rear line of the principal building projected to the side lines of the lot and the rear lot line. On all corner lots the rear yard shall be at the opposite end of the lot from the front yard.

Yard, Side. A yard, situated between the side line of the building and the adjacent side line of the lot extending from the rear line of the front yard to the front line of the rear yard. If no front yard is required, the rear boundary of the side yard shall be the rear line of the lot. On corner lots, the parallel to the street upon which the lot has its greatest dimension shall be considered to be a side yard.

Yard, Waterside. On waterfront lots the front yard shall be considered from the front line of the principal building to the waterfront property line.

Zoning Ordinance. The official Zoning Ordinance of the City of Creola, Alabama.

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ARTICLE 4 GENERAL PROVISIONS

- §1 DEFINITION OF SUBDIVISION
- §2 EXEMPTIONS FROM SUBDIVISION REQUIREMENTS
- §3 GENERAL POLICY
- §4 RECORDING OF PLAT AND SALE OF LOTS
- §5 RESPONSIBILITIES
- §6 EXTRA-TERRITORIAL JURISDICTION (ETJ)
- §7 PHASED PROJECTS & PLANNED UNIT DEVELOPMENTS (PUDs)
- §8 CONFORMANCE WITH EXISTING PLANS
- §9 WAIVERS & MODIFICATIONS

SECTION 1 DEFINITION OF SUBDIVISION

A subdivision of land is considered the division of a lot, tract, or parcel of land into two (2) or more lots, tracts, parcels, or other division of land for the purpose, whether immediate or future, of sale or of building development. Such term includes the re-subdivision of land and when appropriate to the context, relates to the process of subdividing or to the land or territory being subdivided. It shall include all divisions of land involving the dedication of a new street or a change in existing streets.

SECTION 2 EXEMPTIONS FROM SUBDIVISION REQUIREMENTS

A request for an Exempt Subdivision Letter and supporting documentation to substantiate any claim of exemption shall be submitted to the City of Creola. Owners of exempt subdivisions shall not be required to submit a plat to the City of Creola Planning Commission nor pay any of the required fees. Exemption from the requirement for approval to subdivide does not constitute exemption from the requirements of other applicable regulations including but not limited to state law, zoning regulations, ordinances, Health Department requirements or, if located within the Extra Territorial Jurisdiction (ETJ) of the City, the regulations of Mobile County. Any applicant who appears to be circumventing the intent and substance of these Regulations shall be required to submit a plat for review and approval by the Planning Commission and shall be subject to penalties.

The following land divisions shall not be defined as a subdivision and are exempt from the provisions of these Regulations.

1. Property that is divided by probated family estates;
2. The sale or exchange of lots or parcels of land between adjoining property owners; provided that no additional lots are created, that none of the lots affected by the sale or exchange is reduced below the minimum size required by the Ordinance for the district in which the property is located, 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;

3. The relocation of a common property line between two parcels where no new parcels are created. The revised parcels shall meet minimum lot size, width requirements and access requirements.
4. Family property that is divided by an individual and given or sold to family members, including, parents, spouses, sisters or brothers, children or grandchildren, either adopted or natural, **where all lots involved in the division front an existing road or right-of-way where no streets or roadway access to the lots is involved and where lots are not less than the minimum lot size as herein required.**
If the lots created from this type of land division DO NOT front an existing road or right-of-way, this land division must adhere to the minimum standards of the Street and Lot requirements of the City of Creola, found in Article 6, Section 6.6 and 6.8 of these Subdivision Regulations;
5. Subdivision of land by court order including, but not limited to, judgments of foreclosure;
6. 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;
7. The division of land wherein the size of each and every resulting parcel of land is equal to or exceeds ten (10) acres and involves no street or other public improvements. Each parcel shall have frontage on a maintained right-of-way;
8. The construction or development of roads or buildings on private property to be used for agricultural purposes.

SECTION 3 **GENERAL POLICY**

- §3.1** The Creola Planning Commission shall govern all subdivisions of land within the city limits and the unincorporated extra-territorial jurisdiction of the City of Creola per Code of Alabama Section 11-52-31 et seq.
- §3.2** Prior to the application and preparation of any plat of a subdivision of land, the applicant should consult with the Building Official and the Planning Commission Application Review Committee relative to these Regulations.
- §3.3** Prior to Planning Commission consideration of any plat of a subdivision of land, the applicant shall file a standard form of application in the office of the Building Official along with the required fees.
- §3.4** In order for the application to be reviewed and heard at the regularly scheduled meeting of the Creola Planning Commission, all applications must be completed and received by the Creola Building Official no later than fifteen (15) days prior to the regularly scheduled Planning Commission meeting if a minor subdivision, or no later than thirty (30) days prior to the regularly scheduled Planning Commission meeting if a major subdivision. Incomplete applications will not be added to the meeting agenda for consideration.

- §3.5** Prior to the Planning Commission acting on any Preliminary or Final Plat, a public hearing shall occur. Notification of said public hearing shall be sent via certified mail to applicant and adjacent property owners no less than ten (10) days prior to said public hearing. Proper advertisement of said public hearing shall be adhered to by the City of Creola before the public hearing can occur. The applicant or authorized agent must be present at the public hearing to address any questions concerning the proposed subdivision. Should the applicant choose to have an authorized agent, the applicant shall formally designate the authorized agent by submission of required form to the Planning Commission prior to the date of the public hearing.
- §3.6** No plat of the subdivision of any land within the jurisdiction of Creola Planning Commission shall be filed in the office of the Probate Judge of Mobile County unless the following have been met.
- A preliminary plat prepared by a registered Land Surveyor or Professional Engineer shall have been approved by the Planning Commission at a public hearing as specified herein.
 - The required improvements shall have been satisfactorily installed and completed by the applicant or a bond has been posted to secure the same, if applicable.
 - A final plat prepared by a registered Land Surveyor or Professional Engineer shall have been approved by the Planning Commission and signed by the Creola Planning Commission Chair at a public hearing as specified herein.
- §3.7** The Planning Commission shall approve, approve subject to modifications, approve with contingency and/or contingencies, or deny the preliminary plat within 30 days after the date of its regularly scheduled meeting at which time a public hearing was held.
- §3.8** Any division of land that is defined as a subdivision of land must front upon paved public access.
- §3.9** Any division of land that is not considered a subdivision, must provide, at the minimum, a fifty foot (50') right-of-way.

SECTION 4 **RECORDING OF PLAT AND SALE OF LOTS**

- §4.1** Per Code of Alabama, Section 11-52-33, states that no lots in a subdivision can be sold or transferred until the final plat has been approved by the Planning Commission and is recorded in the County Probate Office. No owner, applicant, developer, or subdivider shall proceed with the sale 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 City of Creola Planning Commission and recorded in the Office of the Probate Judge of Mobile County in accordance with the procedures prescribed in these regulations.

§4.2 Subsequent to the recording of the plat, two copies shall be made showing the Map book, volume and page numbers where the plat is recorded. One copy shall be sent to the Planning Commission and one copy to the County Tax Assessor's Office.

SECTION 5 RESPONSIBILITIES

§5.1 **Responsibility of Applicant.** The applicant shall be responsible for all costs incurred for any professional review and engineering services that may be required, including plans, tests, inspections, 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 and Final Plats and in conformity with these Regulations. The applicant shall provide the City with all engineering plans required in conjunction with any applicable state, federal or local laws or regulations. Where the Planning Commission deems additional or supplemental engineering data to be necessary for the purpose of assuring the City's interests are protected, all costs shall be borne by the applicant. The applicant is responsible for payment of all fees and charges in full.

§5.2 **Responsibility of City of Creola.** The approval of a subdivision plat does not in itself result in the acceptance of any street or other public space shown on the plat. Once a plat has been granted final approval by the Planning Commission it is taken to the City Council for consideration of acceptance. The City Council shall, after final plat approval, plat recording, and upon receipt of all test reports, maintenance surety, as-built plans and certification and other requirements of these regulations, accept the dedication of the street rights-of-way, drainage, and utility easements by adopting by resolution to do so. The City Council shall only accept for public maintenance the rights-of-way that are located within the corporate limits of the City of Creola, Alabama and may cause the inspection of any or all parts of the improvements during and after construction and require the correction of any improvements for maintenance.

SECTION 6 EXTRA-TERRITORIAL JURISDICTION (ETJ)

Whenever any subdivision of land, subject to the provisions of Ala. Code 11-52-30 et seq., is proposed within the unincorporated extraterritorial jurisdiction of the City of Creola, the applicant shall be required to submit the subdivision plat to the Creola Planning Commission and Mobile County Engineer or, in his absence, the acting County Engineer, in accordance with §11-52-30(b) Code of Alabama, 1975, as amended.

SECTION 7 PHASED PROJECTS & PLANNED UNIT DEVELOPMENTS (PUDs)

A comprehensive group development, including the large scale construction of housing units together with necessary drives and ways of access, may be approved by the Planning Commission although the design of the project does not include standard street, lot, and subdivision arrangements if the departure from the required standards contained herein can be made without destroying their intent. A Master Plan for such comprehensive group development shall be submitted to the Planning Commission for approval, provided that approval of the Master Plan shall not constitute approval of individual plats for phased development of the Master Plan over a period of years.

SECTION 8 **CONFORMANCE WITH EXISTING CITY PLANS**

Proposed improvements in all subdivision developments within the Creola Planning jurisdiction shall be in conformance with the Creola Comprehensive Master Plan, the Zoning Ordinance, and any other existing approved plans, maps, ordinances, and design standards of the City of Creola and/or the Creola Planning Commission. Copies of said plans are available at Creola City Hall.

SECTION 9 **WAIVERS AND MODIFICATIONS**

Each modification or waiver of these Subdivision Regulations sought by an applicant shall be especially applied for, in numerical order of the Subdivision Regulations, in writing by the applicant. A condition shown on any Master Plan, Preliminary or Final Plat, or on engineering plans which would require a modification or waiver shall constitute a ground for disapproval of said plans/plats unless such special application for a modification or waiver is made and granted.

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ARTICLE 5

APPLICATION PROCEDURES AND PLAT REVIEW PROCESS

§1	GENERAL
§2	PURPOSE OF PRELIMINARY PLAT
§3	MAJOR AND MINOR SUBDIVISIONS DEFINED
§4	APPLICATION PROCEDURES
§5	PRE-APPLICATION CONFERENCE & SKETCH PLAN REVIEW
§6	MASTER PLAN FOR PHASED PROJECTS
§7	PRELIMINARY PLAT SUBMISSION & REVIEW PROCESS
§8	PUBLIC NOTICE AND ADVERTISEMENT OF PUBLIC HEARING (PRELIMINARY PLAT)
§9	PLANNING COMMISSION ACTION ON PRELIMINARY PLAT (30 DAY TIME PERIOD)
§10	EFFECTIVE PERIOD OF PRELIMINARY PLAT
§11	PRELIMINARY PLAT CONTENT
§12	ISSUANCE OF LAND DISTURBANCE PERMIT
§13	IRREVOCABLE PERFORMANE BOND
§14	FINAL PLAT SUBMISSION & REVIEW PROCESS
§15	PUBLIC NOTICE AND ADVERTISEMENT OF PUBLIC HEARING (FINAL PLAT)
§16	PLANNING COMMISSION ACTION ON FINAL PLAT (30 DAY TIME PERIOD)
§17	FINAL PLAT CONTENTS
§18	FINAL COMPLETION & INSPECTION OF SUBDIVISION IMPROVEMENTS
§19	RECORDING OF FINAL PLAT
§20	ISSUANCE OF BUILDING PERMIT
§21	PUBLIC INFRASTRUCTURE ACCEPTANCE
§22	MAINTENANCE BOND
§23	RELEASE OF SURETY

SECTION 1 GENERAL

The City's subdivision regulations govern the manner in which vacant land is platted into streets, blocks, and lots in preparation for development. They are, therefore, very important in that they establish the street pattern and the type of improvements that must be made as land is brought into urban use.

Whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the applicant/developer shall apply for and obtain approval of such proposed subdivision in accordance with the following procedures.

1. The preparation and submission to the Planning Commission of a preliminary plat of the proposed subdivision.

2. The preparation and submission to the Planning Commission Staff of a final plat, with required certificates. This final plat becomes the document to be recorded in the Office of Judge of Probate, Mobile County, when duly signed.

SECTION 2 PURPOSE OF PRELIMINARY PLAT

The purpose of the Preliminary Plat Review process is to provide the Creola Planning Commission with the proposed construction plans and specifications in compliance with the requirements of these regulations. This will enable the Planning Commission to hear and consider input from the public, other officials and agencies concerned and act on the proposed subdivision. The applicant or authorized agent shall attend the public hearing.

SECTION 3 MAJOR AND MINOR SUBDIVISIONS DEFINED

- A Minor Subdivision is defined as a subdivision containing not more than six (6) lots, including remnant parcels, fronting on an existing publicly maintained street, and not involving the construction and/or installation of any new street or road or the extension of public facilities, or the creation of any public improvements. Where a proposed subdivision does not require the dedication of any land to the public or installation of any public improvements, the Preliminary Plat shall also 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.
 - A Major Subdivision is defined as a subdivision not classified as a minor subdivision of any size requiring the construction and/or installation of new streets, drainage or other public improvements. The applicant is responsible for providing all engineering services, including plans, tests, 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.
1. **Minor Subdivision:** Six (6) or less lots with no public improvements
 - Pre-Conference/Sketch Plan
 - Preliminary/Final Plat (same plat can be used as both Preliminary and Final, but must be stamped as “Final Plat”)
 2. **Major Subdivision** more than six (6) lots or any number of lots if public improvements are installed.
 - Pre-Conference/Sketch Plan
 - Preliminary Plat
 - Final Plat Filing of Application and Forms

SECTION 4 APPLICATION PROCEDURES

The procedure for submitting an application for subdivision review is as follows. The procedure for review of a proposed subdivision by the Creola Planning Commission ultimately results in the approval and recording of a final plat of the subdivision. All subdivision plats submitted must bear the seal, original signature, name, address, telephone number, and certification of the project

engineer or surveyor, who shall be registered to practice as a Professional Engineer or Licensed Surveyor in the State of Alabama.

§4.1 Application Packet. Before the Planning Commission shall review a Preliminary Plat, the applicant or authorized agent shall provide a completed application packet which contains the following:

1. A completed Preliminary and/or Final Plat application available at the City of Creola and on the city's website;
2. 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;
3. Copy of deed to the subject property;
4. Completed Authorized Agent form, if applicant is not acting in own behalf;
5. Completed Adjoining Property Owners form for certified mailings;
6. Complete a Pre-Application and Sketch Plan meeting;
7. Provide Preliminary Plat Checklist from Appendix A of these Regulations
8. Provide Three (3) paper copies of the Preliminary Plat;
9. Provide One (1) digital copy in PDF format, and accompanying documents
10. Submit to the Building Official at least fifteen (15) days prior to the regularly scheduled meeting of the Planning Commission if a minor subdivision, or thirty (30) days prior to the regularly scheduled meeting of the Planning Commission if a major subdivision;
11. If a major subdivision, the Preliminary Plat shall be accompanied by the additional construction/engineering plans required for any land disturbing activity in accordance with the Stormwater Management Standards Article of these regulations;
12. Land disturbance permit, if applicable;
13. All other required federal and state permits, if applicable.

§4.2 General Procedure. In general, the procedure for review and approval of subdivision plats by the Creola Planning Commission consist of the following steps. Each step is listed below with detailed instructions for each step.

- | | |
|---------------|---|
| 1. Step One | Pre-Application Conference and Sketch Plan Review |
| 2. Step Two | Preliminary Plat Review Process |
| 3. Step Three | Final Plat Review |
| 4. Step Four | Plat Recording |
| 5. Step Five | Infrastructure Acceptance |

SECTION 5 PRE-APPLICATION CONFERENCE & SKETCH PLAN REVIEW

§5.1 Applicability. Whenever the subdivision of land is proposed within the jurisdiction of these regulations, the applicant or authorized agent is required to consult early and informally with the Building Official and the Planning Commission Application Review Committee, and any other city, county, or utility representative necessary.

§5.2 Purpose. The purpose of this meeting is to enable the applicant or agent to become familiar with the subdivision regulations, other requirements which might affect the proposed subdivision, and be advised of the process. The Pre-Application Conference is an informative and educative meeting only and will not have deciding power or precedence on a subdivision of land. In this way the applicant can discuss the details of the subdivision and any discrepancies with the regulations before the applicant invests resources in the project. This will facilitate the subsequent preparation of the subdivision plat or development plan.

§5.3 Requirements. The applicant shall present a lot layout sketch plan, drawn to scale. The information submitted shall include the location of the proposed subdivision in relation to the surrounding area; existing features such as surrounding roads, drainage facilities, waterways, wetlands; other significant natural and built features; the general topography of the site; and the proposed streets, lots, and blocks.

Upon completing the pre-application meeting, the applicant may proceed to prepare the Preliminary Plat for the formal subdivision review process.

SECTION 6 MASTER AND/OR COMMON PLAN FOR PHASED PROJECTS

Any subdivision or development which is to be developed in phases or units shall require a master plan of the proposed subdivision or development which shall be submitted to the Planning Commission for review and approval prior to submitting a preliminary plat application. The applicant shall submit to the City of Creola, a written request for review and approval by the Planning Commission and a copy of said master plan.

§6.1 Purpose of Master Plan. The purpose of the Master Plan is to outline a long term plan for a larger development resulting in multiple phases. These phases may be all residential, commercial, or mixed use properties, provided the zoning district permits such uses, which may be developed at varying stages. The master plan shall be of sufficient detail to show the proposed street, sidewalk and lot layout, drainage, utilities, detention, common, recreational, and landscaped areas, and is intended to provide info that can be used to establish boundaries for future development.

§6.2 Submission and Review of Master Plan. Following the Pre-application meeting, if the applicant desires to move forward with the project, a subdivision application must be submitted within one year. If greater than one year, the applicant should consider another pre-application meeting in the event requirements may have changed. Applications will be processed in accordance with the Planning Commissions annual schedule.

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

The submission shall at a minimum include.

- Classification and mixture of all proposed building types within the site plan.
- Density in dwelling units per acre for residential uses.
- Size and location of all existing features including drainage channels, streams, ponds, lakes, wetlands, flood zones, or other natural features.
- Minimum covenants and restrictions that will be recorded with the site plan and the plat.
- Location and dimension of site improvements including recreation areas, pedestrian paths, streets, lanes, and parking areas.
- Landscape plan for all public areas, streetscapes, and greenspace, including location, dimension, and public or private amenities as well as timing for completion each amenity.
- Proposed phases of the site plan, clearly showing phase lines and approximate time frames for construction of each phase. Phases shall be identified in sequential order of planned development at time of submission and may change throughout the development process. Changes in phase sequence will not require re-approval, but if a phase is submitted out of sequence an updated master plan must be submitted along with the preliminary plat.
- Topographical info in two-foot contours.
- Site data table including total acreage of the site, acreage of common area, acreage of greenspace, and number of proposed units.
- A comprehensive narrative statement describing the proposed uses of all land, structures, and improvements, and explaining the function and operation of the site plan as a whole.

SECTION 7 PRELIMINARY PLAT SUBMISSION & REVIEW PROCESS

§7.1 Purpose. The Preliminary Plat is intended to be a detailed presentation of how the applicant is proposing to change an existing lot of record by dividing or combing parcels of land, or developing the land, which includes engineering plans for the construction of all improvements. This is the most critical stage of the formal review process. The applicant or authorized agent shall submit scaled drawings of the proposed subdivision, prepared by a certified surveyor or professional engineer registered in the State of Alabama.

§7.2 Review Process.

1. Complete subdivision application and submit completed application package no later than fifteen (15) days if a minor subdivision, or thirty (30) days, if a major subdivision prior to regularly scheduled Planning Commission meeting in order to give city staff and committee sufficient time to process application, advertise and post public hearing notices, review plat, and notify applicant and adjacent property owners via certified mail. The Planning Commission will not review any proposed

subdivision that has not submitted a completed application packet. (The Planning Commission meets regularly on the third Tuesday of each month.)

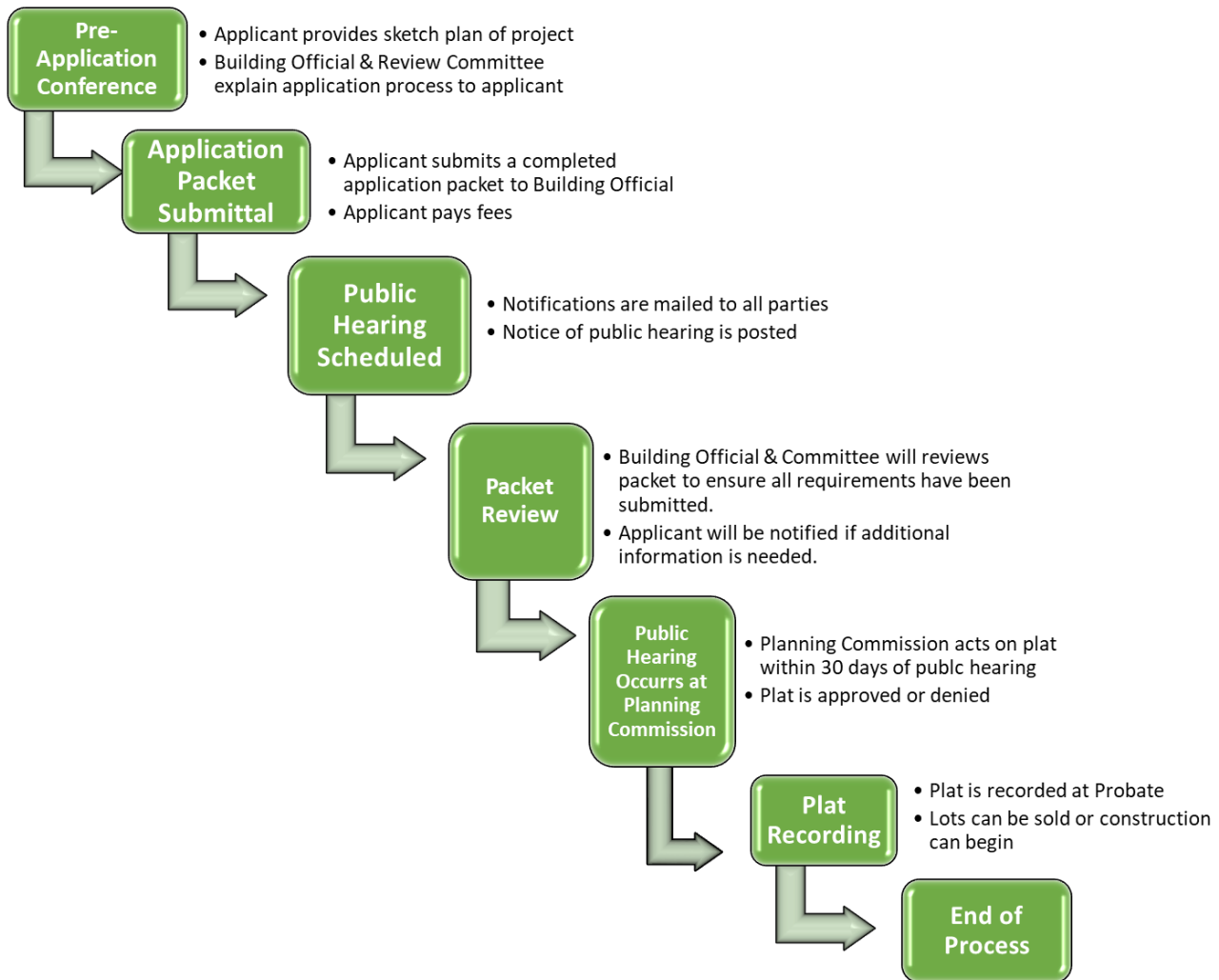
2. Pay filing, review and public hearing fees associated with subdivision application. (See Appendix of these regulations for a schedule of fees)
3. Confirmed all Preliminary Plat requirements are met from the check-list. (See PLAT CONTENT Section and Appendix A of these regulations for a Preliminary Plat check off list). If determined by Building Official that application packet is complete, City staff will set public hearing for the next regularly scheduled Planning Commission meeting, per City of Creola Planning Commission application cut-off schedule, or before if time permits. Public Hearing Required. No subdivision of land can occur unless the application is heard at a public hearing of the Planning Commission.
4. City staff will notify applicant and adjacent property owners via certified mail as their names and addresses appear upon the plats of the Mobile County Tax Assessor's Office of the date and time of public hearing to consider subdivision. Such notices shall be sent at least ten (10) days prior to the date of the public hearing.
5. The Preliminary Plat shall be reviewed by the Building Official and Planning Commission Application Review Committee who shall certify that the Preliminary Plat meets the subdivision regulations. Should the Preliminary Plat be determined by the Building Official and Committee to be deficient in any regard, the Building Official shall contact the applicant to inform the applicant of the deficiencies and corrections that are needed.
6. Creola Planning Commission will hold public hearing on the proposed subdivision.
7. The applicant or authorized agent shall be present the public hearing of the Planning Commission to address questions about the proposed subdivision.
8. The Building Official, Planning Commission Application Review Committee, Fire Chief, other applicable city or county officials, and representatives from utility providers will give a report concerning the preliminary plat and it shall be reviewed by the Planning Commission before action is taken.
9. The Planning Commission shall take action on the proposed plat by either approve as is, approve with contingency and/or contingencies, or deny the preliminary plat within 30 days of the date of the meeting at which the public hearing was held on the proposed subdivision. If the Planning Commission fails to act on the preliminary plat within the 30-day time period, the preliminary plat is automatically approved. *Note: Applicant has the option of withdrawing the preliminary plat to avoid denial and re-submission process.

10. If approved conditionally, the conditions shall be stated; if necessary, the Commission may require the applicant to submit a revised Preliminary Plat. If any of the requirements are modified or waived, they shall be specified and the reasons therefore given. One copy of the Preliminary Plat, together with a statement setting forth the conditions for approval or disapproval, shall be retained in the Planning Commission's file, and one copy shall be returned to the applicant.
11. If plat is denied, no subdivision affecting the subject property or a portion of the subject property will be considered for a period of 12 (twelve) months from the Planning Commission's decision unless the applicant amends the plat to be compliant with these regulations. The grounds for disapproval of any plat shall be stated upon the records of the Planning Commission and mailed to the applicant.
12. If plat is approved, Planning Commission Chair signs final plat and applicant records plat at Judge of Probate Office in Mobile, Alabama. "FINAL PLAT" must be stamped on plat for final recording. Preliminary Plat approval does not constitute acceptance of the subdivision by the City. It recognizes that the subdivision meets the standards established by these regulations and allows the applicant to proceed with the sale of lots, or construction of the improvements, if applicable. Approval of a preliminary plat shall not be deemed to constitute or effect an acceptance by the public of any street or other open space shown on the plat.
13. Once recorded, newly created lots can be sold or transfer of ownership can occur or construction of improvements can begin.
14. The applicant shall provide the City with one (1) copy of the Final recorded plat showing the receipt of recording from the Mobile County Probate Office.
15. If subdivision is defined a Major Subdivision, where new streets and other public infrastructure will be installed, and Preliminary Plat has been approved, and all other requirements have been met, the construction phase can begin. The applicant must also submit Construction Plans, which are engineering plans that shall be submitted to and reviewed and approved by the City's Engineer. When these plans are approved, construction can begin and during construction, the work will be inspected for compliance with the City's improvement standards found in these regulations.
16. Preliminary Plat approval is valid for one (1) year after approval has been granted to the end of which final plat approval on the subdivision must have been obtained from the Planning Commission. Final plat must be submitted within one (1) year of preliminary plat approval to be considered for approval. Staff may consider a request for an extension of preliminary approval from the applicant/owner in the event of an extenuating circumstance. Any plat not approved shall be null and void,

and the applicant/owner shall be required to resubmit a new plat for preliminary approval subject to all new zoning, subdivision, and other applicable regulations.

17. Prior to initiating construction, an approved Land Disturbance Permit and any other required state or federal permits, along with applicable fees, shall be submitted for approval. No site work can begin until all required permits have been obtained and detailed construction plans have been approved by the City Engineer.

§7.3 Flow Chart of Review Process.



SECTION 8 PUBLIC NOTICE AND ADVERTISEMENT OF PUBLIC HEARING (PRELIMINARY PLAT)

Any plat submitted to the Creola Planning Commission shall contain the name and address of applicant whom notice of a hearing shall be sent and all adjacent property owners; and no plat shall be acted on by the Commission without a public hearing thereon. Notice shall be sent to the said recipients by registered mail of the time and place of such hearing not less than ten (10) days before the date fixed therefore. Similar notice shall be mailed to the owners of land immediately adjoining the platted land, as their names appear on the list submitted to the Planning Commission.

SECTION 9 PLANNING COMMISSION ACTION ON PRELIMINARY PLAT (30 DAY TIME PERIOD)

The Planning Commission shall take action on Preliminary Plat by either approval as is, approve with contingency and/or contingencies, or deny the preliminary plat within thirty (30) days after the date of its regularly scheduled meeting at which time a public hearing was held. If the Planning Commission fails to act on the Preliminary Plat within the thirty days, the subdivision is automatically approved.

The subdivision plat is considered “submitted” to the Planning Commission when the public hearing regarding the subdivision occurs. From that date, the Planning Commission shall have thirty (30) days to act on the proposed subdivision, otherwise such plat shall be deemed to have been approved, per Code of Alabama, Section 11-52-32. The applicant may waive this requirement and consent to an extension of such period.

SECTION 10 EFFECTIVE PERIOD OF PRELIMINARY PLAT

Approval of a Preliminary Plat shall become void after a period of one year unless an application for Final Plat review has been filed as provided in these Regulations, or unless a time extension has been requested in writing by the applicant and approved by the Planning Commission.

SECTION 11 PRELIMINARY PLAT CONTENT

The requirements for preparation of the Preliminary Plat are considered minimum standards and additional information may be required for approval if requested by the Creola Planning Commission.

The Preliminary Plat shall be prepared, signed, and sealed by a licensed and certified Land Surveyor or Professional Engineer registered in the State of Alabama. It shall be drawn to a scale of no less than one inch (1”) equals one hundred feet (100’).

The following list of items are required for both minor and major subdivisions and shall be included ON THE PLAT and shall meet the minimum standards set forth in these Subdivision Regulations.

1. Name and address of land owner of record, applicant, or authorized representative (form required for authorized representative);
2. Current (within 60 days) Title Policy, Title Opinion, Title Report, or Deed to verify Ownership of land;

3. Name, address, phone number, seal, and registration number of the Licensed Professional Surveyor or Professional Engineer who prepared the plat, registered in the State of Alabama;
4. Name of proposed subdivision and phase number, if applicable;
5. Names and addresses of all land owners immediately adjacent to property being subdivided, including those across any impediments (street, water course, railroad, city boundary line, etc.) to be notified via certified registered mail. Property owner information shall be listed as it appears on the tax records of the Mobile County Tax Assessor Office;
6. Boundary survey of entire property showing exact boundaries with all existing parcel lines indicating preliminary distances and bearings;
7. Date of survey;
8. North Arrow (pointing north);
9. Graphic Scale (not less than 1" = 100');
10. Legend;
11. Parcel numbers;
12. Legal Description;
13. A vicinity map showing the relative location of the proposed subdivision, indicating not drawn to scale, in relation to the adjacent street(s) and area;
14. Total acreage of land to be subdivided;
15. Total number of newly created lots;
16. Proposed lot lines showing total length in feet;
17. Total square footage and acreage of each newly created lot indicating Lot number(s);
18. Total number of newly created blocks with block number(s);
19. Minimum lot size;
20. Maximum lot size;
21. Net density per acre;
22. Minimum finished floor elevations for every lot;
23. Proposed minimum building setback lines according to the zoning district, if applicable;
24. Indication of the proposed use of property and zoning classification;
25. Location of all existing and proposed buildings and/or structures, indicating proposed use;
26. Location and dimension of all water courses and/or water bodies on or within 100 feet of property, showing the required twenty-five foot (25') buffer;
27. Names and locations of all existing streets, rights-of-way, alleys, and easements within and adjacent to proposed subdivision, including dimension of each and the purpose of the easements;
28. Location of existing public utilities, sanitary sewers, drainage structures, including facilities within and adjacent to the proposed subdivision;
29. Location of wooded areas, marshes, cultural and/or any known or recorded historical artifacts, and any other conditions affecting the site;
30. Location of all federally classified wetlands, as determined by U.S.

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31. Army Corps of Engineers, indicating required thirty foot (30') buffer; Location and extent of all land subject to flooding by the overflow or ponding of storm water within the one hundred (100) year floodplain. Special flood hazard areas and/or coastal high hazard areas must be drawn on Plat as indicated on the latest Flood Insurance Rate Map (FIRM) for the area, including a statement to that effect;
 32. Location of all jurisdictional boundaries, railroads, and transmission lines;
 33. Location of concrete and/or official monuments;
 34. List of all utility providers to the site;
 35. Signature block of all required signatures of approval from the following as to verify availability and capacity of services to site.
 - Chairman of the Planning Commission
 - Water Utility Superintendent
 - Sewer Utility
 - Fire Chief
 - State and/or County Health Department, if applicable
 - City Engineer, if applicable
 - Mobile County Engineer, if applicable;
 36. Any other special survey notes about the property;
 37. Attached copy of all required permits, if applicable.
 38. Inscription stating "Final Plat" if a minor subdivision and space provided on the plat for approval by the Planning Commission Chair if all requirements are met, and authorization for the recording of said plat by the Judge of Probate in Mobile County, Alabama, or "Not for Final Recording" if a major subdivision;

*END OF REQUIREMENTS FOR MINOR SUBDIVISION;

IF MAJOR SUBDIVISION, THE FOLLOWING ADDITIONAL ITEMS ARE REQUIRED ON THE PLAT.

39. Proposed location of all land dedicated for open space and usable common area(s), including assigned lot number and Note indicating that common areas are not intended to be buildable lots for conversion to residential use;
40. Proposed location of all land dedicated for the purpose of detention and/or retention facilities, clearly identifying and labeling all maintenance and access easements for the facilities, and with a Note indicating ownership and responsible entity of maintenance of the common areas and detention/retention facilities;
41. Location of all proposed streets, rights-of-way, alleys, and easements including dimensions of each and the purpose of the easements;
42. Linear footage of all new proposed streets;
43. Location and dimensions of all proposed sidewalks and curb ramps;
44. Location of all proposed street lights and street signs;
45. Location of proposed public utility layouts (sanitary sewers, water, drainage structures, gas, and electricity), including pipe sizes, location of valves, and indicating feasible tie-in connection locations; showing facilities within and adjacent to the proposed subdivision;

46. Location of all proposed fire hydrants;
47. Any and all off-site improvements i.e. turn lanes, traffic signals, etc.;
48. Topography using contours at vertical intervals of not more than two (2) feet based on USGS-MSL datum;
49. Erosion control measures to be used during construction of the subdivision that comply with required federal and state permits;
50. Tree inventory indicating all trees to be removed and replaced;
51. Tree protection methods used during construction;
52. Where a phased development is proposed, the preliminary plat shall include all phase lines and a master plan showing the continuity of development proposed for the entire project. Each phase shall satisfy the requirements of these regulations individually.
53. Traffic Data and Traffic Study – Applications for high density, major subdivisions creating (50) lots or more, or any phased project, shall require a traffic impact analysis which shall include trip generation data showing the projected average daily traffic (ADT) in a 24-hour period and projected peak-hour traffic generated by the development in the subdivision application. Peak hour traffic shall generally be the hours between 7 A.M. and 9 A.M. for morning and 4 P.M. and 6 P.M. for the evening and include the consecutive 60 minute segment in which traffic counts are projected to occur.

A traffic study shall be required for all applications that will generate an average daily traffic (ADT) count of 1,000 trips or more, or which will generate 50 trips or more during any peak hour period. An agent selected by the City and paid for by the applicant shall perform the traffic study. The traffic study shall be used to determine what on-site and off-site street or traffic improvements may be necessary due to the development. The results and any corrective measures necessary shall be included as part of, and in addition to, the requirements for preliminary subdivision plat.

54. REQUIRED CONSTRUCTION PLANS. The following plans must be included with any application for a major subdivision and shall be signed and stamped by the registered professional engineer of record. See Article 6 of these Regulations for list of required items for each plan.
 1. Street Plan
 2. Drainage Plan
 3. Erosion Control Plan
 4. Utility Plan
55. Copy of all required federal and state permits.

SECTION 12 ISSUANCE OF LAND DISTURBANCE PERMIT

Prior to any construction or land disturbing activity involving one (1) acre of land or more, or from construction activities involving less than one (1) acre which are part of a common or master plan of development or sale equal to or greater than one acre. The applicant shall obtain a land disturbance permit from the City of Creola.

§12.1 Pre-Construction Conference. Prior to any land disturbance and/or construction activities, the applicant and his/her authorized engineer shall schedule a pre-construction

conference with the Building Official and the Review Committee. Said meeting shall occur after Preliminary Plat approval and prior to the issuance of a Land Disturbance Permit. Participants shall include the applicant, applicant's engineer, contractors, the representatives from the City Departments of Public Works, Fire, and Building Inspections; Representative from water and sewer companies, and any other applicable public or private utility company, local, state, and/or federal agency. At the pre-construction conference, participants will discuss details related to permitting, construction safety, general expectations during construction, final inspection protocol, etc.

§12.2 Application. Each person, firm, corporation, utility, entity, or agent thereof engaged in any land preparation and/or construction activities shall apply for a Land Disturbance Permit from the City of Creola 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.

§12.3 Permit & Licensure Requirements. Where applicable, any and all state and/or federal permits for construction related activities shall be obtained and submitted to the City prior to issuance of the Land Disturbance Permit. The applicant shall provide to the City of Creola the appropriate signed application form, a certified cost estimate for site work, and proof of the contractor's business license for the City of Creola. The fee for a Land Disturbance Permit is enumerated in the Schedule of Fees, however, the fee is waived if Preliminary Plat approval has occurred. Prior to the commencement of construction, the applicant shall identify all contractors and all sub-contractors and shall provide a list to include addresses and phone numbers of all to the City of Creola. All contractors shall be licensed by the State and the City.

§12.4 Erosion and Sedimentation Control Plan. An Erosion and Sedimentation Control Plan is required for all land disturbing activities subject to the Clean Water Act of 1972 and ADEM NPDES requirements. All of the erosion and sedimentation control measures as specified on the approved plans shall be in place prior to the City issuing a Land Disturbance Permit and the applicant commencing construction. Best Management Practices (BMPs) implemented pursuant to the requirements should be in accordance with the Alabama Handbook for Erosion Control, Sediment Control, and Storm Water Management on Construction Sites and Urban Areas (www.swcc.state.al.us).

SECTION 13 IRREVOCABLE PERFORMANCE BOND

- If an irrevocable performance bond/letter/line of credit is being used in lieu of the infrastructure being complete, the required infrastructure shall be completed to a minimum of 85% of the improvements.

- A draft irrevocable performance bond/letter/line of credit must be submitted to the City attorney for review at least fifteen (15) days prior to the submittal date.

- The irrevocable bond/letter/line of credit shall be from the owner of said subdivision and in an amount no less than one hundred and fifty percent (150%) of the cost of the required improvements.
- The irrevocable performance bond/letter/line of credit shall be effective until such time as the maintenance bond is issued or one year from date of issuance.
- All irrevocable performance bonds/letters/line of credit shall contain an “Evergreen Clause” stating. “This bond/letter of credit expires on _____, but will automatically extend without amendment for an additional two year period from the expiration date, or any future expiration date unless at least thirty (30) days prior to such expiration date we notify you by overnight courier, that this bond/letter of credit will not be extended. Upon receipt by you of such notice, you may draw on us hereunder by means of your sight draft for an amount outstanding at the time of drawing.”

SECTION 14 FINAL PLAT SUBMISSION & REVIEW PROCESS

§14.1 Purpose. The applicant or authorized agent shall present the Final Plat of the subdivision for official review by the City Engineer and Creola Planning Commission. Should the applicant choose to have an authorized agent, the applicant shall formally designate the authorized agent by submission of required form to the Planning Commission prior to the date of the public hearing. Approval is confirmation that the subdivision has been constructed in compliance with the approved preliminary plat and construction plans. The Final Plat shall be based on the approved Preliminary Plat with any required conditions and changes, and shall provide an accurate record of the subdivision as constructed. It shall contain all required signatures and be suitable for recording by the Probate Court.

§14.2 Review Process. Prior to the expiration of Preliminary Plat approval or extension thereof, the applicant shall make an application for Final Plat approval. All required improvements approved during the Preliminary Plat phase are to be substantially constructed and completed prior to the submission of a Final Plat package.

1. **Submission.** Once improvements have been made, applicant can submit application for Final Plat review to the Planning Commission no later than thirty (30) days prior to the regularly scheduled Planning Commission meeting.
2. Applicant shall complete subdivision application and submit and confirm completed application package including all appropriate application forms, checklists and other required documentation; Applicant shall submit copies of all Federal and State permits, if required.
3. Applicant shall pay filing, review and public hearing fees associated with subdivision application. (See Appendix B of these regulations for a schedule of fees)

4. The Final Plat shall be reviewed by the City Engineer, Building Official, and Planning Commission Application Review Committee who shall certify to the Planning Commission whether the Final Plat meets the subdivision regulations.
5. The Building Official, Fire Chief, other applicable city or county officials, and representatives from utility providers will give a report concerning the final plat and it shall be reviewed by the Planning Commission before action is taken.
6. Should the Final Plat be determined by the Building Official, City Engineer, and Committee to be deficient in any regard, the Building Official shall attempt to contact the applicant to inform the applicant of the deficiencies and corrections that are needed prior to the public hearing.
7. Final Inspection. Applicant shall schedule a final inspection at least twenty five (25) business days prior to the Planning Commission's regularly scheduled meeting. The subdivision infrastructure must meet all applicable regulations as outlined in the City of Creola Subdivision Regulations and other applicable ordinances prior to placement on the agenda.
8. Public Hearing Required. No subdivision of land can occur unless the application is heard at a public hearing of the Planning Commission. Creola Planning Commission will hold public hearing on proposed subdivision. City staff will set public hearing for the next regularly scheduled Planning Commission meeting per City of Creola Planning Commission application cut-off schedule.
9. City staff will notify applicant and adjacent property owners via certified mail as their names and addresses appear upon the plats of the Mobile County Tax Assessor's Office of the date and time of public hearing to consider subdivision. Such notices shall be sent at least ten (10) days prior to the date of the public hearing.
10. The applicant or authorized agent shall be present at a regular meeting of the Planning Commission to address questions about the proposed subdivision.
11. No final plat will be reviewed or considered for approval without submission and compliance with all required engineering and construction plans, and proof of either a financial guaranty in the form of an irrevocable letter of credit or a performance bond approved by the City Attorney in the amount of 150% of the total improvements to be accepted by the City.
12. The Planning Commission shall take action on Preliminary Plat by either approval as is, approve with contingency and/or contingencies, or deny the preliminary plat within thirty (30) days after the date of its regularly scheduled meeting at which time a public hearing was held. If the Planning Commission fails to act on the Preliminary Plat within the thirty days, the subdivision is automatically approved.

13. If approved conditionally, the conditions shall be stated; if any of the requirements are modified or waived, they shall be specified and the reasons therefore given. One copy of the Final Plat, together with a statement setting forth the conditions for approval or disapproval, shall be retained in the Planning Commission's file, and one copy shall be returned to the applicant.
14. If the plat was denied, no subdivision affecting the subject property or a portion of the subject property will be considered for a period of 12 (twelve) months from the Planning Commission's decision unless the applicant amends the plat to be compliant with these regulations. The grounds for disapproval of any plat shall be stated upon the records of the Planning Commission and mailed to the applicant.
15. Approval of a final plat shall not be deemed to constitute or effect an acceptance by the public of any street or other open space shown on the plat.
16. Upon approval by the Planning Commission, the City Engineer and Planning Commission Chair shall be authorized to sign all the copies of the final plat and applicant records plat at Judge of Probate Office in Mobile, AL.
17. Once recorded, newly created lots can be sold or transfer of ownership can occur.

SECTION 15 PUBLIC NOTICE AND ADVERTISEMENT OF PUBLIC HEARING (FINAL PLAT)

Any plat submitted to the Creola Planning Commission shall contain the name and address of the applicant whom notice of a hearing shall be sent and all adjacent property owners; and no plat shall be acted on by the Commission without a public hearing thereon. Notice shall be sent to the said recipients by registered mail of the time and place of such hearing not less than ten (10) days before the date fixed therefore. Similar notice shall be mailed to the owners of land immediately adjoining the platted land, as their names appear on the list submitted to the Planning Commission.

SECTION 16 PLANNING COMMISSION ACTION ON FINAL PLAT (30 DAY TIME PERIOD)

The Planning Commission shall take action on Preliminary Plat by either approval as is, approve with contingency and/or contingencies, or deny the preliminary plat within thirty (30) days after the date of its regularly scheduled meeting at which time a public hearing was held. If the Planning Commission fails to act on the Preliminary Plat within the thirty days, the subdivision is automatically approved.

The subdivision plat is considered "submitted" to the Planning Commission when the public hearing regarding the subdivision occurs. From that date, the Planning Commission shall have thirty (30) days to act on the proposed subdivision, otherwise such plat shall be deemed to have been approved, per Code of Alabama, Section 11-52-32. The applicant may waive this requirement and consent to an extension of such period.

SECTION 17 FINAL PLAT CONTENTS

The applicant shall file four (4) copies of the Final Plat, together with a digital copy of plat and as-built plans in PDF format, as well as, any deed restrictions where such restrictions are not shown on the plat, in the City of Creola, not less than thirty (30) days prior to the regularly scheduled meeting of the Commission at which the plat is to be considered. The requirements for preparation of the Final Plat are considered minimum standards and additional information may be required for approval if requested by the Creola Planning Commission.

The Final Plat shall be prepared, signed, and sealed by a licensed and certified Professional Engineer registered in the State of Alabama.

It shall be drawn to a scale of no less than one inch (1") equals one hundred feet (100').

No Final Plat application shall be processed and reviewed by the Planning Commission until a complete package consisting of the following has been submitted.

1. Name and address of land owner of record, applicant, or authorized representative (form required for authorized representative);
2. Completed Final Plat application and checklist provided by the City;
3. All applicable fees are paid;
4. A current (within 60 days of application date) title policy, title opinion, or title report, verifying ownership shall be submitted if any ownership changes have taken place during the construction period;
5. All items required and approved on the Preliminary Plat as minimum submission requirements;
6. Either a financial guaranty in the form of an irrevocable letter of credit or a performance bond approved by the City Attorney in the amount of 150% of the total improvements to be accepted by the City. The cost figures shall be prepared and stamped by the project engineer. This procedure is only valid to enable consideration of a Final Plat if all improvements are being or not yet constructed;
7. A written report from the project engineer certifying that all improvements have been constructed in accordance with the design plans and City regulations and standards;
8. Tree inventory indicating all trees to be removed and replaced;
9. Note on Plat that identifies tree density per lot requirements, if applicable;
10. Tree protection methods used during construction;
11. List of all utility providers to the site;
12. All utility certificates of Approval by the affected utility providers;
13. Signature block of all required signatures of approval from the following as to verify availability and capacity of services to site.
 - Chairman of the Planning Commission
 - Water Utility Superintendent
 - Sewer Utility

- Fire Chief
 - State and/or County Health Department, if applicable
 - City Engineer, if applicable
 - Mobile County Engineer, if applicable;
14. Two (2) sets of As-built plans that detail the location of utility and underground stormwater improvements from a visible above ground monument and provide the following certification on the Title Sheet.

I, the undersigned, a registered Engineer in the State of Alabama holding registration number _____ hereby certify that I have designed the within improvements in conformity with applicable codes and laws and with the principles of good engineering practice. I further certify that I have observed, or caused to be observed the construction of the within improvements, that the same conforms to my design, that the within is a true and accurate representation of improvements as installed.

_____ Project Engineer
 _____ Date

15. All stormwater management facilities indicating sizes, locations, materials, elevations, and grades;
16. Operations and maintenance plan of detention/retention facilities;
17. Engineer's statement on the plat, when engineered improvements were required in conjunction with the project, that reads:

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

_____ Project Engineer
 _____ Date

18. County Engineer certificate if located in the extra territorial jurisdiction;
19. Deed restrictions and/or protective covenants;
20. Proof of formation of a property owner's association detailing maintenance responsibility of stormwater detention and/or retention facilities and tree maintenance responsibilities.
21. Project Phasing. If the Final Plat is a portion of a larger development phase lines shall be annotated.
22. Copy of E & O Insurance Certificate from the Engineer of Record;
23. Any other special survey notes about the property;
24. Attached copy of all required permits, if applicable;
25. Inscription stating "Final Plat"

SECTION 18 FINAL COMPLETION AND INSPECTION OF SUBDIVISION IMPROVEMENTS

When all required improvements are installed, the applicant shall call for a final inspection. The developer's engineer shall submit to the City a certificate stating that the work has been entirely completed and that it conforms in all respects to the final plat and construction plans for required improvements and to the specifications set by these Regulations. On completion of all the work, the developer will furnish five (5) copies of as-built drawings of the improvements to the City of Creola. Upon receipt of this certificate of completion, the Building Official and the City Engineer shall inspect the site to determine if the required improvements are satisfactorily installed according of the plans and specifications. To determine if the streets are installed to minimum design standards, the developer shall select an independent testing laboratory to make the necessary tests. These tests shall be conducted at the expense of the developer, and presented to the City Engineer for inspection.

- The applicant/developer 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.
- All improvements required shall be constructed in accordance with the standards set forth in these Regulations, or as required by the City Engineer, the State or County Highway Department, and the department of the respective utility providers.
- The applicant shall schedule a final inspection at least twenty-five (25) business days prior to the Planning Commission's regularly scheduled meeting.
- The subdivision infrastructure must meet all applicable regulations as outlined in the City of Creola Subdivision Regulations and other applicable ordinances prior to placement on the agenda.

In the event that the improvements are incomplete or do not conform to the requirements of these Regulations and the construction plans and specifications, The Building Official shall notify the developer and the developer's engineer so that corrective measures may be instituted within the life of the construction contract and within the tenure of the contractor's performance bond.

- When the final plat has been approved by the Planning Commission, four (4) copies and the original, with the approval of the Planning Commission certified thereon shall be returned to the applicant to be used for filing with the Probate Judge as the official plat of record. The original tracing containing all required certifications shall be retained by the applicant and one (1) copy shall be retained in the records of the Planning Commission.

SECTION 19 RECORDING OF FINAL PLAT

- No Plat or description of land subdivided shall be filed in the Probate Records until such plat shall have been fully approved by the Planning Commission.
- No subdivision shall proceed with any improvements, transfer, or sale of lots until the plat has been properly 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 shall be signed by the Chairman of the Planning Commission. The original Final Plat 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 and the Planning Commission Chair.
- Following signature, the original Final Plat tracing will be returned to the applicant 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.
- The City shall be provided a copy of the recorded Final Plat, the operations and maintenance plan, and the deed restrictions. Subsequent to the recording of the plat, two copies shall be made showing the Map book, volume and page numbers where the plat is recorded. One copy shall be sent to the Planning Commission and one copy to the County Tax Assessor's Office.
- Land within a subdivision may only be transferred once the plat has been approved and recorded with Mobile County Probate.

SECTION 20 ISSUANCE OF BUILDING PERMIT

The City of Creola will not issue building permits on land requiring a subdivision until the plat is recorded with Mobile County Probate, and City Council accepts for maintenance the infrastructure located in public right-of-way.

SECTION 21 PUBLIC INFRASTRUCTURE ACCEPTANCE

- All infrastructure to be accepted must be located in a publicly dedicated right-of-way. The City may, in its discretion, accept streets, sidewalks, open space, and storm drainage systems in the public right-of-ways only.
- The City will not accept for maintenance water or sewer lines or other utilities regardless of location.
- The City shall not accept, open, improve, grade, or light any street, or authorized water mains or sewers or connections to be made in any street, unless such street has been accepted or otherwise granted the legal status of a public street, or unless such street corresponds with a street subdivision plat approved by the Planning Commission. To be given the legal status of a public street, such street or streets, upon recommendation by the Planning Commission, shall be officially accepted by name or by subdivision description by resolution of the City Council.
- In general, the steps for acceptance are as follows.

1. Identification of infrastructure to be accepted in public rights-of-way prior to construction and preliminary agreement by the City Council to accept the infrastructure for maintenance if constructed in accordance with these Regulations and all applicable laws, rules and regulations.
2. The Project Engineer shall calculate the construction cost of infrastructure to be accepted and shall provide a stamped estimate to the City.
3. The owner shall secure a maintenance surety for a period of 2 years and provide it to the City in accordance with the surety requirements of these Regulations.
4. Subject to City Council approval, the City staff shall prepare a resolution of the City Council accepting the proposed infrastructure for maintenance, identifying the recorded Final Plat and attaching the engineer's construction estimate and the maintenance surety provided by the owner/applicant.
5. The City Council shall consider the resolution, and if the resolution is adopted, the City shall accept the identified infrastructure for maintenance, subject to the surety.

SECTION 22 **MAINTENANCE BOND**

§22.1 Requirements. Upon 100% completion of the improvements, an irrevocable financial guarantee for maintenance of infrastructure must be provided for review by the City attorney, fifteen (15) days prior to the submittal date. A maintenance bond valid for 2 years from the date of Council acceptance is required for the City to accept infrastructure for maintenance. The bond shall be in a form and in detail suitable as decided by the City Attorney. The bond shall cover material defects, workmanship and other failures, normal wear and tear accepted, for the entire infrastructure to be accepted by the City.

§22.2 Calculations. The irrevocable bond/letter/line of credit shall be from the owner of said subdivision and in the amount of one hundred percent (100%) of the total cost for the performance of all site work on said subdivision to cover such infrastructure such as drainage, utilities, stabilization to include vegetation, and streets.

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

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

SECTION 23 **RELEASE OF SURETY****§23.1 Irrevocable Performance Bond/Letter/Line of Credit.**

- Upon completion of all said improvements to include drainage, utilities, stabilization to include vegetation, and streets, the owner shall request to the City for release from the irrevocable performance bond and issuance of the irrevocable maintenance bond/letter/line of credit.

- The City shall evaluate the improvements to meet and/or exceed standards and specifications as detailed by the design engineer. If the requirements have been met, the City shall release the owner from further obligations under said irrevocable performance bond/letter/line of credit.

- If it is determined that the requirements have not been met within one year then the irrevocable performance bond/letter/line of credit may be extended, for a one year period to allow the owner additional time to correct the deficiencies which prohibited the release of the irrevocable bond/letter/line of credit.

- If a site contractor is unable and/or unwilling to satisfy the deficiencies as determined by the City, the bond shall be forfeited with the bond being payable to the City of Creola for the direction of such work and/or activities necessary for the completion of the required improvements. The owner of the property shall be liable for any additional cost incurred.

§23.2 Irrevocable Maintenance Bond/Letter/Line of Credit.

- After two years from the issuance of the irrevocable maintenance bond/letter/line of credit, the owner shall request to the City for release from the maintenance bond.

- The City shall evaluate the improvements to determine if infrastructure improvements have been maintained as required.

- If the requirements have been met under the irrevocable bond/letter/line of credit, the City shall release the owner from further obligations under said irrevocable maintenance bond/letter/line of credit.

- If it is determined that the requirements have not been met the irrevocable bond/letter/line of credit may be extended, upon request, for one six (6) month interval to allow the owner additional time to correct the deficiencies which prohibited the release of the bond.

- If a site contractor is unable and/or unwilling to satisfy the deficiencies as determined by the City, the irrevocable bond/letter/line of credit shall be forfeited with the irrevocable bond/letter/line of credit being payable to the City of Creola for the direction of such work and/or activities necessary for the maintenance of the required improvements. The owner of the property shall be liable for any additional cost incurred.

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ARTICLE 6

MINIMUM STANDARDS AND REQUIRED IMPROVEMENTS

- §1 SUITABILITY OF LAND
- §2 LAND SUBJECT TO FLOODING
- §3 LAND DISTURBANCE PERMIT
- §4 LOTS
- §5 BLOCKS
- §6 COMMON, OPEN, GREEN, AND/OR RECREATION SPACE REQUIREMENTS
- §7 TREE PROTECTION & INVENTORY REQUIREMENTS
- §8 REQUIRED CONSTRUCTION PLANS
- §9 STREET PLANS
- §10 DRAINAGE PLANS & STORMWATER MANAGEMENT
- §11 EROSION & SEDIMENT CONTROL PLANS
- §12 INSPECTIONS & MAINTENANCE
- §13 LONG-TERM DETENTION/RETENTION FACILITIES MAINTENANCE
- §14 UTILITY PLAN
- §15 SPECIAL FLOOD HAZARD AREA (SFHA)
- §16 LOW IMPACT DEVELOPMENT REQUIREMENTS

Unless otherwise required herein, all construction of proposed subdivision improvements within the City of Creola or its police jurisdiction shall be in accordance with the Alabama Department of Transportation Standard Specifications for Highway Construction, latest edition and the American Association of State Highway and Transportation Officials (AASHTO) Handbook: *A Policy on Geometric Design of Highways and Streets*. Said standard specifications shall be considered a part of these subdivision regulations as though bound herein. Installation of public utilities, including but not limited to water, sewer, power, telephone, television cable, and gas, shall be in accordance with the respective utility's standard specifications. Coordination with each utility shall be the responsibility of the Developer.

SECTION 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 the subdivision of the property is not in the best interest of the public because the development proposed for the property is in violation of federal, state or local laws. Land abutting a proposed subdivision shall not be land-locked by the proposed subdivision.

SECTION 2 LAND SUBJECT TO FLOODING

Land subject to flooding or inadequately served by drainage facilities will not be acceptable for subdivision unless the applicant 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 areas subject to flood and/or excessive erosion, unless the fill proposed does not restrict the natural flow of water, advance erosion, or increase flood heights.

- To insure proper development in flood-prone areas, the Commission shall require the applicant to provide elevation certificates and flood profiles sufficient to demonstrate that the sites will be free from the danger of flooding and/or that improvements thereon will be constructed in compliance with requirements of the National Flood Insurance Program.
- If a stream 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 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.
- Approval will not be given for streets within the subdivision which would be subject to excessive inundation or flooding unless reasonable provision is made to allow for water runoff or absorption acceptable to the City engineer.

SECTION 3 LAND DISTURBANCE PERMIT

Each person, firm, corporation, utility, entity, or agent thereof engaged in any site preparation and/or construction activities shall acquire a Land Disturbance Permit from the City of Creola prior to commencement of such activities as established pursuant to the provisions of Article 5 of this Ordinance, which states: Prior to any construction or land disturbing activity involving one (1) acre of land or more, or from construction activities involving less than one (1) acre which are part of a common or master plan of development or sale equal to or greater than one acre, the applicant shall obtain a land disturbance permit from the City of Creola.

No such activity shall commence prior to the approval of a Preliminary Plat or a building permit by the Planning Commission and Building Official. 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 4 LOTS

The size, shape, and orientation of lots shall be appropriate for the type of development and use contemplated and shall be properly related 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.

§4.1 Density and Intensity Requirements Within Corporate Limits. 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.

§4.2 Density and Intensity Requirements Within ETJ. In keeping with 11-52-31 of the Alabama State Code the single family residential developments in the unincorporated extraterritorial jurisdiction (ETJ) shall adhere to the following density requirements.

- Land located in the extraterritorial jurisdiction shall be developed using the density of not more than two housing units per acres.
- No lot shall be less than 9,500 square feet and have less than a 75 foot width at front building line.

§4.3 Flag Lots. A flag lot is a lot with two distinct parts. 1. the “flag” or portion of the land that is the building site, located behind another lot; and 2. the “staff” or portion of the land that connects the “flag” to the street, providing the only street frontage and access for the lot. A flag lot may be permitted within a subdivision to better utilize irregularly-shaped properties or areas with resource limitations.

These regulations allow for the creation of flag lots in limited circumstances. The limitations are intended to minimize the negative impacts of flag lots by preventing land locked property to be created as well as additional driveways, while allowing land to be divided when other options are not achievable.

A residential subdivision shall not consist of more than two (2) flag lots and shall comply with the following criteria.

- Shall have access to a public street or right-of-way by means of an ingress/egress easement thirty (30) feet in width. The staff must be part of the flag lot, connect to a street and be under the same ownership as the flag portion of the lot.
- Access easements to allow for use of the “staff” portion of the land by another lot shall be required to prevent the creation of a land locked property. Shared access for up to two lots may be allowed with a recorded easement for all property owners.
- The staff portion of the flag lot shall not be longer than two hundred fifty (250) feet.
- The “staff” shall be an all weather driving surface with adequate drainage and properly maintained. “All weather surface” means asphalt, concrete, gravel, or road base.
- The minimum lot area and setbacks shall be compatible with the minimum square footage as required by the zoning district in which the development is to occur.
- The staff shall not be a part of the required lot or parcel area and shall provide frontage on a public street or right-of-way.

- The record plat of any flag lot subdivision shall show that the staff, i.e., access from the dedicated public street to the property, is a dedicated ingress/egress easement; is not a city street; and will not be maintained by City of Creola.

SECTION 5 BLOCKS

§5.1 Size Requirements. Blocks shall be arranged to assure maximum use of the topographic features of the land and 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 a street pattern. In blocks more than eight hundred (800) feet in length, the Planning Commission may require one or more public crosswalks of not less than ten (10) feet in width to extend entirely across the block at locations deemed necessary.

Blocks shall be wide enough to allow two 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.

§5.2 Access Easements. Reserve strips and/or easements controlling the access to streets shall be prohibited except where other options are not achievable in order to access property. All request for access easements will be reviewed and approved by the Planning Commission.

SECTION 6 COMMON, OPEN, GREEN, AND/OR RECREATION SPACE REQUIREMENTS

Common open space and recreation area set asides shall include formal recreation areas and/or natural open space areas. There are two types of formal recreation areas: passive and active.

- Passive recreation areas may include but shall not be limited to open areas that include arranged plantings, gardens, gazebos or similar structures, fountains, sculptures, and other forms of public art, pedestrian walk ways, dog parks, picnic areas, general landscaped areas, flower gardens, and other uses typical for passive recreation.
- Active recreation uses may include but shall not be limited to: playgrounds or parks for local or neighborhood use with swing sets, ball fields, tennis courts, jogging trails, clubhouses, swimming pools, including accompanying accessory structures, and any other similar use suitable for the common enjoyment of the residents.
- Natural open space areas that preserve and conserve the natural condition and hydrology of the property should be included as well as tree groves, wetlands, associated wetland buffers, rock outcrops, pastoral areas, floodplains, lakes, streams, rivers, wildlife habitat, utility and conservation easements, and scenic vistas and trails. Detention ponds and related storm water facilities, especially low impact development measures, may also be included.

§6.1 Applicability. A minimum of ten percent (10%) of total acreage of all new major subdivisions for single family, two-family, or multifamily residential development shall be dedicated for common open space and recreation area. Common Open Space and

Recreation Provisions shall apply to each residential development within the corporate limits and extraterritorial jurisdiction of the City of Creola except as exempted below.

§6.2 Exemptions. Common Open Space and Recreation Provisions shall not apply in the following cases:

1. Where a unified planned single family residential development (i.e., under single ownership and planned in multiple phases) is five acres (5 ac) or less in total area and the minimum lot size exceeds twenty thousand square feet (20,000 sq. ft.);
2. Where the entire subdivision is zoned R-1, Low Density Single Family Residential.

§6.3 Requirements. All land dedicated as open space in all major subdivisions must be considered usable and appropriate for the outdoor recreation of the residents. Detention and/or retention facilities shall not be considered and used as recreation open space for the residents. Additionally, the usable open space must include the retention of clusters and/or groves of heritage trees, if applicable. The developer is required to provide a tree inventory to identify existing heritage trees and trees to remain on the site on the subdivision plat.

SECTION 7 TREE PROTECTION REQUIREMENTS

Trees are an important component of the City of Creola's identity and character. In addition to naturally providing soil stabilization and flood control, they significantly increase property values and desirability. As such, certain trees are important to the City and shall be considered during the planning and design of subdivisions.

§7.1 Applicability. These standards apply in the territorial limits of the subdivision regulations and to all new major residential subdivisions. All subdivisions shall require a tree and landscape plan for the following areas of any new major residential subdivision.

1. All entrances of the subdivision;
2. the common, open space areas of the subdivision;
3. detention pond and/or retention pond;
4. recreational areas and;
5. any other areas which are deemed appropriate by the Planning Commission.

§7.2 Tree Protection Requirements.

1. No protected trees shall be damaged, removed, or altered until the preliminary plat proposed subdivision, or site plan has been approved by the planning commission, and the pre-construction requirements have been satisfied.
2. Clear cutting of undeveloped lots in all new major residential subdivisions is prohibited.

§7.3 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 diseased, damaged, or destroyed by natural causes or disaster.

§7.4 Protected Trees. Heritage trees (see definition) equal to or in excess of fifteen (15”) inches in diameter at breast height (DBH) are hereby protected and cannot be cut or intentionally harmed without the expressed written permission of the Building Official.

§7.5 Protected Tree Species. Protected heritage tree species include, but are not limited to:

- Live Oak
- Southern Magnolia
- Cypress
- Juniper
- All of the following over fifteen inches (15”) in DBH (diameter at breast height):
 - Oak
 - Ash
 - Hickory
 - Birch
 - Sweet Gum
 - Black Gum
 - Magnolia
 - Maple
 - Pecan
 - Walnut

§7.6 Heritage Tree Removal Procedure. Any applicant/developer wishing to remove or relocate a heritage tree shall indicate the proposed actions on the subdivision plat. The plat 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. Other examples of acceptable heritage tree removal criteria.

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 an unsafe vision clearance or conflicts with other Ordinances, Articles or Regulations.
3. The tree shall be removed 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.

§7.7 Replacement Trees. The proper replacement of trees shall be required for the removal of all heritage trees. The developer is required to plant two (2) trees for every one (1) heritage tree removed. 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.

§7.8 Tree Inventory Requirements. All reasonable steps shall be taken to preserve heritage trees. A written justification and land disturbance permit shall accompany the tree inventory for the removal of all heritage trees.

- Native trees in floodplains and wetlands shall be left in natural state unless otherwise directed or permitted by state or federal agencies.
- The tree inventory conducted by the surveyor, contractor or owner shall be

- submitted along with the land disturbance permit application.
- All major residential subdivision plats shall detail the following.
 1. All heritage trees to be removed;
 2. All heritage trees to be preserved;
 3. Areas of tree preservation in green or usable open space areas and/or buffer;
 4. Areas of tree plantings to include replacement heritage plantings and plantings per these requirements;
 5. Trees to be preserved and/or planted at subdivision entrance(s);
 6. Trees to be preserved and/or planted at detention and/or retention facilities.

§7.9 Tree Density. In efforts to effectively manage stormwater run-off and protect property values and desirability, the following tree density per lot requirements shall be met for all lots within high-density residential subdivisions, which due to the size of the lot, create an urban-like environment.

- All new high-density, major residential subdivision developments shall have a minimum tree density of five (5) 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, entrances, individual lots, and open space areas.
- All residential lots less than seven thousand square feet (7,000 sq.ft.) in all new high-density, major residential subdivisions shall have a minimum of one (1) overstory tree (see definition) located anywhere on the lot.
- Residential lots greater than seven thousand square feet (7,000 sq.ft.) and less than ten thousand square feet (10,000 sq. ft.) shall have a minimum of two (2) overstory trees, one (1) 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 of five (5) per acre for the development, but there 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 who 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.
- A note on the Final Plat is required indicating the tree density per lot requirements. The Building Official shall not issue a Certificate of Occupancy until the tree density per lot requirements have been met and installed on all applicable lots.

§7.10 Tree Planting Requirements. The following standards shall apply to all trees planted as required as part of these regulations.

1. Required and/or replacement trees shall be planted as part of any major residential subdivision unless existing trees meeting the following requirements are preserved.
2. All tree plantings shall be installed to current nursery industry standards.
3. 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.

4. Tree plantings and overstory shall measure a minimum diameter at breast height (DBH) of three (3) inches and shall measure a minimum of eight (8) feet of clear trunk.
5. Understory trees shall have an initial caliper diameter of at least 1 inch and shall measure a minimum of 5 feet of clear trunk.
6. No overstory trees shall be planted within twenty (20) feet of overhead wires.
7. All plantings that die or are destroyed must be replaced by developer or builder during the next suitable planting season.
8. Maintenance of new plantings after the initial warranty period is the responsibility of the property owner.

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

§7.12 Allowable Overstory and Understory Trees. The following species are acceptable for planting within the City of Creola. Other species that are recognized as suitable for this area may be used if approved by the Planning Commission and are native to south Alabama.

OVERSTORY TREES

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

UNDERSTORY TREES

- Downy Serviceberry (*Amelanchier aboreum*)
- Eastern Redbud (*Cercis Canadensis*)
- Atlantic White Cedar (*Chamaecyparis thyoides*)
- Fringe-tree/Grandsie-graybeard (*Chionanthus virginicus*)
- Flowering Dogwood (*Cornus florida*)
- Ginkgo/Maidenhair Tree (*Ginkgo biloba*)
- Carolina Silverbell (*Halesia caroliniana*)
- Two-wing Silverbell (*Halesia diptera*)
- Holly/Ilex-native to south Alabama (*Ilex spp.*)
- Eastern Red Cedar (*Juniperus virginiana*)
- Southern Red Cedar (*Juniperus silicicola*)
- Crape-myrtle (*Lagerstroemia indica*)
- Southern Magnolia (*Magnolia Magniflora*)

- Southern Bayberry, Wax Myrtle (*Myrica cerifera*)
- Ogeeche Gum (*Nyssa ogeche*)
- American Olive, Devilwood (*Osmanthus americanus*)
- Sourwood (*Oxydendrum arboretum*)
- Redbay (*Persea borbonia*)
- American Snowbell (*Styrax americanum*)

§7.13 Non-approved Trees. 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.

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

§7.14 Tree Protection Requirements During Construction.

During construction and development, trees that are to be preserved shall be protected from activities that may injure or kill them. Before any land disturbance activities take place, including clearing, grading or construction, root protection fencing shall be installed. The root protection fencing must be a minimum of 6-foot high chain link or comparable sturdy fencing secured with 8-foot metal posts placed at the edge of the root protection zone. The root protection zone is the area at 1-foot radius from the center of the trunk per inch of tree diameter (e.g., a 12-inch diameter tree would require a 12-foot radius root protection zone or a 24-foot diameter root protection zone). The fencing must remain in place for the entire duration of the land disturbing project until final inspection has been completed.

SECTION 8 REQUIRED CONSTRUCTION PLANS

The following construction plans must be included with any application for a major subdivision and shall be signed and stamped by the registered professional engineer of record.

Unless otherwise required herein, all construction of proposed subdivision improvements within the City of Creola or Creola's extra territorial jurisdiction shall be in accordance with the Alabama Department of Transportation Standard Specifications for Highway Construction, latest edition and the American Association of State Highway and Transportation Officials (AASHTO) Handbook: *A Policy on Geometric Design of Highways and Streets*. Said standard specifications shall be considered a part of these subdivision regulations as though bound herein. Installation of public utilities, including but not limited to water, sewer, power, telephone, television cable, and gas, shall be in accordance with the respective utility's standard specifications. Coordination with each utility shall be the responsibility of the Developer.

1. **STREET PLAN-** A Street Plan showing the following, but not limited to, shall be required for all newly created roads and streets.

- Locations of all proposed and existing streets or rights-of-way in or adjacent to the subdivisions;
 - Width of existing and proposed rights-of-way and easements;
 - Street names and location of street signs;
 - 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;
 - Typical Roadway Section detail;
 - Cross sections of proposed streets at a minimum of 100 foot stations;
 - Curve data for the centerline of each street. Delta, Tangent, and Radius;
 - Location of all proposed sidewalks and crosswalks.
 - Street lighting at all intersections, as required and a Street Lighting Plan showing additional lighting, if required, after review.
2. **DRAINAGE PLAN**- 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 of these regulations. This shall include an overall drainage plan prepared by a registered professional engineer, including proposed method of storm water detention and means of controlling erosion during construction. Any portion of the land in the proposed subdivision subject to periodic inundation by storm drainage, overflow or ponding shall be clearly identified on the plat. Lands lying within the flood plain, V or A Zones, shall be clearly identified on the plat. Storm-water detention facilities shall be shown in the plans and calculations provided.
 3. **EROSION CONTROL PLAN** - 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 of these regulations. This shall include an overall erosion control plan.
 4. **UTILITY PLAN** - 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 9 **STREET PLANS**

§9.1 **General Provisions.** The arrangement, character, extent, location, and grade of all streets shall conform, when reasonable, to a plan with good land planning principles and shall be integrated with all existing and planned streets. The following planning and design standards shall be complied with, and higher standards may be required by the City of Creola Planning Commission, where exceptional or unique conditions of topography, location, shape, size, drainage, wetlands, or other physical features of the site, and surroundings, would create unacceptable demands on the accompanying infrastructure, or minimum standards specified herein would not reasonably protect or provide for public

health, safety, or welfare. Any higher standard required shall be reasonable and shall be limited to the minimum additional improvements necessary to protect the public health, safety, or welfare.

- All proposed streets in any major subdivision, phased project, multi-family project, including apartments, condominiums, patio homes, etc., commercial, industrial, or Planned Unit Development (PUD), whether such streets shall be private or dedicated for public use, shall be paved and adequately drained. This requirement is not subject to modification by the Planning Commission. The developer 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.
- The proposed street system shall be coordinated with the street system of the surrounding area. Street access to an adjoining property is required and shall extend by dedication to the boundary of such property. A temporary turn-around, as defined in design standards for street cul-de-sac, shall be provided.
- Local streets shall be so laid out that their use by through traffic in the subdivision will be discouraged.
- The Planning Commission shall 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 one hundred percent (100%) of the total street improvements in the subdivision or of specified street improvements in the subdivision.
- The Developer shall create a construction entrance for all construction vehicles to access the subdivision during all phases of roadway and building construction. The proposed location of the construction entrance shall be submitted to and approved by the City Engineer prior to the start of construction. In the event that a construction entrance is not feasible or is cost prohibitive, the City Engineer may consider alternative proposals to limit construction vehicle damage to existing or proposed subdivision streets.
- During construction of new streets, the Developer is responsible for any and all damage that occurs to existing City of Creola streets or other existing City improvements and shall repair any such damages to the satisfaction of the Building Official.

§9.2 STREET STANDARDS

1. All streets shall be designed along contour elevations which will result in minimum grades and greatest visibility whenever practicable with consideration given to the anticipated use of the land. Grades of streets shall conform as closely as possible to the original topography.
2. The proposed street layout shall be made according to sound land planning principles for the type of development proposed.
3. Local and collector streets shall be laid out to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.
4. Existing streets and right-of-way which are proposed to be retained shall be incorporated into the street system so as not to cause hazardous conditions.

5. Proposed streets shall be extended to the boundary line of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the City Engineer, Building Official and Planning Commission such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.
6. Where a proposed subdivision has no frontage on an existing public road or public right-of-way, the developer must provide and dedicate to the City a fifty foot (50') right-of-way for ingress and egress. This connecting road becomes a part of the street system of the proposed subdivision and is subject to all regulations regarding streets.
7. The arrangement of streets shall provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, or for efficient provision of utilities. If the adjacent property is redeveloped and the street must be a dead-end street temporarily, the right-of-way shall be extended to the property line. A temporary T and L shaped turnabout shall be provided on all temporary dead-end streets, with notation on the subdivision plat that land outside the normal street right-of-way shall revert to abutters whenever the street is continued. The Planning Commission may limit the length of temporary dead-end streets in accordance with the design standards of these regulations.
8. When a road does not extend to the boundary of the subdivision and its continuation is not required by the City Engineer for access to adjoining property, its terminus shall normally not be nearer to such boundary than fifty (50) feet. However, the City Engineer may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic or utilities. A cul-de-sac turnaround shall be provided at the end of a permanent dead-end street in accordance with the design standards of these regulations. For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall, in general, be limited to 1320 feet in length.
9. Minimum curb radius at all intersections shall be at least thirty (30) feet unless a different figure is expressly approved by the City Engineer because of special topographical consideration or sound engineering practices.
10. Water, Sewer and gas (when available) utilities shall be installed underground in the street right-of-way by the developer before any street base is applied unless special conditions require otherwise.
11. 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.
12. 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. Drainage openings shall be designed so as not to restrict the flow of flood waters, or increase upstream flood heights.

§9.3 Street Pavement and Construction Standards

1. Streets shall be graded to a minimum line of seven (7) feet back of the curb line with a rise of not less than eight (8) inches or more than fifteen (15) inches from the flow line of the gutter.
2. After the roadway is cleared and graded to subgrade, the subgrade shall be processed and compacted for a minimum depth of six (6) inches at a minimum density of 95% standard proctor. Greater depths may be required by the City Engineer, depending on existing subgrade conditions and future traffic projections. The total width of compacted subgrade shall extend one (1) foot beyond the back of curb on each side of the pavement.
3. After the subgrade is tested and accepted, a minimum of six (6) inches of compacted aggregate base material or eight (8) inches of sand clay shall be placed at a minimum density of 100% standard proctor. The base material shall be in accordance with the Alabama Department of Transportation (ALDOT) Specifications, Section 820. The base width shall be at least six (6) inches beyond each back of curb.
4. The accepted, compacted base shall be saturated to its full width with a bituminous treatment A (prime) coat applied in accordance with ALDOT Section 401.
5. The asphalt base course shall be a minimum of two (2) inches, compacted thickness of Bituminous Concrete Binder, ALDOT Section 424-B. The minimum application rate shall be 220 pounds per square yard.
6. At the end of the maintenance period described in these regulations, the Binder shall be saturated to its full width with a tack coat applied in accordance with ALDOT Section 405.
7. The final asphalt layer shall be placed at the end of the maintenance period and shall be a minimum of one (1) inch compacted thickness of Bituminous Concrete Wearing Surface, Bituminous Concrete Wearing Surface, ALDOT Section 424-A. The application rate shall be 110 pounds per square yard of asphalt.
8. Based upon expected use or other special consideration, the City Engineer may require additional thickness of base, asphalt base or wearing surface. The Developer shall follow the requirements of the City Engineer in such cases.
9. The Developer shall not be required to pave any existing major arterial street.
10. Additional right-of-way, pavement width or pavement may be required to promote public safety and convenience, or to ensure adequate access, circulation and parking in high-density residential, commercial or industrial areas, but no additional right-of-way or paving shall be required from a Developer in connection with existing streets or highways which meet the above standards. Where a subdivision abuts on or contains an existing street of inadequate right-of-way width, additional right-of-way in conformity with the above standards shall be required for new subdivision. In the event additional right-of-way is required, the Developer shall acquire same for dedication to the City.
11. 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.

§9.4 STREET STANDARDS TABLE

All new streets and roads shall comply with the following standards.

	<u>Major Street Arterial</u>	<u>Collector Street</u>	<u>Local Street</u>	<u>Cul-de-Sac¹ (Turn around)</u>	<u>Alley</u>
Minimum Right-of-way	100'	60'	50'	60' (120' diam.)	30'
Minimum Asphalt Width ²	40'	36'	30'	28' (80' diam.)	10'
Maximum Grade ³	5%	8%	8%	8%	5%
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'
Minimum Horizontal Curve Radius	300'	250'	100'	100'	100'
Minimum Reverse Curve Tangent	100'	100'	100'	100'	100'

¹ Cul-de-sacs shall not be longer than 1,000 feet measured from the intersecting street to the center of the turnaround.

² With curb and gutter

³ May vary with topography subject to Planning Commission approval based on recommendation of City Engineer.

§9.5 Testing and Lab Fees and Responsibilities. All testing shall be conducted by an independent testing laboratory selected and under contract by the City of Creola. Copies of all test reports are to be provided to the City Engineer before additional construction occurs. No further construction shall be allowed until the subgrade and base are accepted. The City Engineer shall determine which tests shall be scheduled and performed. The tests normally consist of, but are not limited to. gradation; moisture; compaction; and asphalt analysis of

road building materials. The Developer, or his designee, shall notify the City Engineer twenty-four (24) hours prior to any required tests.

All testing shall be conducted by an independent testing laboratory selected and under contract by the City of Creola. Copies of all test reports are to be provided to the City Engineer and Building Official before additional construction occurs. In the event problems exist that require remedial actions or design, the Developer shall be required to submit appropriate engineering plans to the City Engineer and Building Official before construction will be allowed to proceed. All testing costs shall be paid for by the Developer before Final Plat approval is given or considered.

§9.6 CURB AND GUTTER STANDARDS

- Curbs and gutters shall be installed on both sides of all streets in all new major subdivision developments within the planning jurisdiction of the City of Creola.
- Curbs and gutters must be in conformance with good engineering practices to the standards prescribed herein or by the State or County Highway Department, whichever is more restrictive.
- Raised or barrier type curb and gutter design shall be used in all new major subdivisions with a minimum lot width of less than one hundred (100') feet to ensure proper stormwater conveyance and discharge is achieved.
- Raised or barrier type curbs and gutters shall have a minimum 28 day compressive strength of 3000 psi.
- Either valley or barrier type concrete curb and gutter shall be installed and constructed in all new major subdivisions with a minimum lot width of one hundred (100') feet or more with a minimum 28 day compressive strength of 3000 psi.
- 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.

§9.7 CURB RAMPS

Curb ramps shall be ADA compliant and installed per the City of Creola's most currently adopted ADA Transition Plan PROWAG Standards.

§9.8 SIDEWALKS

It is the intent of this section to require the installation of concrete or asphalt sidewalks on both sides of the street in residential and commercial subdivisions in order to encourage vehicular and pedestrian connectivity within the City of Creola.

Sidewalks shall be installed prior to the issuance of a Certificate of Occupancy unless the developer has established an agreement for future installation and receipt of an agreement to install sidewalks at a cost estimate for sidewalk installation and a surety in the amount of two hundred percent (200%) of the estimated cost and shall not expire within a twenty-four (24) month period.

In no case shall the City of Creola be responsible for the installation of sidewalks within any subdivision development.

Sidewalks are required in any new major subdivision development and shall comply with the following standards.

- All sidewalks shall be in accordance with current ADA (Americans with Disabilities Act) requirements
- All sidewalks shall be a minimum of five (5) feet in width
- All newly created streets shall have a minimum 5-foot wide sidewalk on each side of the street.
- All sidewalks shall be built to level grade.
- Sidewalks shall be located within the right-of-way or within an easement of sufficient width adjacent to the right-of-way.
- 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.
- 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.
- Where applicable, sidewalk materials shall be used and constructed to encourage maximum tree preservation.
- 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.
- All sidewalks must be constructed during the construction phase of development, unless appropriate surety bond is provided.

§9.9 STREET LIGHTING. Street lighting shall be installed at all intersections, at all entrances, and in all open, green space areas of new major subdivisions. If additional lighting consistent with safety and other community needs is deemed necessary, the Planning Commission may require the applicant to present a street lighting plan developed in conjunction with the utility company having jurisdiction within the area.

§9.9.1 STREET LIGHTING PLAN. A street lighting plan is required for all new major residential subdivisions containing ten (10) or more lots and all new commercial subdivisions. Streetlights are required to be installed in conjunction with the construction of new major subdivisions which entail the construction of streets. The street lighting plan

shall be provided on the Subdivision Plat and in the construction plans. The developer is responsible for purchase and installation of the lighting fixtures, poles, wire, conduit, and other associated equipment at the time of development. Street lights and street lighting plan shall be approved by the Planning Commission, Building Official, and City Engineer.

- In residential subdivisions, streetlights shall be installed using standard spacing requirements not to exceed 300', as determined by the City Engineer, Building Official, and Planning Commission to ensure adequate public safety is met.
- All streetlights should be solar powered, LED post top lights.
- Streetlights may be installed (a) all on one side of the street, (b) both sides of the street, or (c) by alternating installations as agreed by the City Engineer and electric utility provider.
- Decorative poles and fixtures are recommended.
- Metal poles are required.
- Streetlights shall not be highway standard type or cobra-head type lights.
- Pole height shall be no more than 15 feet from finished grade. The type and style of lights and poles will be determined and agreed upon by the developer, City Engineer, and the utility provider.
- All residential subdivisions requiring the installation of streetlights shall have a homeowner's association. The homeowner's association in a residential subdivision shall be responsible for all energy and maintenance costs. All energy costs of the lights and this responsibility shall be noted on the subdivision plat.

§9.10 STREET NAMES AND SIGNS.

1. 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.
2. 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.
3. 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 and Planning Commission.
4. The developer shall deposit with the City at the time of Final Plat approval the sum of two hundred (\$200.00) dollars for each street sign required by the City.
5. The Developer shall install all street signs before issuance of certificates of occupancy for any residences on the streets approved.
6. A monument sign identifying the subdivision by name shall be placed at the entrance of the subdivision.

§9.11 OFF STREET PARKING AND DRIVEWAYS. An off-street parking space is an all-weather surfaced area not in a street or alley, permanently reserved for the temporary storage of one automobile and connected with a street or alley by an all-weather surfaced driveway which affords unobstructed ingress and egress to each space.

Adequate off-street automobile storage or parking spaces which comply with all requirements of this Article shall be provided for the customary use of each lot with vehicular access to a street or alley.

- The minimum dimension of an off-street parking space is 9' x 19'.
- Off-street parking spaces may not be located in a street, right-of-way, sidewalk, or alley and must be connected with a street or alley by a driveway which affords unobstructed ingress and egress to each space.
- Parking spaces and driveways shall be improved with a suitable hard surface approved by the Building Official.
- Driveways in all new major subdivisions shall be at least fifty (50) feet from another driveway on the lot or the adjacent lot.
- Shared and/or common driveways are prohibited.
- Drainage. Off-street parking facilities shall be drained to prevent damage to abutting property and streets and to prevent pollutants from draining onto the adjacent lots. 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. No runoff shall be directed to adjacent water bodies.
- Landscaping. Parking lots for non-residential use lots shall be landscaped in accordance with this Article.

§9.12 MONUMENTS

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

§9.13 MEDIANS AND 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.

§9.14 CLUSTERED MAILBOXES REQUIREMENTS FOR HIGH DENSITY SUBDIVISIONS

Mailboxes servicing new major residential subdivisions with lots of seventy five (75) feet width or less shall be clustered together at the main entry point to the new subdivision. There shall be no individual mail boxes on the new residential housing units within the subdivision of denser subdivisions containing lots that are 7,500 square feet or less.

SECTION 10 DRAINAGE PLANS & STORMWATER MANAGEMENT

A storm water management plan is required for all major subdivision projects. Such plan shall be prepared by a licensed engineer registered in the State of Alabama and shall be submitted in conjunction with an application and preliminary plat for a major subdivision. No land disturbance or construction for such project may proceed until the Preliminary Plat and construction plans have been approved by the Planning Commission. The City Engineer shall determine that reasonable provisions for properly handling surface drainage have been made in the applicant's design.

- **STORMWATER MANAGEMENT PLAN SUBMISSION REQUIRED**

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 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.

- **EROSION CONTROL PLAN REQUIRED**

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.

§10.1 STORMWATER DRAINAGE PLAN REQUIREMENTS

The Developer's Engineer shall submit detailed drainage plans to the City for review and approval. 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. Said plans shall be prepared by a Professional Engineer licensed in the State of Alabama and shall contain at a minimum, the information listed in this section.

1. General

- Whether it be provided by means of open ditches, closed storm drains, or curbs and gutters, the subdivision shall have an adequate storm water drainage system.
 - Where a storm sewer system is reasonably accessible to the subdivision, the developer shall connect with such network and install all drainage structures necessary to convey the water to the storm drainage system.
 - Where a storm drainage system is not accessible, the developer shall install all drainage structures necessary to convey the water to a location acceptable to the City.
 - All open drainage ditches shall either be paved with a material acceptable to the City or be designed and stabilized in a manner acceptable to the City Engineer.
 - List of items required on plan include, but not limited to.
2. Topography map of proposed developed areas;
 3. Existing and proposed contours at 2 foot intervals;
 4. Existing drainage system, including, but not limited to, pipes, culverts, inlets, ditches, and ponds;
 5. 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;
 6. Structure location, type and size, and the Inlet and Outlet Flow line Elevation;
 7. Cross-section of each ditch section;
 8. Other pertinent information necessary for review of the drainage plans as may be required by the City Engineer;
 9. Copy of notice of coverage and storm water pollution plan for coverage under the Alabama Department of Environmental Management (ADEM) for issuance of NPDES Permit, and permits from any other federal or state agency, where required;
 10. A complete erosion and sedimentation control plan showing the requirements listed in these regulations;
 11. 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;
 12. Where the developer 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 project Engineer. V-bottom ditches or other special designs may be permitted in special cases if they are concrete slope paved.

§10.2 STORMWATER DETENTION FACILITIES REQUIREMENTS

1. Developments which produce an increase in the amount of storm water runoff will be required to construct stormwater management facilities. 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. The developer shall also include the method of maintenance for the detention pond after the development is completed.
2. 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.
 3. The City of Creola will not approve development of one site that causes adverse effect on adjacent property. In some cases, storm water retention or improvement of existing downstream drainage facilities may be required. The applicant is urged to contact the Building Official and City Engineer for a preliminary discussion on this matter prior to plan submittal.
 4. Any new culvert or storm sewer pipe under the jurisdiction of the Alabama Department of Transportation or the Mobile Engineering Department shall be approved by that authority. Copies of this approval shall be provided at the time of submittal of the Preliminary Plat.
 5. No street shall shed surface run-off water onto any lot.
 6. The storm water drainage system shall be separate and independent of any sanitary sewer system. In no case shall storm water empty into the sanitary sewer system.
 7. The method of determining stormwater runoff rates shall be based on acceptable engineering practice and/or these standards.
 8. All major 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 makes necessary provisions to eliminate such flooding.
 9. 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.
 10. Catch basins and drop inlets shall be constructed if deemed necessary by the City Engineer.
 11. Post-development release rates shall not exceed pre-development rates. When feasible, the differential runoff should be less. Provisions shall be made to address 100-year storm events to ensure that detention facilities survive such events.
 12. 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.
 13. Drainage area and peak flow estimates must be provided for each drainage facility, as well as profiles for all new storm sewers and open ditches, with outlet velocities. Structural capabilities for all new culverts and storm sewer pipes shall be provided.

14. 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.
15. All storm water detention areas must be shown on the plans and denoted on the record plat as a stormwater management areas. 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.

§10.3 Drainage Facilities Construction Standards

- 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.
- 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.
- 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.
- When a battery of pipes is used, a clear spacing of $\frac{1}{2}$ the pipe diameter or span shall be provided between adjacent pipes.
- The maximum cover allowed, pipe class, and strength requirements shall be in accordance with the manufacturer's recommendation.
- *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 or his/her designee when deemed necessary for erosion control, protection of existing downstream drainage facilities, and roadside safety.
- 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.
- 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.

- 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.
- 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.
- Water will not be permitted to run down the street more than 500 feet without proper drainage structures to intercept surface water.
- If outlet velocities are greater than five (5) feet per second, some type of energy dissipation will be required. If rip-rap is used, the minimum weight shall be 50 pounds per stone.
- All roadways cross drain pipe shall be reinforced concrete pipe and shall be a minimum size of 15 inches and all side drainage pipes shall be a minimum size of 15 inches.
- All off-project drainage, draining onto the subdivision, shall be shown on contour maps showing the areas in acres that the subdivision will have to accommodate.
- A minimum velocity of two (2) feet per second shall be maintained in all drainage ways, and scouring velocities shall be considered in the design of natural swales and ditches.

§10.4 DRAINAGE EASEMENTS AND BUFFERS

- 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.
- 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.

- 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.
- 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.
- Where a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water or drainage right-of-way of adequate width to accommodate normal runoff. 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.

§10.5 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.

§10.6 Effect on Downstream Drainage Areas. The project 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 11 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.

§11.1 During 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.

§11.2 Protection of Property and Trees. Persons engaged in land-disturbing activities shall take all reasonable measures to protect all public and private property, including roadways and waterways, from damage by such activities. Additionally, tree protection measures during the construction phase must be implemented to ensure no protected tree is damaged or destroyed.

§11.3 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.

§11.4 EROSION CONTROL OBJECTIVES

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

- *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.
- *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. The removal of trees and clear cutting are restricted as a means of minimizing erosion and sedimentation.
- *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.
- *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.
- *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.*
- *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 Impact 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. A list of required LID standards is listed in Section 16 of this Article.

§11.5 EROSION CONTROL DESIGN 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.

§11.6 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 Engineer.

§11.7 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.

§11.8 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.

§11.9 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. The developer shall create a construction entrance for all construction vehicles to access the subdivision during all phases of construction. The developer is

responsible for any and all damage that occurs to existing City of Creola streets or other existing public improvements and shall repair any such damages to the satisfaction of the Building Official.

§11.10 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.

1. 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.
2. 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.

§11.11 Erosion Control Plan Requirements. The project Engineer shall submit an erosion and sediment control plan for review and approval to the City Engineer, 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.

- 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.
- 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.
- 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.

SECTION 12 INSPECTIONS & MAINTENANCE

§12.1 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.

§12.2 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 $\frac{3}{4}$ " 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.

§12.3 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 13 LONG-TERM DETENTION/RETENTION FACILITIES MAINTENANCE

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 City of Creola. 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 14 UTILITY PLAN

The applicant is required to place all utilities underground as determined by the project 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 City Engineer.

1. Easements having a minimum width of (15) shall be provided as is necessary for utility lines and underground mains and cables.
2. The developer shall dedicate any and all easements for water and sanitary sewer lines which are installed on private property. Such easements shall be shown on the plat, shall be in the actual location of the installed line, and shall be dedicated for perpetual use by the City.

§14.1 Water System.

- 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.

- 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.
- The water distribution system shall be of suitable size and capacity to accommodate the required placement of fire hydrants per ISO Regulations.
- Water Mains. Water mains for both domestic use and fire protection shall be properly connected with a central water system or with an alternate water supply approved by the County Health Department. The lines shall be constructed in such a manner as to serve adequately all lots shown on the subdivision plat.
- Water mains and fire hydrants shall be installed as necessary to prevent the future cutting of the pavement of any street, sidewalk or other public improvement.
- All costs for installation of the water distribution system and appurtenances shall be borne by the Developer. Where the Developer is required to install larger lines of facilities than necessary to serve his development in order to provide for future development, the difference in costs between installing facilities adequate for the subdivision and the oversize lines shall be negotiated.
- All service taps shall be made, service line shall be installed to the property line and referenced, and the full number of meters and boxes for the subdivision shall be delivered to the City of Creola. If building permits are issued before the Developer completes the project, the Developer shall request meters and boxes and install same at his own expense. For the remaining lots, the City of Creola shall install meters and boxes for a fee established by Creola as building permits are issued. For any and all lots, no Certificates of Occupancy shall be issued before and until the meter and box are installed and the fee paid.
- Fire Hydrants. 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 project 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.
- Upon completion of the project, the Developer shall furnish the Building Official with two (2) sets of as-built drawings showing lateral locations and water main offsets from a permanent reference datum, which is either the curb line or the front lot line.

§14.2 Sanitary Sewer System Requirements.

The following standards are required for the installation of all new sanitary sewer systems.

1. Connection to a sanitary sewer system is required when public sewer is available to the subdivision.
2. Where a public sanitary sewer system is within reasonable distance of the subdivision, as determined by the Building Official and City Engineer, the developer shall install a sanitary sewer collection system which meets the requirements of the City and shall connect such system at his expense to the public sanitary sewer. Stub-outs shall be provided for each lot and shall extend the sewer line to the property line of each lot and points outside the pavement width.
3. The sanitary sewer system shall be separate and independent of any storm water drainage system.
4. Sanitary sewers shall be installed as necessary to prevent the future cutting of the pavement of any street, sidewalk, or other public improvement.
5. Sanitary sewers shall be laid in all streets, service connections installed to property lines, and connections made to trunk line sewers. The costs of the public sanitary sewer system shall be the responsibility of the developer.
6. A qualified general contractor shall be employed by the developer to install the water and sewer lines. The installation shall be done under the inspection of the City Engineer and Building Official and shall conform exactly to the approved plans and specifications with no exception unless approved by the same. At the City's discretion, a professional representative may inspect the work.
7. The developer shall hold the contractor responsible until the completed project has been given final approval and acceptance by the City Engineer.
8. All manhole castings shall be adjusted to the finished surface of paving and all manholes shall be left free of dirt, asphalt, and other debris.

§14.3 Sanitary Sewer System Plan Requirements. Two (2) copies of the sewer plan, designed by a registered engineer licensed in the State of Alabama, showing the proposed sewer plan and profile, shall be submitted to and approved by the Building Official and City Engineer prior to the installation of the sewer system. The plan shall include the following information and data.

1. Station at each manhole;
2. Property or lot lines and present owners if sewer is on private property;
3. Lot and block number;
4. Invert elevation at each manhole;
5. Grade of sewer between manholes expressed in percent;
6. Bench mark elevation and description noted at least at each one thousand (1,000) linear feet along sewer line. Whenever possible, USGS data shall be used;
7. Upon completion of the project, the developer shall supply the Building Official with two (2) copies of the plan and profile drawing showing the sewer as-built with the exact location of each service connection (stub-outs) indicated.

§14.4 Easements. The developer shall dedicate any and all easements for water and sanitary sewer lines which are installed on private property. Such easements shall be shown on the plat, shall be in the actual location of the installed line, and shall be dedicated for perpetual use by the City.

SECTION 15 SPECIAL FLOOD HAZARD AREA (SFHA)

The Special Flood Hazard Area is defined by FEMA as the land area covered by floodwaters of the base flood. The SFHA is the area where the National Flood Insurance Program's (NFIP's) floodplain management regulations must be enforced and the area where the mandatory purchase of flood insurance applies. On FEMA's Flood Insurance Rate Maps (FIRMs), the SFHA includes Flood Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE, and V. All lands located in a special flood hazard area shall adhere to the following provisions.

1. Land Within Floodways. Land within a designated floodway shall not be platted for residential occupancy or building sites.
2. Fill may not be used to raise land in the designated floodway. In other areas subject to flood, fill may be used provided that proposed fill does not restrict the flow of water and unduly increase flood heights, or unnaturally redirect stormwater to adjacent properties.
3. Development in Flood Prone Areas. Other flood prone areas not located within a floodway shall not be platted as lots unless the developer demonstrates to the satisfaction of the Building Official and Creola Planning Commission, that the property in question is free from the danger of inundation by the base flood or that 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 as needed to determine the flood susceptibility of the property.
4. Flood prone areas along existing watercourses shall be preserved and retained in their natural state within a common area or drainage easement, except where improvements are warranted as may be proposed by the applicant and approved by the Creola Planning Commission.
5. New construction and substantial improvements of existing structures shall be anchored to prevent flotation, collapse or lateral movement of the structure; and shall be constructed with materials and utility equipment resistant to flood damage by methods and practices that minimize flood damage;
6. No new critical infrastructure and public safety facilities are not permitted in a special flood hazard area.
7. 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.

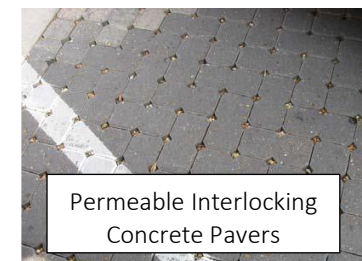
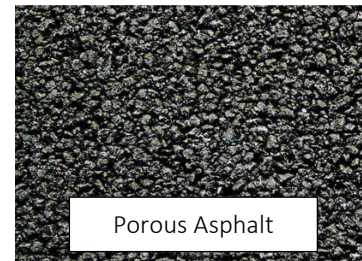
- Provide a minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - The bottom of all openings shall be no higher than one foot above grade; and
 - Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.
8. 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.
 9. 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.
 10. 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.
 11. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
 12. 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;
 13. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding; and
 14. 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.

SECTION 16 LOW IMPACT DEVELOPMENT (LID) 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 and feasible. 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 16.1*. Consultation and approval with the Building Official and Planning Commission prior to design of the product to be utilized is required.

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 16.2*. 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 16.1

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 stormwater 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.

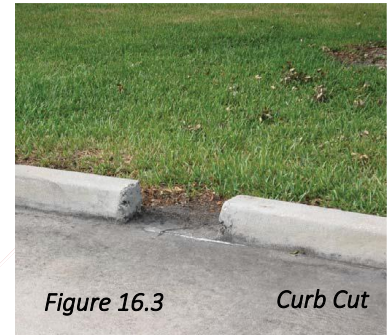


Figure 16.3 Curb Cut

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 forebays are recommended. Upstream and downstream areas shall be considered in the design in accordance with Creola 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



Figure 16.4

Living Shoreline

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 16.4*. 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.

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 1" -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.

7

ARTICLE 7

REVIEW BODIES, ENFORCEMENT, AND AMENDMENT PROCEDURES

- §1 PLANNING COMMISSION
- §2 BUILDING OFFICIAL
- §3 ENFORCEMENT
- §4 AMENDMENT PROCEDURE

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 1 PLANNING COMMISSION

§1.1 Establishment and Authority. The Planning Commission of the City of Creola is established according to Title 11, Chapter 52 of the Code of Alabama (1975), as amended. The Planning Commission shall exercise the authority granted by the Code of Alabama, to govern the subdivision of land in areas within the planning jurisdiction of the City of Creola, prescribing the procedure in the creation and adoption of these regulations, reviewing and acting on subdivision plats, and providing penalties for the violation thereof.

§1.2 Memberships. The commission shall consist of nine members having the following qualifications.

1. The mayor, or person representing and appointed by the mayor;
2. A member of the city council, appointed by Council;
3. An administrative official of the city, appointed by the mayor;
4. Six (6) members, appointed by the mayor.

§1.3 Rules of Procedure. The Planning Commission shall observe the following procedures.

1. Create and adopt Subdivision Regulations that govern and enforce all division of lands within the city limits and unincorporated extraterritorial jurisdiction of the City of Creola in accordance with the adopted comprehensive plan or portion therefore which are adopted.;
2. The commission is charged with the responsibility to review and act on all applications for subdivision of land within the city limits and unincorporated extraterritorial jurisdiction of the City of Creola in accordance with the adopted comprehensive plan or portion therefore which are adopted.;
3. Monitor the enforcement of these regulations in accordance with the adopted comprehensive plan or portion therefore which are adopted.

SECTION 2 BUILDING OFFICIAL

The City Building Official is appointed by the City of Creola 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 3 ENFORCEMENT

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.

SECTION 4 AMENDMENT PROCEDURE & PUBLIC HEARING NOTIFICATION REQUIREMENTS

§4.1 Amending the Regulations. 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 Creola to the Probate Judge of Mobile County.

§4.2 Adoption of Regulations. 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.

§4.4 Public Hearing Notification Requirements. All public hearing notices shall be posted for public notice per the requirements of the Open Meetings Act and the Code of Alabama 1975, as amended. The City of Creola adheres to the procedure requirements of the above mentioned for all public meetings held in the City and posts all public announcements for said meetings in four (4) public places for a minimum of seven (7) days.

The applicant or the applicant's authorized agent shall be present at the public hearing. Should the applicant choose to have an authorized agent, the applicant shall formally designate the representative by submission of required form to the Planning Commission prior to the date of the public hearing.

Should the applicant and/or the authorized agent be absent at the public hearing, the public hearing shall be postponed and an extension fee of one hundred dollars (\$100.00) along with re-advertisement fees shall be paid before being placed back onto the Planning Commission agenda for review.

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ARTICLE 8 VIOLATIONS, PENALTIES, AND REMEDIES

- §1 VIOLATIONS & PENALTIES
- §2 REMEDIES

SECTION 1 VIOLATIONS & PENALTIES

No owner, or agent of the owner, of any parcel of land that lies, either in part or whole, within the planning jurisdictions of the City of Creola 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 Creola of noncompliance with these regulations until such noncompliance has been rectified to the satisfaction of the Planning Commission.

Any building or structure erected or to be erected in violation of these Subdivision Regulations shall be deemed an unlawful building or structure, and any official designated by the City of Creola may bring action to enjoin such erection or cause it to be vacated or removed.

The City of Creola through its attorney or other designated official, 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.

§1.1 Notice. 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.

SECTION 2 REMEDIES

Remedy or violation of the subdivision regulations shall be as set forth in Title 11, Chapter 52, Code of Alabama, 1975, as amended. Enforcement shall be by civil action as further prescribed by said Code.

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ARTICLE 9
ADOPTION

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

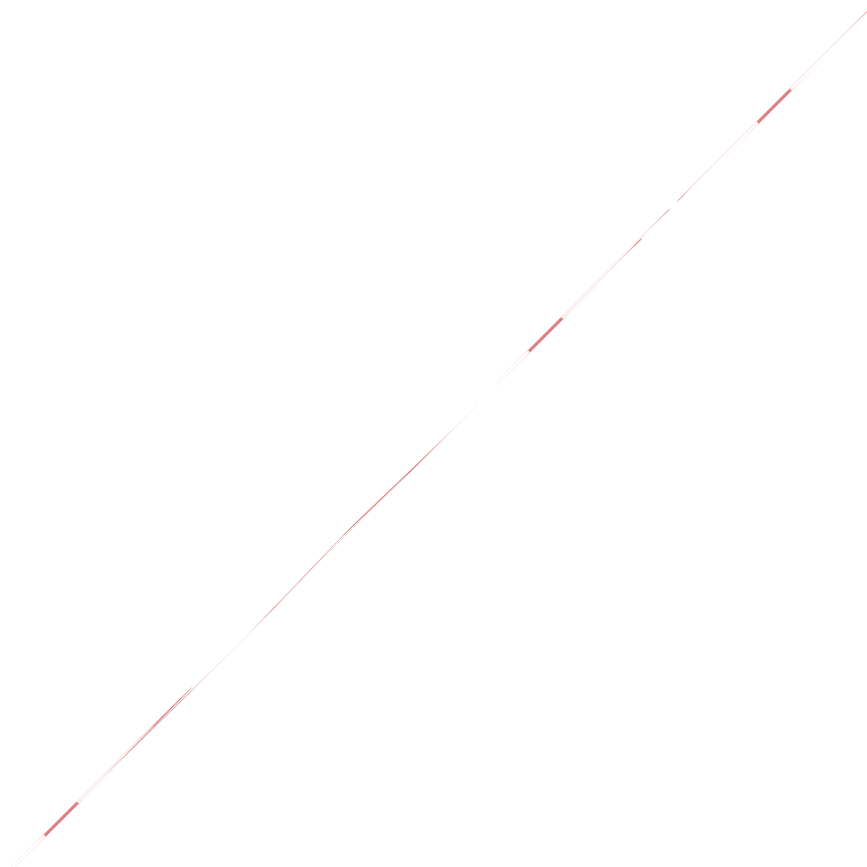
ADOPTED THE 18th DAY OF June, 2019.

William T. Chamber
Chairman

Attest. Reedene Greene
Secretary

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APPENDIX A
APPLICATIONS & CHECK LISTS

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APPLICATION FOR SUBDIVISION PLAT REVIEW

BY
CREOLA PLANNING COMMISSION

CITY OF CREOLA, ALABAMA

9615 Old Hwy 43, P.O. Box 490
Creola, AL 36525-0490
(251) 675-8148
www.cityofcreola.org

If the applicant is not the current property 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.

Application date: _____ Planning Commission Review Date _____

Name of Applicant (Owner/Agent): _____

Is Applicant the current property owner? Yes No

If no, Name of Authorized Agent: _____

If acting as Authorized Agent, has property owner signed and submitted the "Authorization to Act as Applicant" form? Yes No

Applicant's Mailing Address: _____

Phone No. Cell: _____ Work: _____ Home: _____

Email Address: _____

REQUESTED TYPE OF REVIEW:

- Sketch Plan Review
 Preliminary and/or Final Plat Review - Minor Subdivision
 Preliminary Plat Review - Major Subdivision
 Final Plat Review- Major Subdivision

Name of Engineer or Land Surveyor _____

Alabama Registration Number _____

Address _____

(Street or P.O. Box) (City) (State) (Zip)

Phone (cell) _____ Phone (business) _____

Email Address _____

PROPERTY LOCATION:

Street Address: _____

Block Number: _____ Total Number of Lots _____ Lot Number(s): _____

Parcel Number(s): _____

Subdivision Name (if applicable): _____

Present and Proposed Zoning Classification: _____

Present and Proposed Use of Property: _____

Total Acreage of Property: _____

- 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
- Are there Wetlands on property: Yes No
- Is water service currently available to the property? Yes No
- Is sewer service currently available to the property? Yes No

APPLICATION SUBMITAL: Planning Commission meetings are held each month on the third (3rd) Tuesday at 6:00pm at Creola City Hall. All applications requiring Planning Commission review must be submitted to the City of Creola’s Building Official’s Office no later than fifteen (15) days prior to the next regularly scheduled Planning Commission meeting in order to be placed on the agenda and reviewed at said meeting. All applications and plats for Major Subdivisions must be submitted no later than thirty (30) days prior to the regularly scheduled Planning Commission meeting in order to be placed on the agenda and review at said meeting. See Application Submission Deadline Dates form included in this application packet.

REQUIRED DOCUMENTATION:

The following list of items must be completed in full and submitted with this application. No late and/or incomplete applications will be reviewed by the Creola Planning Commission.

- A COPY OF THE DEED TO THE SUBJECT PROPERTY MUST BE SUBMITTED WITH THIS APPLICATION.**
- Authorization to Act as Applicant form (if applicable)
- Preliminary Plat Application
- Preliminary Plat Checklist
- Three (3) copies of Preliminary Plat
- One (1) digital copy of Preliminary Plat
- Adjoining Property Owners List Completed
- Land Disturbance Permit (if applicable)
- Receipt of Fees paid
- All construction/engineering plans (if applicable)
- All other federal and/or state permits (if applicable)

Conditions, Restrictions or Other Requirements Placed on Preliminary Plat (Use back of page if more space is required) _____

CERTIFICATION:

It is understood and agreed by this application that any error, misstatement or misrepresentation of material fact or expression of material fact, either with or without intent on the part of this applicant, such as might, or would, operate to cause a refusal of this application, or any alteration, or change in the accompanying plans or specifications shall constitute sufficient ground for the revocation of Planning Commission approvals.

Owner/Agent: _____ Date: _____

DATE RECEIVED BY THE CITY OF CREOLA

Date: _____ By: _____

Date of Preliminary Plat Approval by Planning Commission: _____

Planning Commission Chair: _____

MAJOR & MINOR SUBDIVISION REVIEW REQUIREMENTS

City of Creola Planning Commission
Creola, Alabama



PRELIMINARY PLAT CHECKLIST

This checklist must be complete and accompany any Preliminary Plat submitted to the Creola Planning Commission for review along with the application for subdivision and receipt of all applicable fees paid. This document serves as the Preliminary Plat checklist for both minor and major subdivisions. The Planning Commission will not review incomplete applications.

*These requirements are considered **minimum standards** and additional information may be required for approval if requested by the Creola Planning Commission.*

The Preliminary Plat shall be prepared, signed, and sealed by a licensed and certified Land Surveyor or Professional Engineer registered in the State of Alabama. It shall be drawn to a scale of no less than one inch (1") equals one hundred feet (100').

The following list of items are required and shall be included ON THE PLAT and shall meet the minimum standards set forth in these Subdivision Regulations.

SUBMITTED			ITEM	COMPLIANT		
YES	NO	N/A		YES	NO	N/A
APPLICANT & GENERAL INFORMATION:						
			1. Name and address of land owner of record, applicant, or authorized representative (form required for authorized agent);			
			2. Current Title Policy, Title Opinion, Title Report, (within 60 days) or deed to verify ownership of land;			
			3. Name, address, phone number, seal, and registration number of the Licensed Professional Surveyor or Engineer who prepared the plat, registered in the State of Alabama;			
			4. Name of proposed subdivision and phase number, if applicable;			
			5. Names and addresses of all land owners immediately adjacent to property being subdivided, including those across any impediments (street, water course, railroad, city boundary line, etc.) to be notified via certified registered mail. Property owner information shall be listed as it appears on the tax records of the Mobile County Tax Assessor Office;			
SURVEY DATA:						
			6. Boundary survey of entire property showing exact boundaries with all existing parcel lines indicating preliminary distances and bearings;			
			7. Date of survey;			
			8. North Arrow (pointing north);			
			9. Graphic Scale (not less than 1"= 100');			
			10. Legend;			
			11. Parcel number(s);			
			12. Legal Description;			
			13. Vicinity map showing the relative location of the proposed subdivision, indicating not drawn to scale, in relation to the adjacent street(s) and area;			
SITE DATA:						
			14. Total acreage of land to be subdivided;			
			15. Total number of newly created lots;			
			16. Proposed lot lines showing total length in feet;			
SUBMITTED			ITEM	COMPLIANT		
YES	NO	N/A		YES	NO	N/A
			17. Total square footage and acreage of each newly created lot indicating lot number(s);			
			18. Total number of newly created blocks with block number(s);			

			19. Minimum lot size;			
			20. Maximum lot size;			
			21. Net density per acre;			
			22. Minimum finished floor elevations for every lot;			
			23. Proposed minimum building setback lines according to the zoning district, <i>if applicable</i> ;			
			24. Indication of the proposed use of property and zoning classification;			
			25. Location of all existing and proposed buildings and/or structures, indicating proposed use;			
			26. Proposed location of all land dedicated for open space and usable common area(s), including assigned lot number and Note indicating that common areas are not intended to be buildable lots for conversion to residential use;			
			27. Proposed location of all land dedicated for the purpose of detention and/or retention facilities, clearly identifying and labeling all maintenance and access easements for the facilities, and with a Note indicating ownership and responsible entity of maintenance of the common areas and detention/retention facilities;			
			28. Location and dimension of all water courses and/or water bodies on or within 100 feet of property, showing the required twenty-five foot (25') buffer;			
			29. Location of all jurisdictional boundaries, railroads, and transmission lines;			
			30. Location of all proposed street lights and street signs;			
			31. Location of concrete and/or official monuments;			
			INFRASTRUCTURE & UTILITY DATA:			
			32. Names and locations of all existing streets, rights-of-way, alleys, and easements within and adjacent to proposed subdivision, including dimension of each and the purpose of the easements;			
			33. Location of all proposed streets, rights-of-way, alleys, and easements including dimension of each and the purpose of the easements;			
			34. Linear footage of all new proposed streets;			
			35. Location and dimensions of all proposed sidewalks and ramp downs;			
			36. Location of existing public utilities, sanitary sewers, drainage structures, including facilities within and adjacent to the proposed subdivision;			
			37. Location of proposed public utility layouts (sanitary sewers, water, drainage structures, gas, and electricity), including pipe sizes, and location of valves, indicating feasible tie-in connection locations; showing facilities within and adjacent to the proposed subdivision; confirmation that all new utilities will be installed underground;			
			38. Location of all proposed fire hydrants;			
			39. Any and all off-site improvements i.e. turn lanes, traffic signals, etc.;			
			ENVIRONMENTAL DATA:			
			40. Topography using contours at vertical intervals of not more than two (2) feet based on USGS-MSL datum.			
			41. Location of wooded areas, marshes, cultural and/or any known or recorded historical artifacts, and any other conditions affecting the site;			
			42. Location of all federally classified wetlands, as determined by U.S. Army Corps of Engineers, indicating required thirty foot (30') buffer;			
			43. Location and extent of all land subject to flooding by the overflow or ponding of storm water within the one hundred (100) year floodplain. Special flood hazard areas and/or coastal high hazard areas must be drawn on Plat as indicated on the latest Flood Insurance Rate Map (FIRM) for the area, including a statement to that effect;			
			44. Erosion control measures to be used during construction of the subdivision;			
SUBMITTED			ITEM	COMPLIANT		
YES	NO	N/A		NO	N/A	YES
			45. Tree inventory indicating all trees to be removed and replaced;			
			46. Tree protection methods used during construction;			
			SIGNATURE BLOCKS & GENERAL NOTES:			
			47. List of all utility providers to the site;			
			48. Signature block of all required signatures of approval from the following as to verify availability and capacity of services to site;			

			<ul style="list-style-type: none"> — City Building Official — Chairman of the Creola Planning Commission — City Engineer, if applicable — Mobile County Engineer, if applicable; — Water Utility Superintendent — Sewer Utility — Fire Chief — State and/or County Health Department, if applicable 			
			49. Inscription stating “Final Plat” if a minor subdivision and space provided on the plat for approval by the Planning Commission Chair if all requirements are met, and authorization for the recording of said plat by the Judge of Probate in Mobile County, Alabama, or “Not for Final Recording” if a major subdivision;			
			50. Any other special survey notes about the property;			
			51. Attached copy of all required state and federal permits, if applicable.			

General Notes, at a minimum, should include the following:

- All utilities will be constructed underground;
- For corner lots the building orientation will dictate the location of front, rear, interior side and corner yard setbacks;
- Statement that common, open space areas are not intended to be buildable lots for conversion to residential use;
- If subdivision is part of a multi-phase development, a master plan illustrating the overall development shall be submitted to the City of Creola. Where a phased development is proposed, the preliminary plat shall include all phase lines and a master plan showing the continuity of development proposed for the entire project. Each phase shall satisfy the requirements of these regulations individually.
- Traffic Data and Traffic Study – Applications for high density, major subdivisions creating (50) lots or more, or any phased project, shall require a traffic impact analysis which shall include trip generation data showing the projected average daily traffic (ADT) in a 24-hour period and projected peak-hour traffic generated by the development in the subdivision application. Peak hour traffic shall generally be the hours between 7 A.M. and 9 A.M. for morning and 4 P.M. and 6 P.M. for the evening and include the consecutive 60 minute segment in which traffic counts are projected to occur. A traffic study shall be required for all applications that will generate an average daily traffic (ADT) count of 1,000 trips or more, or which will generate 50 trips or more during any peak hour period. An agent selected by the City and paid for by the applicant shall perform the traffic study. The traffic study shall be used to determine what on-site and off-site street or traffic improvements may be necessary due to the development. The results and any corrective measures necessary shall be included as part of, and in addition to, the requirements for preliminary subdivision plat.
- REQUIRED CONSTRUCTION PLANS. The following plans must be included with any application for a major subdivision and shall be signed and stamped by the registered professional engineer of record. See Article 6 of these Regulations for list of required items for each plan.
 - 5. Street Plan
 - 6. Drainage Plan
 - 7. Erosion Control Plan
 - 8. Utility Plan
- Copy of all required federal and state permits;

- The City of Creola shall not be responsible for maintenance of common, open space areas;

- The City of Creola reserves the right to require the maintenance of all private drainage facilities, including detention/retention facilities, to prevent potential flooding and/or eliminate public health and safety threats or nuisance caused by said drainage facilities;



ADJOINING PROPERTY OWNERS

CITY OF CREOLA PLANNING COMMISSION

9615 Old Hwy 43
P.O. Box 490
Creola, AL 36525-0490

251-675-8148

www.cityofcreola.org

Note: The applicant must provide the names and addresses of the OWNERS of all properties adjoining the subject property, as listed in the records of the Mobile County Tax Assessor. These names and addresses must be listed below (attach additional sheets if necessary).

Tax Parcel # _____
Owner's Name: _____

Address: _____

Tax Parcel # _____
Owner's Name: _____

Address: _____

Tax Parcel # _____
Owner's Name: _____

Address: _____

Tax Parcel # _____
Owner's Name: _____

Address: _____

Tax Parcel # _____
Owner's Name: _____

Address: _____

Tax Parcel # _____
Owner's Name: _____

Address: _____

Tax Parcel # _____
Owner's Name: _____

Address: _____

Tax Parcel # _____
Owner's Name: _____

Address: _____

Tax Parcel # _____
Owner's Name: _____

Address: _____

Tax Parcel # _____
Owner's Name: _____

Address: _____

I certify that the adjoining property owners listed above accurately represents the most current information available according to the Mobile County Courthouse Tax Assessor's Office.

<i>Applicant's Signature:</i>	<i>Date:</i>
<i>Applicant's Name (Please print):</i>	



MAJOR SUBDIVISION REVIEW REQUIREMENTS

City of Creola Planning Commission
Creola, Alabama

FINAL PLAT CHECKLIST

This checklist must be complete and accompany any Final Plat submitted to the Creola Planning Commission for review along with the application for subdivision and receipt of all applicable fees paid. This document serves as the Final Plat checklist for both major subdivisions. The Planning Commission will not review incomplete applications.

*These requirements are considered **minimum standards** and additional information may be required for approval if requested by the Creola Planning Commission.*

The Final Plat shall be prepared, signed, and sealed by a licensed and certified Professional Engineer registered in the State of Alabama. It shall be drawn to a scale of no less than one inch (1") equals one hundred feet (100').

The following list of items are required and shall be included ON THE PLAT and shall meet the minimum standards set forth in these Subdivision Regulations.

SUBMITTED			ITEM	COMPLIANT		
YES	NO	N/A		YES	NO	N/A
			1. All required items from approved Preliminary Plat Checklist			
			2. Deed Restrictions/Restrictive Covenants, if applicable.			
			3. A certified statement by the Applicant's Engineer that the improvements within the development have been constructed in accordance with the approved Preliminary Plat and meet the minimum requirements of the City of Creola.			
			4. Inscription or stamp stating "Final Plat for Official Recording."			
			5. Construction plan which meet the standards of the City of Creola's Subdivision Regulations to include the following: <ul style="list-style-type: none"> — Street Plan — Utility Plan — Stormwater Management Plan — Stormwater Management Design Report (8 1/2" x 11") — Stormwater Facility Maintenance Agreement — Erosion and Sedimentation Plan — Application for Land Disturbance Permit — Copy of Notice of Intent (N.O.I.) for NPDES Permit coverage, if applicable — Landscape Plan 			
SURVEY NOTES:						
			General Notes, at a minimum, should include the following: <ul style="list-style-type: none"> — All utilities have been constructed underground; — For high-density major residential subdivisions, a note on plat stating that tree density per lot requirements must be met before the issuance of a Certificate of Occupancy (CO); — Statement that common, open space areas are not intended to be buildable lots for conversion to residential use; — Statement that the City of Creola shall not be responsible for maintenance of common, open space areas; — Statement that the City of Creola reserves the right to require the maintenance of all private drainage facilities, including detention/retention 			

			<p>facilities, to prevent potential flooding and/or eliminate public health and safety threats or nuisance caused by said drainage facilities;</p> <ul style="list-style-type: none"> — Statement that Subdivision identification sign is in compliance with the Sign Regulations of the Zoning Ordinance; — Certification that if subdivision is part of a multi-phase development, a master plan illustrating the overall development has been submitted to the City of Creola. Where a phased development is proposed, the preliminary plat shall include all phase lines and a master plan showing the continuity of development proposed for the entire project. Each phase shall satisfy the requirements of these regulations individually. — Completion of Traffic Data and Traffic Study for applications for high density, major subdivisions creating (50) lots or more, or any phased project, shall require a traffic impact analysis which shall include trip generation data showing the projected average daily traffic (ADT) in a 24-hour period and projected peak-hour traffic generated by the development in the subdivision application. Peak hour traffic shall generally be the hours between 7 A.M. and 9 A.M. for morning and 4 P.M. and 6 P.M. for the evening and include the consecutive 60 minute segment in which traffic counts are projected to occur. A traffic study shall be required for all applications that will generate an average daily traffic (ADT) count of 1,000 trips or more, or which will generate 50 trips or more during any peak hour period. An agent selected by the City and paid for by the applicant shall perform the traffic study. The traffic study shall be used to determine what on-site and off-site street or traffic improvements may be necessary due to the development. The results and any corrective measures necessary shall be included as part of, and in addition to, the requirements for preliminary subdivision plat. — Verification that all construction plans have been reviewed and approved by the City of Creola’s Engineer, confirming that all plans are in compliance with the City of Creola’s Subdivision Regulations. <ul style="list-style-type: none"> 9. Street Plan 10. Drainage Plan 11. Erosion Control Plan 12. Utility Plan 			
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B APPENDIX B

SCHEDULE OF FEES

SECTION 1 FILING & ADVERTISING FEES

In order to defray the City's costs in the course of subdivision review and costs of revisions to maps and regulations, there shall be paid to the City upon submission of application, the following sums:

- **Sketch Plan Review (applicable to all applications).....no cost**
- **Minor Subdivisions (No professional engineering review):**
PRELIMINARY/FINAL PLAT.....\$150.00 + \$10.00 per Lot

- **Major Subdivisions (With professional engineering review):**
The applicant shall be responsible for all costs incurred for any professional review and engineering services that may be required, including plans, tests, inspections, 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 and Final Plats and in conformity with these Regulations.
PRELIMINARY PLAT.....\$250.00 + \$10.00 per Lot
FINAL PLAT.....\$150.00 + \$10.00 per Lot

- **Advertising Fees**
All costs for legal advertisement of the request and postage for certified letters of notification to adjacent property owners and parties in interest shall be paid by the applicant at the current rates set by the publishing agency and the United States Postal Service.

SECTION 2 RECORDING FEES

Applicants are responsible for recording the approved and signed Final Plat at the Mobile County Probate Office and all costs incurred.

SECTION 3 AMENDMENT FEES

- Each Amendment to Subdivision Plat.....\$50.00 per Amendment

SECTION 4 PERMIT FEES

- Land Disturbance Permit.....\$20.00

**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 set forth in these Subdivision Regulations.*

C

APPENDIX C
OFFICIAL FORMS OF THE CITY OF CREOLA

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**CITY OF CREOLA
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 Creola'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: _____

CERTIFICATION BY SURVEYOR

STATE OF ALABAMA)
CITY OF CREOLA)
COUNTY OF MOBILE)

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

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

Surveyor

CERTIFICATION OF OWNERSHIP AND DEDICAITON

STATE OF ALABAMA)
 CITY OF CREOLA)
 COUNTY OF MOBILE)

This is to certify that I (we) the undersigned is (are) the owner(s) of the land shown and deccribed in the Plat, and that I (we) has (have) caused the same to be surveyed and subdivided as indicated hereon, for the uses and purposes herein set forth and do hereby acknowledge and adopt the same under the design and title hereon indicated; and grant all easements and dedicate all streets, alleys, walks, parks, and other open spaces to public or private use as noted, together with such restrictions and covenants noted below or attached in a separate legal document.

Dated this _____ day of _____, 20_____.

Owner

Owner

CERTIFICATION OF NOTARY PUBLIC

STATE OF ALABAMA)
CITY OF CREOLA)
COUNTY OF MOBILE)

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

Given under my hand and Notarial Seal this _____ day of _____, 20_____.

Notary Public

**CERTIFICATION BY MOBILE COUNTY DEPARTMENT OF
PUBLIC HEALTH**

STATE OF ALABAMA)
 CITY OF CREOLA)
 COUNTY OF MOBILE)

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

Dated this _____ day of _____, 20_____.

 County Health Officer of his
 Authorized Representative

CERTIFICATION OF THE APPROVAL OF STREETS AND UTILITIES

STATE OF ALABAMA)
CITY OF CREOLA)
COUNTY OF MOBILE)

I, _____, Engineer for the City of Creola, Alabama, do hereby certify that the attached final plat has been examined by me and also that the subdivider’s plans and specifications comply with the requirements set forth in the Creola Subdivision Regulations.

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

Dated this _____ day of _____, 20_____.

Creola Engineer

CERTIFICATION OF APPROVAL FOR RECORDING

STATE OF ALABAMA)
 CITY OF CREOLA)
 COUNTY OF MOBILE)

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

Dated this _____ day of _____, 20_____.

Planning Commission Chairman, or his
 Authorized Representative

