

# SUBDIVISION REGULATIONS

Of

Blount County, Alabama

Adopted: July 11, 2016

Amended: September 13, 2022

## FOREWORD

The Blount County Commission has the responsibility of requiring subdivisions to comply with reasonable standards for development in the unincorporated areas of Blount County and that all proposed development is coordinated into the County Comprehensive Plan. The Commission has developed and revised these Subdivision Regulations which are intended to provide a minimum set of procedures, standards and specifications to achieve the goals and purposes of Blount County. It is in the best interests of both the County and private enterprise that every subdivision is well-designed and constructed; that every subdivision results in ordered growth; stable environments; and desirable, livable communities for the benefit of all citizens.

According to Alabama law, a subdivision is defined as “[t]he development and division of a lot, tract, or parcel of land into two or more lots, plats, sites, or otherwise for the purpose of establishing or creating a subdivision through the sale, lease, or building development. Development includes, but is not limited to, the design work of lot layout, the construction of drainage structures, the construction of buildings or public use areas, the planning and construction of public streets and public roads, and the placement of public utilities. A subdivision does not include the construction or development of roads or buildings on private property to be used for agricultural purposes.” §11-24-1(4) Code of Alabama, 1975.

Any individual or entity planning to develop and/ or divide a parcel of land for the purposes of creating a subdivision, as defined above, in the County should consult with the County Engineer early in the planning phase of the development to assure compliance with these regulations.

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# **ARTICLE I**

## ***PURPOSE AND POLICY***

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### **SECTION 1-1 PURPOSE AND POLICY**

By Resolution \_\_\_\_\_ of the Blount County Commission, adopted on the 11<sup>th</sup> day of July, 2016, the Blount County Commission does hereby set a policy to exercise the power and authority to review, approve, and disapprove plats for all subdivisions within the subdivision jurisdiction of Blount County, Alabama. The Blount County Commission further does hereby exercise the authority to inspect any development within its subdivision jurisdiction to ensure that there are no violations of its rules and regulations, to charge fees for said inspection and to enforce these regulations.

This establishment of procedures, regulations and standards for the design and the development of proposed subdivisions, or additions to existing subdivisions, within the subdivision jurisdiction of Blount County, Alabama, along with all of the authority exercised herein, is authorized by, without limitation, § 11-24-1(b) Code of Alabama 1975.

The regulations established herein shall be applicable to the development of any subdivision within the County's subdivision jurisdiction, and such authority, unless waived by the Blount County Commission or otherwise overridden pursuant to applicable law, shall also apply to the County's plat approval for developments within the territorial jurisdiction of a municipal planning commission.

The regulations set out herein shall be in force and applicable to the development of all subdivisions in the jurisdiction of the Blount County Commission from and after the date of adoption by resolution. Any subdivision regulations previously in place in Blount County are hereby repealed and rescinded.

It is not the purpose of these regulations to govern the acceptance of roads or streets for maintenance by the County Commission. The current policy for acceptance of roads and bridges by the Blount County Commission is located in Appendix V.

### **SECTION 1-2 TITLE**

These regulations shall hereafter be known, cited and referred to as the Blount County, Subdivision Regulations.

## SECTION 1-3 FEES

Blount County has established the following schedule of fees, as authorized under Code of Alabama 1975 Section 11-24-3, to cover costs associated with the inspection and review of subdivision developments. **The schedule below is not a complete list of fees that will be charged.** The total fee is dependent on the type of subdivision (as defined in Section 2-1-61) and the schedule is only an initial **guide** as to the charges that will be incurred by the developer. The developer is responsible for **all** charges including, without limitation, those charges impose by the fee schedule, postage, actual staff cost for inspection and testing, and filing fees incurred by the County during the subdivision approval process. Any approval provided may be subject to prior payment of applicable fees and costs.

The submittal fee schedule is as follows:

### **Minor and Rural Subdivisions:**

No Submittal Fee

### **Major Subdivision:**

- (1) Proposed Plat Review Fee: \$250
- (2) Lot Fee: \$25 per lot, site, or unit

## SECTION 1-4 ENFORCEMENT AND VIOLATIONS

Pursuant to authority granted under Code of Alabama 1975, § 11-24-3(d), the Blount County Commission shall enforce the provisions of these regulations by the issuance of citations issued by a County license inspector appointed by the Blount County Commission to enforce these regulations. Acting under authority granted in Code of Alabama 1975, § 11-24-3(d) and § 40-12-10, the County license inspector may issue a citation for the failure to properly obtain the permit to develop required under Section 3-6 and/or for any other violations of these regulations or of Code of Alabama 1975, § 11-24-1 *et seq.*

As authorized by Code of Alabama 1975, § 11-24-3(a), the fine for noncompliance of any provisions of these regulations shall be **\$1000 per lot** that has been sold, offered for sale, transferred, or leased. A separate citation shall be issued for each violation.

All fines shall be paid to the office of the judge of probate within thirty (30) days of the issuance of a citation by the County license inspector. Any such citation not having been paid in the allowed time frame shall be considered to be delinquent, and all fines shall be doubled upon the failure to remit the fine within thirty (30) days of the issuance of the citation. Any applications, approvals, or permits shall be automatically suspended at the time that any such payment has become delinquent until such time as any outstanding fines and/or fees have been paid in full.

In addition to the issuance of citations for violation of these regulations, the Blount County Commission retains the right to seek an injunction against any developer or owner who fails to

comply with these regulations and may bring action against a developer or owner to compel compliance with these regulations in the event that work on the subdivision has been completed in violation of these regulations and the requirements of Code of Alabama 1975, § 11-24-1 *et seq.*

## **SECTION 1-5 AMENDMENTS**

The Blount County Commission may adopt amendments to these regulations. Procedures to adopt amendments are detailed in Section 10-4.

## **SECTION 1-6 EXEMPTIONS**

Exempt subdivisions require an Exempt Subdivision Letter from the County Engineer.

The following are exempt from these regulations:

- a. The construction or development of roads or buildings on private property to be used for agricultural purposes. See, Code of Alabama 1975, § 11-24-1(a)(4);
- b. The public acquisition by purchase or donation of strips of land for the widening or opening of streets;
- c. Subdivision by court order including, but not limited to, judgments of foreclosure;
- d. Sale, deed or transfer of land by the owner to an immediate family member as provided in Code of Alabama 1975, § 11-24-2(d). Each parcel shall front a public road or have its own utility and access easement not less than 30 feet in width;
- e. Divisions of land where all resulting parcels are 20 acres or more and no roadway, drainage or other improvements are needed, and where all parcels are to be used for agriculture or single-dwelling residential purposes only. Said property being described by meets and bounds description or by describing an aliquot part of a section in the U.S. Public Land Survey System. In order to fall under this exemption each parcel shall have minimum deeded right-of-way on any adjoining existing county road of sixty (60) feet. Where deeded right-of-way on an existing county road is less than sixty (60) feet, the developer shall be required to dedicate a minimum sixty (60) feet of right-of-way. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing road. When the subdivision is located on only one side of an existing road, a minimum of one-half (1/2) of the required right-of-way, measured from the centerline of the existing road, shall be provided.
- f. The sale of a portion of a previously unplatted parcel to an adjoining property owner to be incorporated into the receiving property by deed;

- g. Sale of a tract that is separated from the balance or remaining part of a tract by an existing boundary such as a road or river. In order to fall under this exemption each parcel shall have minimum deeded right-of-way on an existing county road of sixty (60) feet. Where deeded right-of-way on an existing county road is less than sixty (60) feet, the developer shall be required to dedicate a minimum sixty (60) feet of right-of-way. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street. When the subdivision is located on only one side of an existing road, a minimum of one-half (1/2) of the required right-of-way, measured from the centerline of the existing street, shall be provided.

A *Request for an Exempt Subdivision Letter* and supporting documentation to substantiate any claim of exemption shall be submitted to the County Engineer. Owners of exempt subdivisions shall not be required to submit a plat to the Blount County 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, Health Department requirements, highway construction setbacks, or, if located within the extraterritorial jurisdiction of a municipality, the regulations of that municipal planning commission. Any subdivider who is circumventing the intent and substance of these Regulations shall be required to submit a plat for review and approval by the Blount County Commission and shall be subject to the penalties under *Section 1-4: Enforcement and Violations* of these Regulations.

## ARTICLE II

### DEFINITIONS

#### 2-1 DEFINITION OF TERMS

##### SECTION 2- 1 DEFINITION OF TERMS

2-1-1 **AASHTO:** American Association of State Highway and Transportation Officials

2-1-1.1 **ACCESS:** Deeded portion of property or lot that provides travel way to a city, County, or state road. All access on a city, County or state existing numbered County, farm-to-market, arterial, and collector road must have a minimum access width of two hundred (200) feet to building site. All access on a city, County, or state road must have one hundred and fifty (150) feet minimum width from the city, County, or state road to building site.

2-1.2 **ADMINISTRATIVE SUBDIVISIONS:** Subdivisions of previously unplatted land involving five lots or less and do not require infrastructure improvements (Minor and Rural Subdivision). Additionally, a Resurvey of previously recorded lots may be reviewed administratively, provided that it does not include any land that was not part of the originally recorded lots. All lots must front on a paved public right-of-way. Administrative subdivisions are reviewed by staff and do not require approval in a County Commission meeting.

2-1-2 **ADT (AVERAGE DAILY TRAFFIC):** total volume of vehicles during a given time period, in whole days, as measured during a non-holiday weekday.

2-1-2.1 **ALIQUOT PART:** The standard subdivisions of a section, such as a half section, quarter section, or quarter-quarter section.

2-1-3 **ALLEY:** A public right-of-way primarily designed to serve as a secondary access to the side or rear of those properties whose principal frontage is on some other street.

2-1-4 **APPLICANT:** The owner of land proposed to be subdivided or a person designated in writing by the legal owner as his or her representative.

2-1-5 **APPLICATION ASSEMBLY:** The packet of materials that the developer is required to submit with his or her application for proposed plat approval.

2-1-6 **ARTERIAL:** A term used to describe a road or street whose primary purpose is to connect areas that produce a large amount of trip generation. These routes have a dual function to move traffic and to provide access to land uses, particularly the high trip-generating commercial activities. In terms of counties, major and minor collector routes, as classified by the Federal Highway Administration, may require treatment as this type of route even though they are termed collector roads.



- 2-1-7 **BLOCK:** A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad right-of-way, shorelines of waterways or other boundary lines.
- 2-1-8 **BUILDING:** Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind, and includes any structure.
- 2-1-9 **BUILDING SETBACK LINE:** A line parallel to the property boundary over which no structure may be erected between said parallel line and the property boundary.
- 2-1-10 **COLLECTOR:** A route whose primary function is to collect traffic from an area and move it to the arterial street system while also providing substantial service to abutting land use, and which typically does not have extensive continuity.
- 2-1-11 **CONSTRUCTION PLANS:** Plans detailing the design and requirements for the construction of public improvements. These plans shall detail such items as the location of all existing and proposed roads, plan and profiles of all roads, curve data, hydraulic data, etc. (See Section 4-2 for complete list of items required.)
- 2-1-12 **CORNER LOT:** A lot which occupies the interior angle at the intersection of street lines.
- 2-1-13 **COUNTY:** The County of Blount, Alabama.
- 2-1-14 **COUNTY ADMINISTRATOR:** The duly designated Administrator of Blount County, Alabama.
- 2-1-15 **COUNTY COMMISSION:** The County Commission of the County of Blount, Alabama.
- 2-1-16 **COUNTY ENGINEER:** The duly designated Engineer of the County of Blount, Alabama.
- 2-1-17 **COUNTY SPECIFICATIONS:** All construction specifications which are included in these regulations and any special specifications required by the County Engineer or other state or local entity based upon the particular development.
- 2-1-18 **CUL-DE-SAC:** A minor street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.
- 2-1-19 **DAY:** A calendar day.
- 2-1-20 **DEDICATION:** The transfer of property from private to public ownership.
- 2-1-21 **DEVELOPER:** The owner of land proposed to be subdivided or a person designated in writing by the legal owner as his or her representative.
- 2-1-22 **DEVELOPMENT:** The design work of lot layout, the construction of drainage structures, the construction of buildings or public use areas, the planning and construction of public streets and public roads, and the placement of utilities, and any other applicable construction or improvement required or included in a certain subdivision project.

- 2-1-23 **DEPTH OF LOT:** The mean horizontal distance between the front and rear lot lines.
- 2-1-24 **DOUBLE FRONT LOT:** A lot having frontage on two (2) non-intersecting streets as distinguished from a corner lot.
- 2-1-25 **EASEMENT:** A grant by the property owner of use, by the public, a corporation, or person(s) of a strip of land for specified purposes or as created by operation of law.
- 2-1-26 **EXPRESSWAY OR FREEWAY:** Facilities that accommodate a high volume of traffic through the prohibiting of ingress and egress except at controlled intervals. Freeways involve complete control of access while expressways permit at grade intersections at infrequent intervals. The expressway or freeway has only one function - to carry traffic.
- 2-1-27 **ENGINEERING PLAN:** A post construction record giving details of construction and locations of improvements as they were built or installed.
- 2-1-28 **FINAL PLAT:** A plat of a tract of land which meets the requirements of these regulations and is in form for recording in the Office of the Probate Judge of Blount County, Alabama.
- 2-1-29 **FLOODPROOFING:** Any combination of structural or nonstructural additions, changes, or adjustments which reduce or eliminate flood damage to real property, or improved real property, water supply and sanitary sewer facilities, electrical systems, and structures and their contents.
- 2-1-30 **FLOODWAY:** The stream channel and the portion of the adjacent floodplain which must be reserved solely for the passage of flood-waters in order to prevent an increase in upstream flood heights of more than one (1) foot above the predevelopment conditions. For the purpose of these regulations, floodways shall be defined and governed by the County's Flood Damage Prevention Ordinance.
- 2-1-31 **LAND SUBJECT TO FLOODING:** For the purpose of these regulations, land subject to flooding shall be defined in the County's Flood Damage Prevention Ordinance.
- 2-1-32 **FLOOD, ONE HUNDRED (100) YEAR:** A flood that has, on the average, a one (1) percent chance of being equaled or exceeded in any given year.
- 2-1-33 **FLOOD, TEN (10) YEAR:** A flood that has, on average, been equaled or exceeded at a frequency of once every ten (10) years.
- 2-1-34 **FLOOD, TWENTY-FIVE (25) YEAR:** A flood that has on average been equaled or exceeded at a frequency of once every twenty-five (25) years.
- 2-1-35 **HARDSHIP:** An unusual situation on the part of an individual property owner which will not permit the full utilization of property. A hardship exists only when it is not self-created.
- 2-1-36 **HEALTH DEPARTMENT:** Alabama State Department of Public Health or Blount County Health Department.

- 2-1-37 **IMMEDIATE FAMILY MEMBER:** A person's parents, spouse, children, siblings, grandparents, and grandchildren.
- 2-1-38 **LICENSED ENGINEER:** An engineer properly licensed and registered in the State of Alabama in good standing with the Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- 2-1-39 **LICENSE INSPECTOR:** The person or persons appointed by the County Commission to enforce the County's subdivision regulations pursuant to Code of Alabama 1975, § 11-24-3, utilizing the authority granted to a license inspector under Code of Alabama 1975, § 40-12-10.
- 2-1-40 **LICENSED LAND SURVEYOR:** A land surveyor properly licensed and registered in the State of Alabama in good standing with the Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- 2-1-40.1 **LOCAL ROAD:** A County Road that is not a numbered County road, farm-to-market road, arterial, or collector.
- 2-1-41 **LOT:** A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership, lease or rental, or for building development.
- 2-1-42 **MARGINAL ACCESS:** A service road or other treatment used to provide adequate protection of properties in cases where an arterial runs through or near a subdivided area.
- 2-1-43 **MAJOR SUBDIVISION:** See Section 2-1-61(a), Subdivision Categories.
- 2-1-44 **MINOR ROAD OR STREET:** A route used to connect collector roads in a road system and service only the residents of that road.
- 2-1-45 **MINOR SUBDIVISION:** See Section 2-1-61(b), Subdivision Categories.
- 2-1-46 **MONUMENT:** A permanent object serving to indicate a limit or to mark a boundary.
- 2-1-47 **OWNER:** Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.
- 2-1-48 **OWNER'S ENGINEER:** The licensed engineer who is the agent of the owner or developer of land which is proposed to be subdivided or which is in the process of being subdivided.
- 2-1-49 **PERMANENT REFERENCE POINTS:** As defined by the Standards of Practice for Surveying in the State of Alabama as set out and required by the Alabama Society of Professional Land Surveyors.
- 2-1-50 **PERMIT FEE:** The fee assessed to obtain the permit to develop required in Section 3-6.

- 2-1-51 **PERMIT TO DEVELOP:** An instrument issued by the County Engineer following the approval of a proposed plat by the County Commission and which authorizes the developer to proceed with the development of the subdivision.
- 2-1-51.1 **PRE-SALE AGREEMENT:** An agreement between a developer and a prospective purchaser evidencing interest in purchasing a lot within a subdivision development in the event the proposed subdivision plan is approved by the County pursuant to Code of Alabama 1975, § 11-24-1 et seq. and these regulations. A pre-sale agreement is not a contract to purchase and shall clearly state that no final sale of the property shall take place until and unless the developer fulfills the requirements set out in Code of Alabama 1975, § 11-24-2.
- 2-1-51.2 **PRIVATE SUBDIVISION:** A subdivision whose infrastructure has been constructed to be privately owned and maintained and not open to the general public. A private subdivision may be allowed provided they meet all requirements of these subdivision regulations. Private subdivision plats shall be titled 'Private Subdivision'. A gate may be established after construction of a private subdivision. Private subdivisions shall establish a homeowners association for the maintenance of the private infrastructure.
- 2-1-52 **PROPOSED PLAT:** A plan for a subdivision of land which is submitted for approval to develop the subdivision as required in Section 3 of these subdivision regulations and Code of Alabama 1975, § 11-24-2.
- 2-1-53 **PROBATE JUDGE:** The Judge of Probate of Blount County, Alabama.
- 2-1-54 **RESUBDIVISION:** The subdivision of land contained within a previously recorded subdivision.
- 2-1-54.1 **RESURVEY:** The reconfiguration or consolidation of legally subdivided lots that does not result in any additional lots and it does not include any land that was not part of the originally recorded lots. The revised lots shall meet all minimum lot size and width requirements. A resurvey of previously recorded lots may be reviewed administratively, provided that it does not include any land that was not part of the originally recorded lots.
- 2-1-55 **ROAD OR STREET:** A public right-of-way for vehicular traffic that affords the principal means of access to abutting property.
1. *CITY ROAD:* Public road maintained by a municipality.
  2. *COUNTY ROAD:* Public road which has been accepted into the County road system through construction by the County, dedication and formal acceptance by the County commission, or prescription and is maintained by the County. A road which has been dedicated to the public and is used by the public is not a County road, unless it has been accepted into the County road system through construction, acceptance or prescription as set out herein.
  3. *PUBLIC ROAD:* A street or road that has been constructed for public use, established by statutory proceedings, or dedicated for public use. A public road may or may not be

a County road.

4. *PRIVATE ROAD*: Road which has not been dedicated to the public and is not owned or maintained by the city, County, or state whether or not it has public access.
5. *STATE ROAD*: Public road owned or maintained by the State of Alabama.

2-1-56 **SETBACKS**: A setback is synonymous to “building setback line”. See Section 2-1-9.

2-1-57 **SINGLE TIER LOT**: A lot which backs upon a 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.

2-1-58 **SKETCH PLAN**: Drawing submitted prior to the preparation of the Proposed Plat to enable the applicant to save time and expense in reaching general agreement with the County Engineer as to the form of the plat and the objectives of these regulations.

2-1-59 **SUBDIVIDER**: Any person who (1) having an interest in land, causes it, directly or indirectly, to be divided into a subdivision or who (2), directly or indirectly, sells, leases, or develops, or offers to sell, lease, or develop, or advertises for sale, lease, or development, any interest, lot, parcel, site, unit, or plat in a subdivision, or who (3) is employed by or directly or indirectly controlled by, or under direct, or indirect common control with any of the foregoing.

2-1-60 **SUBDIVISION**: As defined in Code of Alabama 1975, § 11-24-1(a)(4), the development and division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites, including the parent parcel, or otherwise for the purpose of establishing or creating a subdivision through the sale, lease, or building development of the lot or lots.

2-1-61 **SUBDIVISION CATEGORIES:**

- a. *MAJOR SUBDIVISION*: The subdivision of land with interior infrastructure improvements. This case type shall require the submission and approval of a preliminary plat and/or a final plat by the County Commission.
- b. *MINOR SUBDIVISION*: The subdivision of previously unplatted land including no street, drainage, or other public improvements. All lots must front on a paved public right-of-way meeting minimum requirements. The final plat of the subdivision of previously unplatted land into five (5) lot or less may be administratively reviewed.
- c. *RURAL SUBDIVISION*: The subdivision of land into five (5) lots or less, with all parcels ten (10) acres or larger, that are not required to front on a paved public road, and that will be accessed from a private road to be maintained by the property owners. The final plat of this case type may be administratively approved.

2-1-62 **SUBDIVISION JURISDICTION**: All areas outside the corporate limits of any municipality in Blount County, except areas within the territorial jurisdiction of a municipal planning commission presently organized and functional or which shall become organized and functional within six months of the date Blount County first assumed such jurisdiction.

- 2-1-63 **SURETY:** Any bond, certificate of deposit, irrevocable letter of credit, cashier check, or other acceptable guarantee as approved by the County Commission or their authorized agent.
- 2-1-64 **TERRITORIAL JURISDICTION OF MUNICIPAL PLANNING COMMISSION:** Generally, all land located in a municipality and all land lying within five miles of the corporate limits of the municipality and not located in any other municipality subject to, however, the requirements and conditions of Code of Alabama 1975, § 11-52-30.
- 2-1-65 **VARIANCE:** Permission to depart from the literal requirements of these subdivision regulations by virtue of unique hardship due to special circumstances regarding property to be developed. A waiver of the strictest letter of the regulations upon substantial compliance without sacrificing the spirit and purpose of the regulations.
- 2-1-66 **WATERCOURSE:** Any depression serving to give direction to a flow of water, having a bed and defined banks. The definition shall also include other generally or specifically designated areas where flooding may occur. The flow of water need not be on a continuous basis, but may be intermittent resulting from the surface runoff of precipitation.
- 2-1-67 **WIDTH OF LOT:** The mean horizontal distance between the two side lot lines.

## **ARTICLE III**

### ***PROCESS FOR APPROVAL OF SUBDIVISION PLATS***

- 3-1 APPROVAL OF SUBDIVISION PLATS
- 3-1.1 AUTHORITY FOR PRE-SALE AGREEMENTS
- 3-2 PRE-APPLICATION REVIEW
- 3-3 PROPOSED PLAT SUBMISSION
- 3-4 REVIEW BY COUNTY ENGINEER
- 3-5 COUNTY COMMISSION APPROVAL OF PROPOSED PLAT
- 3-5.1 ADMINISTRATIVE APPROVAL
- 3-6 PERMIT TO DEVELOP
- 3-7 CONSTRUCTION OF MAJOR SUBDIVISION
- 3-8 FINAL PLAT APPROVAL

#### **SECTION 3-1 APPROVAL OF SUBDIVISION PLATS**

This section details the general steps necessary to achieve approval of a subdivision in Blount County. A flow chart is included in Appendix II further outlining this process. Except as specifically provided in Section 3-1.1, no lots within a proposed subdivision may be offered to the public for sale, transfer, or lease before the proposed plat approval has been granted and a permit to develop has been obtained as set out in Section 3-6.

It shall be a violation of these regulations and Code of Alabama 1975, § 11-24-1 et seq. for the developer to file or have filed any plat, deed, property description, or document of property transfer without full compliance with these regulations and Code of Alabama 1975, § 11-24-2.

#### **SECTION 3-1.1 AUTHORITY FOR PRE-SALE AGREEMENTS**

As provided in Code of Alabama, the County engineer may authorize a developer to secure pre-sale agreements from prospective buyers of property included in a proposed subdivision development prior to obtaining the permit to develop as required in Section 3-6 under a minimum of the following circumstances:

- (1) The developer submits a sketch plan as a preliminary plan for the proposed subdivision development as set out in Section 3-2,
- (2) The County engineer is satisfied that the developer's preliminary plan is likely to be approved under these regulations, and
- (3) The developer has explained to the satisfaction of the County engineer the reasons for requesting authorization to secure pre-sale agreements.

Any pre-sale agreements entered into between the developer and a prospective buyer pursuant to authorization granted under this section shall clearly state that any final sale of property shall be subject to and not take place until and unless the developer has fulfilled all applicable

requirements of Code of Alabama 1975, § 11-24-1 et seq.

Any developer who obtains authority from the County engineer to pursue pre-sale agreements prior to receiving plat approval and the permit to develop shall notify the County engineer in writing once financing for the subdivision development project has been secured. The developer shall then comply with the process for approval of the proposed subdivision plat and obtaining a permit to develop as required in these regulations and Code of Alabama 1975, § 11-24-1 et seq, as amended. No final sale of property that is the subject of a pre-sale agreement authorized under this section shall take place until and unless the developer has complied with all requirements of the County engineer and the applicable sections of the Code of Alabama.

The authorization to pursue pre-sale agreements shall be revoked by operation of law six months after the date granted by the County engineer unless the developer requests and is granted an extension of time. No pre-sale agreements may be entered into following the expiration of the six month period until and unless extended by the County engineer. Extensions are discretionary, and there is no guarantee that a request for an extension will be granted. The County engineer is under no absolute obligation to grant such extension.

Any pre-sale agreements executed without the developer obtaining authorization to pursue such agreements as provided herein shall be a violation of this section and Code of Alabama 1975, § 11-24-1.1. Such violation shall be punishable by fines as set out in Section 1-4 and Code of Alabama 1975, § 11-24-3. Additionally, the County engineer may revoke any authorization granted to the developer to secure pre-sale agreements in the event there is any failure to comply with this section.

### **SECTION 3-2 PRE-APPLICATION REVIEW**

Whenever the subdivision of a tract of land is proposed within the jurisdiction of these regulations, the developer, or subdivider, is urged to consult early and informally with the County Engineer. The subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity along with the proposed layout and development of the subdivision. The purpose of this sketch plan review is to afford the subdivider an opportunity to avail himself of the advice and assistance of the County Engineer in order to facilitate the subsequent preparations and approval of plans.

### **SECTION 3-3 PROPOSED PLAT SUBMISSION**

Following sketch plan review or in the event the subdivider does not submit a sketch plan for review, the subdivider shall submit a **complete** Application Assembly to the County engineer for review of the proposed plat. The application shall be submitted at least thirty (30) days prior to any consideration that may be required for proposed plat approval by the County Commission. The Proposed Plat Application Assembly shall include each of the following:

- (1) A letter stating that the proposed plat is being submitted for review. This letter shall state the developer's intent as to the final ownership of any new roads included on the proposed plat, if applicable. (The developer is reminded to refer to Appendix V for the County's Road Acceptance Policy);
- (2) Application for Proposed Plat Review (Appendix II);



- (3) Proposed Plat - At least two (2) full size copies **prepared in accordance with the requirements** detailed in Section 4-1 of these regulations for engineering review.
- (4) Construction Plans - At least two (2) full size copies of all required improvements **prepared in accordance with the requirements** detailed in Section 4-2 of these regulations (Major Subdivisions only);
- (5) A letter from the Health Department detailing field review by the Health Department for the general lot layout has been completed;
- (6) Any variances requested accompanied by detailed supporting documentation;
- (7) The names and addresses of each adjoining landowner and utility entitled to notice pursuant to Code of Alabama 1975, §11-24-2(b); and
- (8) All fees as detailed in Section 1-3. (Major Subdivisions only)

**Failure to submit a complete Proposed Plat Application Assembly initially shall delay the consideration of such plat for approval by the County Engineer and the County Commission.**

### **SECTION 3-4 REVIEW BY COUNTY ENGINEER**

(1) *MAJOR SUBDIVISIONS:*

The County Engineer shall use the minimum thirty (30) day period to review the submitted Application Assembly and ensure its compliance with these regulations. In the event the Application Assembly does not meet these regulations, the County Engineer shall notify the developer that it is deficient. No further action will be taken by the County Commission or County Engineer until and unless the developer shall correct the deficiencies and resubmit the corrections to the County Engineer for his approval. With each resubmittal the engineer or surveyor of record shall submit a letter detailing any and all revisions and stating that no other revisions or changes were made.

If upon completion of the review the County Engineer determines that the Application Assembly complies with these regulations, he or she shall notify the developer in writing to that effect. The County Engineer shall also send proper notice of his/her recommendation for approval, as required in Code of Alabama 1975, § 11-24-2(b), to each of the adjoining landowners and the affected utilities submitted by the developer.

(2) *MINOR SUBDIVISIONS:*

The County Engineer shall use the minimum thirty (30) day period to review the submitted Application Assembly and ensure its compliance with these regulations.

In the event the Application Assembly does not meet these regulations, the County Engineer shall notify the developer that it is deficient. No further action will be taken by the County Commission or County Engineer until and unless the developer shall correct the deficiencies and resubmit the corrections to the County Engineer for his approval. With each resubmittal the surveyor of record shall submit a letter detailing any and all revisions and stating that no other revisions or changes were made.

If upon completion of the review the County Engineer determines that the Application Assembly complies with these regulations, he or she shall notify the developer in writing to that effect. The County Engineer shall also send proper notice of his/her recommendation for approval, as required in Code of Alabama 1975, § 11-24-2(b), to each of the adjoining landowners and the affected utilities submitted by the developer. The developer may then proceed to the steps for the final plat approval.

(3) *RURAL SUBDIVISIONS:*

The County Engineer shall use the minimum thirty (30) day period to review the submitted Application Assembly and ensure its compliance with these regulations and the following conditions.

- (a) All parcels must be ten (10) acres in size or greater after the proposed division of property, with a total of five (5) parcels or less, with the property shown on a plat to be filed with the judge of probate.
- (b) All parcels must have access to a private road with its own utility and access easement not less than 30 feet in width or an existing public roadway. The private road with easement must connect to a public roadway.
- (c) A covenant connected to all parcels using the private roadway must be filed with the probate judge, stating that the roadway is private, shall be maintained by the property owners, and that Blount County is not now, nor in the future, responsible for the maintenance of the private roads or easements.
- (d) The following note shall be placed in writing on the plat:

Blount County is not now, nor will be in the future, responsible for the maintenance of the private roads or easements shown on this plat.

In the event the Application Assembly does not meet the conditions, the County Engineer shall notify the developer that it is deficient. No further action will be taken by the County Engineer until and unless the developer shall correct the deficiencies and resubmit the corrections to the County Engineer for his approval.

With each resubmittal the surveyor of record shall submit a letter detailing any and all revisions and stating that no other revisions or changes were made.

If upon completion of the review the County Engineer determines that the Application Assembly complies with these regulations, he or she shall notify the developer in writing to that effect. The County Engineer shall also send proper notice of his/her recommendation for approval, as required in Code of Alabama 1975, § 11-24-2(b), to each of the adjoining landowners and the affected utilities submitted by the developer. The developer may then proceed to the steps for the final plat approval.

### **SECTION 3-5 COUNTY COMMISSION APPROVAL – MAJOR SUBDIVISION & MINOR SUBDIVISION (MORE THAN 5 LOTS)**

Once the County Engineer verifies that the Application Assembly meets the County Regulations the Proposed Plat for Major Subdivisions shall be submitted to the County Commission for their approval at the next regularly scheduled County Commission meeting. Pursuant to Code of Alabama 1975, § 11-24-2(b), the County Commission shall approve the proposed plat in the event that the County Engineer has determined that the proposed plat meets these regulations.

### **SECTION 3-5.1 ADMINISTRATIVE APPROVAL – MINOR (5 LOTS OR LESS) AND RURAL SUBDIVISION**

Once the County Engineer verifies that the Application Assembly meets the County Regulations and proper notice has been given as required in Code of Alabama 1975, § 11-24-2(b), the Proposed Plat for Minor (with 5 lots or less) or Rural Subdivisions may be approved by the County Engineer.

### **SECTION 3-6 PERMIT TO DEVELOP – MAJOR SUBDIVISION**

Following the approval of the Proposed Plat of a major subdivision by the County Commission and the payment of all applicable fees and costs, the County Engineer shall issue a Permit to Develop for the Proposed Plat. The Permit to Develop allows the developer to proceed with construction of the development in compliance with these regulations.

Once the developer has obtained the Permit to Develop, he or she may offer lots in the proposed subdivision for sale, transfer, or lease as detailed in Section 3-1.1. **However, no sale, transfer, or lease may be completed and no plat, deed, property description, or document of property transfer shall be filed or recorded until after the final plat has been recorded in the office of the Probate Judge under the provisions of Code of Alabama 1975, § 11-24-2(c).**

The approval of a Development Permit shall be effective for a period of 2 years, at the end of which time final approval of the subdivision must have been obtained from the Blount County Engineer, although the plat need not yet be signed and filed with the Probate Judge. Any plat not receiving final approval within the period of time set forth herein shall be null and void, and the applicant shall be required to resubmit a new application for Development Permit subject to all

current subdivision regulations and filing fees. However, upon written request from the applicant stating the reasons for such request, the Blount County Commission, upon advice from the County Engineer or his/her designee, may extend the effective period of the Development Permit up to twenty-four additional months. No Development Permit shall be extended more than twice.

### **SECTION 3-7 CONSTRUCTION - MAJOR SUBDIVISION**

Once the permit to develop has been issued, the developer of a major subdivision may proceed with construction of the proposed subdivision in accordance with these regulations. The developer should refer to Article V for detailed requirements pertaining to construction.

The developer shall have one (1) year from the date of issuance of the permit to develop to begin substantial work on the proposed development. If work does not begin within the one (1) year time frame, the proposed plat must be resubmitted to the County Engineer and County Commission for approval as if the plat had never been submitted.

If any changes in the development plans of the approved proposed plat are required for any reason, the developer shall submit the proposed changes to the County Engineer **prior** to construction or implementation of the proposed changes. Approval of the County Engineer shall be required before any changes are constructed. Any changes or deviations from the approved proposed plans prior to the County Engineer's approval shall be in violation of these regulations and shall be subject to removal or correction at the expense of the developer.

Changes to the proposed subdivision construction plans that do not change the overall layout of the subdivision may be reviewed and approved by the County Engineer without the requirement of the proposed plat having to be resubmitted for approval by the County Commission. Any changes that do change the overall layout of the subdivision shall require the proposed plat to be resubmitted for approval by the County Commission.

### **SECTION 3-8 FINAL PLAT APPROVAL**

A final plat shall be submitted to the County Engineer, with any original signatures required for approval having already been signed, for approval of the proposed subdivision as follows:

*(1) MAJOR SUBDIVISIONS:*

County Maintained- Once the developer of a major subdivision whose infrastructure has been constructed to be County owned and maintained has met all requirements of these regulations, completed all construction except the final wearing surface, and provide a surety as detailed in Section 7-1 the final plat may be submitted for approval.

Privately Maintained- Once the developer of a major subdivision whose infrastructure has been constructed to be privately owned and maintained has met all requirements of these regulations and completed all construction the final plat may be submitted for approval.

The developer shall comply with each of the following:

- (a) Remit all testing and inspection charges required under Section 1-3 of these regulations as authorized in Code of Alabama 1975, § 11-24-3
- (b) A final as-built set of plans\_or certification from the owner's engineer that there were no changes to the approved construction plans;
- (c) Two (2) copies of the Final Plat as approved by the County Engineer; and
- (d) A letter from the Health Department certifying the compliance of the subdivision with their regulations.
- (e) Provide surety as detailed in Section 7-1. (County Maintained only.)

*(2) MINOR and RURAL SUBDIVISIONS:*

Immediately following administrative approval of the proposed plat for minor subdivisions and rural subdivisions.

After the final plat has been signed by the County engineer, it shall be filed for record or received for filing in the office of the judge of probate. The County Engineer shall notify the Chairman of the County Commission and the District Commissioner where the subdivision is located of any plat signed.

Final plat approval does not include the acceptance of roads. If the developer desires to have the roads accepted into the County road system by the County commission, he or she shall comply with the procedures for road acceptance set out in Appendix V.

Once the final plat has been signed and recorded pursuant to these regulations and Code of Alabama 1975, § 11-24-2(c), the developer may proceed with the actual sale, transfer, or lease of any lots, sites, etc. No building development shall take place until the final plat has been recorded in the office of the Judge of Probate pursuant to these regulations and Code of Alabama 1975, § 11-24-2(c).

## **ARTICLE IV**

### ***PLAT AND PLAN REQUIREMENTS***

- 4-1 PROPOSED PLAT REQUIREMENTS
- 4-2 CONSTRUCTION PLAN REQUIREMENTS
- 4-3 FINAL PLAT REQUIREMENTS

#### **SECTION 4-1 PROPOSED PLAT REQUIREMENTS**

The Proposed Plat shall be prepared by a licensed land surveyor and shall be clearly and legibly drawn at a convenient scale of not less than one (1) inch equals one hundred (100) feet, and the sheets shall be numbered in sequence if more than one (1) sheet is used. The sheet size shall be of such size as is acceptable for filing in the Office of the Probate Judge.

For major subdivisions the developer's engineer shall submit a drainage study of the proposed construction and a letter concerning the adverse effect of the drainage from the proposed subdivision onto surrounding property owners. For minor subdivisions and rural subdivisions the County Engineer may require a drainage study and an adverse effects letter.

The Proposed Plat shall include, but not limited to the following:

- (1) Name and addresses of owners of record;
- (2) Proposed name of subdivision, date, north point, scale and location;
- (3) Names of all existing and proposed streets, highways, or roads. (All names shall be approved by 911. Names shall not be in conflict with other named streets within the County.)
- (4) Name and seal of licensed land surveyor;
- (5) Vicinity map showing location of the subdivision;
- (6) Exact boundaries of the tract of land being subdivided, shown with bearings and distances;
- (7) Sufficient data to determine readily and reproduce on the ground the location of every street line, lot line, boundary line, and block line, whether straight or curved, including the radius, arc distance, and central angle; or radius chord distances, and bearings; the relation of the land so platted to a U.S. Public Land Survey corner or corners; and "Point of beginning" as referred to in the written description;
- (8) Names and addresses of the owners of land immediately adjoining the tract of land being subdivided, as the names appear on the plats in the County Tax Assessor or Revenue Commissioner's office;
- (9) The location of existing streets, water courses, railroads, transmission lines, public utilities, jurisdiction lines, and any public utility easements on and adjacent to the

tract being subdivided;

- (10) The names and locations of adjoining subdivisions and streets, with reference to recorded plats by record name;
- (11) Proposed rights-of-way or easements including locations, widths, and purposes;
- (12) Proposed lot lines with bearings and distances and lot and block numbers;
- (13) Proposed minimum building setback lines;
- (14) Proposed parks, school sites, or other public open spaces, if any;
- (15) Location of each access point on an existing public roadway. Label sight distance as defined in Section 5-3-12.1 of these regulations;
- (16) Site data, which includes:
  - a. Acreage in total tract;
  - b. Smallest lot size;
  - c. Total number of lots;
  - d. Linear feet in streets;
- (17) Any area within or adjacent to the proposed subdivision subject to inundation by the 100-year flood projections as defined by the County Flood Damage Prevention Ordinance, with Base Flood Elevation shown (Area should be clearly shown as a shaded or hatched area);
- (18) The following endorsements and certificates shall be submitted with and placed on the Proposed Plat (see Appendix I for sample certificates):
  - a. Licensed Land Surveyor's Certificate and Description of Land Platted;
  - b. Licensed Engineer's Certificate of Engineering Design and Construction (Proposed Plat Statements);
  - c. Dedication by owner;
  - d. A notary's Acknowledgment of the Dedication Certificate referred to in "c";
  - e. A Certificate of Approval by the appropriate electric utility distributor;
  - f. A Certificate of Approval by the appropriate water and sewer utility;
  - g. A Certificate of Approval by the County Engineer of Blount County;
  - h. A Certificate of Approval by the Blount County Health Department (if septic tanks and/or wells are necessary).
- (19) The following notes are required on plats:

- a. Roads constructed as part of this subdivision have not yet been accepted for County maintenance at the time of the signing of this plat. [To be used for subdivisions whose infrastructure has been constructed to be County owned]
- b. All easements on this map are for public utilities, sanitary sewers, storm sewers, storm ditches, and may be used for such purposes to serve the property both within and without the subdivision. Blount County is not responsible for the maintenance of any easements shown on this plat outside of the public right-of-way.
- c. Contractor and/or developer are responsible for providing building sites free of drainage problems.
- d. No further subdivision of any parcel shown hereon shall be allowed without the prior approval of the Blount County Commission.
- e. Driveways shall be restricted to the locations as shown on this plat. Driveway pipe permit required prior to installation of driveway(s) pipes. Contact the Blount County Engineering Department at to obtain pipe permit.
- f. This entire property is located in Flood Zone \_\_\_\_\_ as shown on the latest Federal Insurance Rate Maps (Panel Number \_\_\_\_\_), dated (Month Day, Year).
- g. Maintenance of detention ponds and all associated structures and appurtenances are the responsibility of the Homeowners Association.
- h. Any construction or encroachment in a designated flood plain must comply with the Blount County Flood Damage Prevention Ordinance.
- i. No encroachments, including structures or fill material, shall be placed within a designated flood plain unless and until a Flood Plain Development Permit has been submitted and approved by the County Engineer. All development within a designated flood plain must comply with the Blount County Flood Damage Prevention Ordinance.
- j. Blount County is not now, nor will be in the future, responsible for the maintenance of private roads or easements shown on this plat.
- k. Side drain pipes shall not be installed in the ditch section except to provide a driveway access to each lot. Driveway side drains shall be a maximum of forty (40) feet long. No more than two (2) drive side drains will be allowed per lot. Where a lot has two (2) drive side drains, they must be separated by at least thirty (30) feet.



## SECTION 4-2 CONSTRUCTION PLAN REQUIREMENTS

At the time of submission of a Major Subdivision Proposed Plat, the applicant shall also submit Construction Plans for all required improvements as part of the Proposed Plat Application Assembly required under Section 3-3. All plans shall meet the minimum standards of design and general requirements for the construction of public improvements as set forth in these regulations.

Construction Plans shall be drawn to scale, and map sheets shall be of the same size as the Proposed Plat. Construction Plans shall be prepared by a licensed engineer. The following construction plans shall be included:

- (1) *STREET PLAN* containing all of the following information:
  - a. The location of existing streets, buildings, water courses, railroads, transmission lines, drainage structures, public utilities, jurisdiction lines, and any public utility easements on and adjacent to the tract being subdivided;
  - b. Location of all proposed and existing streets or rights-of-way in or adjacent to the subdivision;
  - c. Width of existing and proposed rights-of-way and easements;
  - d. Road names;
  - e. Location of access for each access point on an existing public roadway. Label sight distance as defined in Section 5-3-12.1 of these regulations;
  - f. Curve data for the centerline of each street: Delta, Tangent, and Radius;
  - g. Roadway Typical Section;
  - h. Curb detail if applicable;
  - i. Location of all proposed utilities;
  - j. Curb radii;
  - k. Size and location of side drains required for each lot;
  - l. Wetlands or any other conditions affecting the site;
  - m. Provide Note: All utilities shall be installed as per the Subdivision Regulations of Blount County and ALDOT Utility Manual.
  - n. Provide Note: All construction, testing, and inspection shall conform to the current Subdivision Regulations of Blount County.
  
- (2) *GRADING/DRAINAGE PLAN* containing all of the following information:

- a. Location of proposed drainage ways, streams, and ponds in the subdivision;
- b. Existing and proposed topography Based on U.S. Geological Survey, or U.S. Coast and Geodetic Survey sea level datum. On grades of five percent (5%) or less, contours shall be shown at one (1) foot intervals. On grades greater than ten percent (10%), contours may be shown at two (2) foot intervals;
- c. Location, size, invert elevations of proposed drainage structures including culverts, bridges, pipes, drop inlets, and top elevations of head walls, etc., showing details on Drainage Plan, including conduit schedule;
- d. Cross sections of all drainage pipes;
- e. Size of all side drains for each lot. (Cross sections not required)
- e. Construction details of typical manholes, connections, and other drainage structures proposed;
- f. Area of land contributing run-off to each drainage structure along with run-off calculations and applicable coefficients depending on method used [i.e. Rational method: runoff coefficient (C), rainfall intensity (I), catchment area (A), the discharge at the structure (Q), etc...];
- g. Location of easements and rights-of-way for drainage ways and maintenance access thereof;
- i. Direction of water flow throughout subdivision and compatibility with existing drainage.

(3) *PLAN PROFILE SHEET* containing all of the following information:

- a. Plan and profile of all proposed streets, showing natural and finished grades drawn to a scale;
- b. Design road profiles at intersections from the edge of lane of road being intersected;
- c. All curve data, right-of-way, and intersections on profile;
- d. All drainage structures on profile.
- e. Existing and proposed topography Based on U.S. Geological Survey, or U.S. Coast and Geodetic Survey sea level datum. On grades of five percent (5%) or less, contours shall be shown at one (1) foot intervals. On grades greater than ten percent (10%), contours may be shown at two (2) foot intervals;

(4) *DRAINAGE CROSS SECTIONS* containing all of the following information:

- a. Cross Sections of all drainage structures;
  - b. All pipe materials, lengths, inverts, slopes as a percentage;
  - c. Area of land contributing run-off to each drainage structure along with run-off calculations and applicable coefficients depending on method used [i.e. Rational method: runoff coefficient (C), rainfall intensity (I), catchment area (A), the discharge at the structure (Q), etc...];
  - d. Rip rap with lengths and widths.
  - e. Degree of skew
- (5) *EROSION CONTROL PLAN* designed in accordance with the minimum requirements and conforming to the Alabama Department of Transportation's "Standard Specifications for Highway Construction" and with ADEM regulations.
  - (6) *SANITARY SEWER PLAN*, if applicable, containing the location of all existing and proposed sewers, location of sewer laterals, location of each manhole and other sewage system appurtenances including lift stations, oxidation ponds, and treatment plants, and the plan and profile of the sewage system. Construction details of typical manholes, connections, and other proposed sewage structures should also be shown.
  - (7) *WATER DISTRIBUTION PLAN* containing the location and size of water distribution system including pipes, valves, fittings, hydrants, high-pressure pumping equipment, etc.
  - (8) *ELECTRIC DISTRIBUTION PLAN* containing the location of all poles or subsurface facilities as necessary to serve each lot or parcel of land within the subdivision.
  - (9) *GAS DISTRIBUTION PLAN*, if applicable, containing the location of all above ground and subsurface facilities as necessary to serve each lot or parcel of land in the subdivision.

### **SECTION 4-3 FINAL PLAT REQUIREMENTS**

The final plat shall be identical to the proposed plat with the exception of the certificate detailed in Section 4-1-18(b) which is for proposed plat submission. This certificate shall be replaced with the appropriate certificate for final plat submission found in Appendix I.

## **ARTICLE V**

### ***DEVELOPMENT STANDARDS***

- 5-1 MINIMUM STANDARDS
- 5-2 GENERAL REQUIREMENTS
- 5-3 ROAD OR STREET PLAN
- 5-4 DESIGN STANDARDS
- 5-5 BLOCKS
- 5-6 LOTS

### **SECTION 5-1 MINIMUM STANDARDS**

In addition to the requirements established herein, the following minimum requirements are established for all subdivision plats:

- (1) All applicable statutory provisions;
- (2) The special requirements and rules of the Health Department and/or appropriate state agencies;
- (3) The rules and standards of the Alabama Department of Transportation if the subdivision or any lot contained therein abuts a state highway;
- (4) The rules and standards of the Alabama Department of Environmental Management (ADEM) and any other appropriate state or federal agencies;
- (5) The standards and regulations adopted by all boards, commissions, agencies, and officials of Blount County;
- (6) The standards, specifications and rules of appropriate utility companies.

Plat approval may be withheld if the subdivision is not in conformity with the above guidelines or the policy and purpose of these regulations as established in Article I of these regulations.

## **SECTION 5-2 GENERAL REQUIREMENTS**

### **5-2-1 CHARACTER OF THE LAND**

Development of any land within the floodplain shall be governed by the Blount County Flood Damage Prevention Ordinance. This ordinance shall supplement these regulations to govern floodplain/ floodway issues.

### **5-2-2 SUBDIVISION NAME**

The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by these regulations. The County Engineer shall have final authority to reject the name of the subdivision. Such rejection shall be made at the Proposed Plat Review stage.

### **5-2-3 WATERBODIES AND WATERCOURSES**

If a tract being subdivided contains a water body, or portion thereof, lot lines shall be so drawn as to distribute the entire ownership of the water body among adjacent lots. The County Engineer may approve an alternative plan provided the ownership of and responsibility for safe maintenance of the water body is so placed that it will not become a County responsibility. No public roadways will be approved which provide access across dams nor will any part of a lake dam be allowed on the public road right-of-way-

## **SECTION 5-3 ROAD OR STREET PLAN**

The arrangement, character, extent, location, and grade of all roads shall be laid out according to good land planning principles and shall be integrated with all existing and planned roads. Consideration for the planning of new roads shall include topographical conditions, public convenience and safety, and the proposed uses of land to be served by them. All lots must have access to a city, County, or state road as defined in Section 2-1-1.

### **5-3-1 CONTINUATION OF ADJOINING ROAD SYSTEM**

Proposed new roads shall extend existing roads or their projections at the same or greater width, but in no case less than the minimum required width.

### **5-3-2 MARGINAL ACCESS ROADS**

Where, in the opinion of the County Engineer, development which abuts or has included within the proposed subdivided area any arterial, the County Engineer may require a marginal access road or other treatment which may be necessary to provide for the adequate protection of properties, and to afford separation of through and local traffic.

### **5-3-3 ADDITIONAL WIDTH ON EXISTING ROADS:**

Subdivisions that adjoin existing streets with prescriptive or inadequate right-of-way shall dedicate additional right-of-way to meet the minimum street width requirements.

- (1) The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
- (2) When the subdivision is located on only one side of an existing street, a minimum of one-half (1/2) of the required right-of-way, measured from the centerline of the existing street, shall be provided.

#### 5-3-4 ROAD NUMBERS/ NAMES

Proposed roads, which are obviously in alignment with others existing and numbered, shall bear the assigned number of the existing roads. The County Engineer and/or the Blount County 911 Board shall assign Road numbers.

#### 5-3-5 VACATING A ROAD OR EASEMENT

Vacation of a road or easement shall be in accordance with the procedures set out in Code of Alabama 1975, § 23-4-1 et seq., if by the County, and Code of Alabama 1975, § 23-4-20 et seq., if by abutting land owners.

#### 5-3-6 FRONTAGE ON IMPROVED ROADS

All subdivisions shall have frontage on, and access from an existing state, County, or city road except for a rural subdivision which may be accessed via an easement. If the existing state, County, or city road does not meet minimum engineering standards for the post development estimated average daily traffic (ADT) the roadway shall be improved along the route to a road that meets standards. For roads with an estimated Average Daily Traffic (ADT) less than 2500, the Alabama Department of Transportation's (hereinafter "ALDOT") "County Road Design Policy" shall be used. For roads with an estimated ADT over 2500, or as required by the County Engineer, the American Association of State Highway and Transportation Officials (AASHTO). Any such street or highway must be suitably improved with the right-of-way width required by these Subdivision Regulations and shall not result in said road being part of the subject development.

#### 5-3-7 TOPOGRAPHY AND ARRANGEMENT

- (1) All proposed roads shall be properly integrated with the existing system of roads.
- (2) All arterials shall be properly related to special traffic generators such as industries, business districts, schools, churches, and shopping centers; to population densities, and to the pattern of existing and proposed land uses.
- (3) Minor roads as defined in Section 2-1-44 shall be laid out to conform as much as possible to the topography, 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) The rigid rectangular gridiron street pattern need not necessarily be adhered to, and the use of curvilinear streets, cul-de-sacs, or U-shaped roads shall be encouraged where such use will result in a more desirable layout.
- (5) Proposed roads shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the County Engineer, such extension is not necessary or desirable for the coordination of the layout of the subdivision or with the existing layout of the most advantageous future development of adjacent tracts.
- (6) In business and industrial developments, the roads and other access ways shall be planned in connection with the grouping of buildings, location of rail and port facilities, and the provision of alleys, truck loading and maneuvering area, and walks and parking areas so as to minimize conflict of movement among the various types of traffic, including pedestrian.

#### 5-3-8 ACCESS TO ARTERIALS

Where a subdivision borders on or contains an existing or proposed arterial, the County Commission may require that access to such arterial be limited by one of the following means:

- (1) The subdivision of lots so as to back onto the arterial and front onto a parallel minor road; with no access to be provided from the arterial, and screening to be provided in a strip of land along the rear property line of such lots;
- (2) A series of cul-de-sacs, U-shaped streets, or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the arterial;
- (3) A marginal access or service road (separated from the arterial by a planting or grass strip and having access thereto at suitable points).

#### 5-3-9 EXCESS RIGHT-OF-WAY OR EASEMENTS

Right-of-way or easement widths in excess of the standards designated in these regulations shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Such slopes shall not be in excess of three horizontal to one vertical.

#### 5-3-10 RAILROADS, ARTERIALS, AND MAJOR THOROUGHFARES

Railroad rights-of-way, arterials, and expressways where so located as to affect the subdivision of adjoining lands shall be treated as follows:

- (1) In residential districts, a buffer strip at least 20 feet in depth in addition to the normal depth of the lot required in the district shall be provided adjacent to the

railroad right-of-way, arterial, or expressway. This strip shall be part of the platted lots and shall be designated on the plat with the statement, "This strip is reserved for screening. The placement of structures hereon is prohibited";

- (2) In areas proposed for business, commercial, or industrial uses, the nearest road extending parallel or approximately parallel to the railroad shall, wherever practical, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial sites;
- (3) Roads parallel to the railroad when intersecting a road that crosses the railroad at grade shall, to the extent practical, be at a distance of at least 150 feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

### 5-3-11 CUL-DE-SACS

Dead end roads shall be provided with a turnaround having a roadway radius of at least forty (40) feet, a minimum transition radius of twenty five (25) feet, and a right-of-way radius of at least fifty (50) feet. Right-of-way widths in excess of the standards designated in these regulations may be required when deemed necessary by the County Engineer. Grade of cul-de-sacs shall not be more than five (5) percent or less than one-and-one-half percent for the last eighty (80) feet of paving.

### 5-3-12 INTERSECTIONS

Road intersections shall be laid out as follows:

- (1) Adequate sight distance shall be provided at all intersections, including driveways. Intersection sight distance is measured from a point on the minor road 15 feet from the edge of the major road pavement and measured from an eye height of 3.5 feet on the minor road exit lane to an object height of 3.5 feet on the major road in the lane of concern. See Appendix VII for values.
- (2) Roads shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new roads at an angle of less than seventy-five (75) degrees shall not be acceptable. An oblique road should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet therefrom. Not more than two (2) roads shall intersect at any one point unless specifically approved by the County Commission;
- (3) Proposed new intersections along one side of an existing road shall, wherever practical, coincide with any existing intersections on the opposite side of such street. Road jogs with centerline offsets of less than one hundred fifty (150) feet shall not be permitted except where the intersected road has separated dual drives without median breaks at either intersection. Where minor roads intersect collector or arterials, their alignment shall be continuous. Intersections of arterials shall be at least eight hundred (800) feet apart. Where a road intersects a state highway, the design standards of the Alabama Department of Transportation shall apply;



- (4) Minimum curb radius at the intersection of two (2) minor roads shall be at least twenty five (25) feet;
- (5) Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a five percent (5%) grade at a distance of fifty (50) feet, measured from the nearest edge line of pavement of the intersecting road;
- (6) Property lines at road intersections shall be rounded with a minimum radius of twenty five (25) feet.

**SECTION 5-4 DESIGN STANDARDS**

Regardless of whether or not the developer intends to seek County acceptance of roads in the subdivision, the following design standards shall be considered minimum decision requirements for all subdivisions. It is the responsibility of the developer to communicate and schedule with the County Engineer prior to initiating any and all steps of the road building process. In addition to other penalties prescribed by law and by these regulations, any road construction performed without the knowledge and inspection of the County Engineer will not be considered for acceptance by the County nor shall the final plat be considered for acceptance. Refer to Section 5-4-4(2) for notification of work requirements and Appendix V regarding acceptance of roads and streets for County maintenance.

If the County establishes separate requirements for non-residential subdivisions, they shall be such as the County Engineer deems appropriate, but shall in no event be less than the requirements of residential subdivisions, unless the developer is granted a variance under the procedures set out in Article XIII.

**5-4-1 RIGHT-OF-WAY WIDTHS**

Minimum street right-of-way widths shall not be less than the following:

Collector Streets	80 feet
Minor Streets with gutter section	50 feet
Minor Streets with standard section	60 feet

A ten (10) feet utility easement shall be required on any new roadway section on both sides of the right-of-way.

Right-of-way widths in excess of the standards designated in these regulations may be required when deemed necessary by the County Engineer.

Where a subdivision borders an existing road with a right-of-way less than that specified in these regulations, the applicant shall be required to dedicate such additional right-of-way areas as are required for widening or realignment of such roads. The applicant shall dedicate existing substandard roads to the full width as required by these subdivision regulations.

#### 5-4-2 PAVEMENT WIDTHS

If a standard section (ditches) is used the roads shall have a minimum pavement width of twenty (20) feet with a minimum shoulder width of four (4) feet. If curb and gutter or valley gutter is used, a minimum pavement width of twenty-two (22) feet from front of curb to front of curb with a minimum shoulder width of four (4) foot from back of curb is to be used.

#### 5-4-3 GEOMETRIC DESIGN

##### (1) *TYPICAL SECTIONS*

Standard Section (Ditch) - See Appendix VI

Curb and Gutter Section - See Appendix VI

Valley Gutter Section - See Appendix VI

##### (2) *ROADS WITH LESS THAN 2500 ADT*

All streets shall be designed to conform to the Alabama Department of Transportation "County Road Design Policy, Design Criteria for New and Reconstructed Roadways and Bridges with less than 2,500 ADT". Design speed shall be a minimum twenty five (25) miles per hour. The maximum grade allowed for any roadway is fifteen (15) percent, and the minimum curve radius shall be one hundred fifty (150) feet. There shall be a minimum tangent of 100 feet provided between all horizontal curves. A design speed of twenty (20) miles per hour may be used on non-thru roads with a maximum length of seven hundred fifty (750) feet and an estimated average daily traffic (ADT) less than two hundred (200) vehicles per day. For a design speed of twenty (20) miles per hour the minimum curve radius shall be one hundred (100) feet.

##### (3) *ROADS WITH GREATER THAN OR EQUAL TO 2500 ADT*

All streets shall be designed to conform to AASHTO's "A Policy on Geometric Design of Highways and Streets".

Any specifications for geometric design not covered by these regulations shall be governed by the applicable publication listed above.

#### 5-4-4 ROAD CONSTRUCTION REQUIREMENTS

Construction of all roads shall meet the following minimum requirements and conform to the Alabama Department of Transportation's "Standard Specifications for Highway Construction". Best Management Practices for erosion control shall be used throughout

construction and development. The developer shall be responsible for all erosion control in accordance with ADEM regulations and for securing any required permits by ADEM.

- (1) **Preconstruction Conference:** A preconstruction conference is required before the start of construction. The conference shall be attended by the design engineer, contractor, and county engineer or his representative. The conference shall be held a minimum two weeks before start of construction.
- (2) **Notification of Work:** It shall be the duty and responsibility of the developer or contractor to give written notice to the County Engineer or his authorized agent, one working day prior to starting any phase of road construction. The developer or contractor shall notify the County Engineer or his authorized agent in writing the day work is resumed after a delay of more than five (5) working days. This includes all phases of construction, clearing, grading, drainage, gutters, inlets, base, surfacing and any work that pertains to the street, road or development. **FAILURE TO NOTIFY AS SPECIFIED MAY BE GROUNDS FOR NONACCEPTANCE.**
- (3) **Testing:** The County 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 County Engineer, or his designee, forty-eight hours prior to any required tests. The County Engineer shall select a testing firm to complete all necessary tests. The developer shall pay the estimated cost of inspection prior to start of construction. The developer may employ its own testing company, but all testing costs performed on behalf of the County shall govern acceptance and shall be reimbursed to the County before final plat approval is given or considered;
- (4) All testing shall be conducted by an independent testing laboratory selected and employed by the County Engineer and Blount County. Copies of all test reports are to be provided to the County Engineer 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 County Engineer before construction will be allowed to proceed.
- (5) **Clearing and Grubbing:** All roads shall be graded to their full right-of-way width. All areas shall be cleared of all vegetation, trees, stumps, large rocks and other objectionable or unsuitable material prior to grading or filling unless otherwise approved, in writing, by the County Engineer;
- (6) **Slope Paving:** Slope paving shall be required in ditches as determined necessary by the County Engineer. Other alternatives must be approved by the County Engineer;
- (7) **Embankment Sections:** The County Engineer will have the right to approve all borrow sources; however this does not relieve the developer from full responsibility for the quality of material used. Roadway fill or embankment of earth material shall be placed in uniform layers, full width, and not exceeding eight inch thickness (loose measurement). Each layer shall be compacted so that a uniform specified density is obtained. Compaction tests shall be run at the frequency and location as directed by the County Engineer. Additional layers of fill shall not be added until directed by the

County Engineer. For all density requirements refer to Section 210 and Section 306 of the "Alabama Department of Transportation Standard Specifications for Highway Construction";

- (8) Subgrade: The subgrade shall be compacted and properly shaped prior to the placing of base materials. It shall be full width of regular section and one (1) foot outside of curb and gutter and/or valley gutter sections. The top six (6) inches of subgrade shall be compacted to one hundred (100) percent Standard Proctor Density as determined by AASHTO T-180 and T-130 test methods. Depths greater than six (6) inches shall be compacted to ninety five (95) percent Standard Proctor Density as determined by AASHTO T-180 and T-130 test methods. The embankment or subgrade may be inspected by proof rolling, under the supervision of the County Engineer or his/her designee, with a fully loaded (minimum load of twenty two (22) tons) tandem axle dump truck (furnished by developer) to check for soft or yielding areas. Any unsuitable materials shall be removed and replaced with a suitable material. Suitable material shall be determined by the County Engineer. The County Engineer may require the top six (6) inches of the roadbed to be modified, with the work being performed under Section 230 Roadbed Processing, of the "Alabama Department of Transportation Standard Specifications for Highway Construction". The developer shall contact the County Engineer at least forty-eight hours in advance of placement of the overlaying layer;
- (9) Base: Base course shall meet the requirements for crushed aggregate as set forth in section 301 Type 825 A or B, plant mixed with water according to the Alabama Department of Transportation Standard Specifications for Highway Construction. Base course shall have a minimum thickness of six (6) inches compacted thickness. The density requirements for compaction shall be in accordance with Section 306 of the Alabama Department of Transportation Standard Specifications for Highway Construction. The County Engineer or his representative shall inspect the base layer prior to placing the overlaying layer. The base section may be inspected by proof rolling, under the supervision of the County Engineer or his/her designee, with a fully loaded (minimum load of twenty two (22) tons) tandem axle dump truck (furnished by developer) to check for soft or yielding areas. Black base may be substituted for aggregate base at the County Engineer's discretion. The substitution rate is fifty (50) percent of the required aggregate base thickness. The developer shall contact the County Engineer at least forty-eight hours in advance of placement of the overlaying layer;
- (10) Roadbed Width: The minimum roadbed width for all sections shall be twenty-eight (28) feet.
- (11) Roadway Pavement: All roads and/or streets shall be paved and comply with the following:
  - a. The minimum pavement width shall be not less than twenty (20) feet on standard sections, and not less than twenty-two (22) feet for curb & gutter sections and valley gutter sections.

- b. Curb and gutters, if used, shall be minimum six (6) inch curbs with eighteen (18) inch gutters with a minimum over-all width of twenty-four (24) inches. Valley gutter, if used, shall be minimum thirty (30) inch. The type of gutter to be used shall be approved by the County Engineer.
  - c. For Asphalt Pavement, a bituminous pavement shall be constructed on a suitable base as approved by the County Engineer. Prior to the placement of the plant mix, a Bituminous Treatment A (Prime) shall be placed and approved by the County Engineer. All material shall be approved by the County Engineer and be covered in the latest memorandum recommendation from the office of the ALDOT County Transportation Engineer or as specified by the ALDOT Standard Specifications for Highway Construction, latest edition. Minimum requirements for the bituminous pavement shall be as follows:
    - 1. ADT 1 - 2500: Two hundred twenty five pounds per square yard (225 LBS/SY) of bituminous concrete plant mix, binder, 424, and one hundred ten pounds per square yard (110 LBS/SY) of bituminous concrete plant mix, wearing surface, type 424.
    - 2. ADT above 2500: Roadway pavement shall be approved by the County Engineer.
  - d. For Bituminous Surface Treatment (Chip Seal), a bituminous pavement shall be constructed on a suitable base as approved by the County Engineer. All material shall be approved by the County Engineer and be covered in the latest memorandum recommendation from the office of the ALDOT County Transportation Engineer or as specified by the ALDOT Standard Specifications for Highway Construction, latest edition. Minimum requirements for the bituminous pavement shall be as follows:
    - 1. ADT less 500 and 200 foot or more of road frontage: Type "KG" or Type "JG" as specified in section 401 of the ALDOT Standard Specification For Highway Construction, latest edition.
    - 2. ADT above 500 or 200 foot or less of road frontage: Asphalt only
- (12) Drainage Easements: Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction as will be adequate for the purpose.
- (13) Storm Drainage: An adequate storm drainage system including curb, pipes, culverts, headwalls, and ditches shall be provided for the drainage of surface water. Water shall not be permitted to run along the street and/or road more than 500 feet where at all possible to divert. All cross drains shall be designed on a 25-year storm or greater, have sufficient length for required typical section, and shall be installed

according to ALDOT specifications. Minimum diameter of cross drain pipes shall be eighteen (18) inches. Cross drains shall be minimum class III concrete pipe and shall meet or exceed the current ALDOT specifications. Driveway pipes shall be designed for a minimum 10-year storm. Driveway pipes may be bituminous coated corrugated metal pipe, class III reinforced concrete pipe, or heavy duty polyethylene plastic pipe (HDPE) having a smooth interior and corrugated outside wall. Minimum diameter of side drain pipes shall be fifteen (15) inches.

In a subdivision with streets or roads designed on a ditch cross section, developers or owners will not be able to install side drain pipes in the ditch section except to provide a driveway access to each lot. Driveway side drains shall be a minimum of twenty-four (24) feet long and a maximum of forty (40) feet long. No more than two (2) drive side drains will be allowed per lot. Where a lot has two (2) drive side drains, they must be separated by at least thirty (30) feet. The County is not responsible for the installation of driveway side drains located along a roadway within a major subdivision.

Flood retention ponds or sedimentation ponds shall be located on private property and shall be denoted as such. Parcels of land containing either a flood retention pond or sedimentation pond shall be retained by the developer or home owner's association with the maintenance of said ponds to be the responsibility to remain with either the developer or home owner's association.

- (14) Installation of Utilities: After grading is completed and approved by the County Engineer all of the underground utilities within the roadway prism shall be installed completely and approved by the County Engineer throughout the length of the street and across the section. All utility cuts shall be backfilled with stone as approved by the County Engineer. Once pavement is placed, it shall not be open cut except with written permission of the County Engineer. Any utility desiring to cross the road shall go over the road or dry bore under the road. All water lines located under pavement shall be encased. Easements for utilities shall be a minimum of at least ten (10) feet wide. The developer is encouraged, but not required, to place all utilities underground. All utilities shall be placed in the provided utility easements.
- (15) Signage of Subdivision: Proper signage in accordance with the "Manual of Uniform Traffic Control Devices" (MUTCD) shall be required and maintained in all subdivisions. The Developer will be responsible for the placement and maintenance of proper signage of new streets or roads until and unless the road is accepted into the County road system. A signage plan shall be submitted to the County Engineer for approval prior to the installation of any street signs. Regulatory and Warning Signs shall be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD).

Additionally, the developer or owner of the subdivision is required to install a sign of reasonable size at the entrance of the subdivision stating "PRIVATE ROAD" and it is the responsibility of the developer or owners of the subdivision to maintain this sign until and unless the road is accepted by the County.

- (16) Topsoil and Grassing: When all construction is completed, all slopes and shoulders

shall be covered with a sufficient amount of topsoil and shall have a stand of permanent grass to prevent undue erosion, either by sprigging or seeding.

- (17) Widening and Realignment of Existing Roads: Where a subdivision borders an existing road with a right-of-way less than that specified in these regulations, the applicant shall be required to dedicate such additional areas for widening or realignment of such roads. The applicant shall dedicate existing substandard roads to the full width as required by these subdivision regulations.

## **SECTION 5-5 BLOCKS**

- (1) Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to expressways, arterials, railroads, or waterways where single-tier lots are required to separate residential development from through vehicular traffic or non-residential uses;
- (2) Blocks shall not exceed fifteen hundred (1500) feet nor be less than five hundred (500) feet in length except as approved by the County Engineer or County Commission as a variance;
- (3) In long blocks, the County Engineer may require the reservation of an easement through the block to accommodate utilities, drainage facilities, or pedestrian traffic.
- (4) Pedestrian ways or crosswalks, not less than ten (10) feet wide, may be required by the County Engineer through the center of blocks more than eight hundred (800) feet long where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities.
- (5) Blocks designed for industrial uses shall be of such length and width as may be determined suitable by the County Engineer for prospective use.

## **SECTION 5-6. LOTS**

Residential lots shall comply with the following requirements:

- (1) Minimum lot size:
  - a. The minimum lot size shall be fifteen thousand (15,000) square feet or the minimum Health Department requirements, whichever is greater, for lots fronting a proposed or existing road within a major subdivision.
  - b. The minimum lot size shall be one half (1/2) acre for lots fronting an existing local county road not located in a major subdivision.
  - c. The minimum lot size shall be one (1) acre for lots fronting an existing numbered County road, farm-to-market road, arterial, and collector.

- (2) The subdivision plat shall provide each lot with satisfactory access as defined in Section 2-1-1;
- (3) There shall be no more than one (1) occupied single family dwelling per lot.
- (4) Where land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future roads and logical further resubdivision;
- (5) Parcels not located in a major subdivision shall be subdivided with no more than five (5) accesses along an existing city, County, or state road for one thousand five hundred (1,500) feet.
- (6) Depth and width of properties reserved for commercial and industrial purposes shall be adequate to provide for off-road parking and loading for the use contemplated;
- (7) Double frontage lots shall be avoided, except where essential to provide separation of residential development from traffic arteries, or to overcome specific disadvantages to topography and orientation;
- (8) Setbacks:

For existing numbered County roads, farm-to-market roads, arterials, and collectors the minimum setback lines shall be as follows:

Front Yard*	50 feet
Rear Yard	30 feet
Side Yard	20 feet

For local city or County roads not located in a major subdivision the minimum setback lines shall be as follows:

Front Yard*	40 feet
Rear Yard	25 feet
Side Yard	15 feet

For proposed and existing city or County roads located in a major subdivision the minimum setback lines shall be as follows:

Front Yard*	25 Feet
Rear Yard	20 Feet
Side Yard	10 Feet

\*The front minimum setback lines shall be measured from the right-of-way.

- (9) Each lot in a subdivision shall contain a flood-free building site as defined in the County's Flood Damage Prevention Ordinance



- (10) Gutter requirements:
- a. Curb and gutter shall be required on proposed roads where lots have less than two hundred (200) feet of road frontage. The curb and gutter requirement may be waived on existing county roads.
  - b. Valley gutter may be substituted for curb and gutter, subject to the following conditions being satisfied:
    - i. Streets designed to a 25 mile per hour design speed.
    - ii. Streets must have an anticipated Average Daily Trips (ADT) of less than 2500 vehicles per day.
    - iii. Street grades must not exceed twelve percent.
  - c. Where all lots have a minimum road frontage of two hundred (200) feet and are a minimum one (1) acre, the developer shall not be required to construct curb and gutter. However, a wider right-of-way shall be required to accommodate the open ditch drainage system. The minimum right-of-way for this type of development shall be 60'.
  - d. Valley gutter may be required where lots have less than seventy-five (75) feet of road frontage.
  - e. Curb and gutter shall be required on cul-de-sacs with descending grades.

(11) Minimum Road Frontage:

The minimum road frontage shall be two hundred (200) feet for existing numbered County roads, farm-to-market roads, arterials, and collectors.

The minimum road frontage shall be one hundred and fifty (150) feet for existing local county roads not located in a major subdivision.

The minimum road frontage shall be sixty (60) feet for proposed roads within a major subdivision.

A flag lot shall be exempt from the required minimum road frontage requirement provided the proposed lot shall meet a minimum 30' access width along the entire flag, the flag lot cannot be further subdivided to provide an additional building site. Adjacent flag lots may be approved with the use of a single access point. No more than two (2) adjacent flag lots. When a single access point is used all common driveways shall be contained within a private ingress/egress easement labeled as such on the Final Plat. Said easement shall be centered along the joint property line and of sufficient width (minimum of 30 feet) and a depth of thirty (30) feet from the right-of-way line to contain the common driveway and provide ingress and egress. This exemption shall not relieve the developer or engineer from meeting the County's or state's access management policy for entrance onto a County or state maintained road.

- (12) Lots which are located within a cul-de-sac shall be exempt from the sixty (60) feet access requirement. A minimum access for these type lots shall be sixty (60) feet at the setback line, yet at no time less than thirty (30) feet at the right-of-way.
- (13) Common Driveways:
- (a) Where lots will access an existing numbered County road, farm-to-market road, arterial, or collector, and one hundred fifty (150) feet of separation between driveways cannot be achieved, common driveways may be required to minimize the number access points.
  - (b) The maximum number flag lots that may be served by a common access driveway shall be two (2).
  - (c) Common driveways shall be contained within a private ingress/egress easement labeled as such on the Final Plat. Said easement shall be centered along the joint property line and of sufficient width (minimum of 30 feet) and a depth of thirty (30) feet from the right-of-way line to contain the common driveway and provide ingress and egress.
  - (d) If common driveways are proposed or required, they shall be installed by the developer prior to the Final Plat being signed by the County Engineer for recording.
  - (e) Maintenance of common driveways located on private property within the easement shall be the responsibility of all property owners whose property is served thereby.

## **ARTICLE VI**

### ***INSTALLATION OF PERMANENT REFERENCE POINTS***

#### **6-1 PERMANENT REFERENCE POINTS**

##### **SECTION 6-1 PERMANENT REFERENCE POINTS**

Prior to the signing of the Final Plat, permanent reference points shall have been placed in accordance with the following requirements and the Standards of Practice for Surveying in the State of Alabama:

###### **6-1-1 SUBDIVISION CORNER TIE**

At least one corner of the subdivision shall be designated by course and distance (tie) from an accepted corner in the U.S. Public Land Survey System. The subdivision corner shall be marked with a monument and shall appear on the map with a description of bearings and distances from the U.S. Public Land Survey System corner.

###### **6-1-2 PROPERTY MARKERS**

All lot corners shall meet the requirements of the Standards and Practice for Surveying in the State of Alabama. All lot pins shall be established prior to final approval of the plat.

## **ARTICLE VII**

### **GUARANTEE OF CONSTRUCTION**

- 7-1 SURETY
- 7-2 CONSTRUCTION, INSPECTION AND CERTIFICATION
- 7-3 RELEASE OF GUARANTEE

#### **SECTION 7-1 SURETY**

The developer or subdivider shall be responsible for all required infrastructure construction related to the subdivision. For subdivisions whose infrastructure has been constructed to be County owned the developer shall be required to complete the full installation of all required infrastructure, except final wearing surface prior to the signing of the Final Plat along with providing financial guarantee of performance under conditions set out in these regulations.

The guarantee of performance by the subdivider shall be a surety in a form approved by the County Engineer and in the amount of two hundred (150) percent of the cost of the wearing surface and an acceptable surety in the amount of five (5) percent of the total construction costs to serve as a maintenance bond.

#### **SECTION 7-2 CONSTRUCTION, INSPECTION AND CERTIFICATION**

The County Engineer or his designee shall monitor and periodically inspect for defects in the construction of the required improvements. The developer shall pay to the County the inspection fee as set out in Section 1-3 and authorized by Code of Alabama 1975, § 11-24-3, and the County Engineer shall not sign the final plat unless such fees have been paid at the time of application for final plat approval. If the County Engineer finds upon inspection that any of the required improvements have not been constructed in accordance with the County's adopted construction standards and specifications, the developer shall be responsible for correcting any deficiencies prior to final plat approval. Wherever the cost of improvements is covered by a surety, the developer and the Surety Company shall be severally and jointly liable for completing or paying the cost of the improvements according to specifications.

Upon completion of the improvements, the applicant shall file with the County Engineer a statement stipulating the following:

- (1) That all required infrastructure construction is complete;
- (2) That these improvements are in compliance with the minimum standards specified by the County and the County Engineer for their construction;
- (3) That the developer knows of no defects in these improvements; and
- (4) That these improvements are free and clear of any encumbrances or liens.

Upon completion of the improvements the engineer of record shall file with the County Engineer a statement signed and stamped certifying the following:

- (1) That all required infrastructure construction is complete;
- (2) That these improvements are in compliance with the minimum standards specified by the County and the County Engineer for their construction;
- (3) That the streets are designed and constructed for the approved design speed to meet applicable design criteria for safety, geometry, profile and typical sections according to the current Blount County Subdivision Regulations.
- (4) That I have checked all test reports and that all base materials, storm drains, and paving have been installed in accordance with the typical sections, profiles and plan details and all other aspects of the subdivision meet the minimum requirements as set out in the current Blount County's Subdivision Regulations.

### **SECTION 7-3            RELEASE OF GUARANTEE**

Upon satisfactorily correcting any deficiencies as identified by the County Engineer, placement of final wearing surface, and approval by the County Engineer, the County Commission shall authorize the release of the improvement surety. Upon final release of the surety, the developer shall warranty all work performed for a period of 365 days from the date of final approval. Upon written notice from the County Engineer of a defect or a failure in the subject work, the Developer shall make necessary repairs within 30 calendar days from the date of said notice in a manner as requested by the County Engineer. In the event that the Developer does not honor the request for repairs from the County Engineer, a Notice of Noncompliance shall be filed with the Probate Court of Blount County, and any authorizations previously given in relation to the subject subdivision development shall be automatically suspended upon such Notice being filed and shall remain suspended until such time as the County Engineer files a release of said Notice. Any building or construction activity during the time of suspension shall be a direct violation of these subdivision regulations from which enforcement activity may ensue. Any successful enforcement activity required by the County shall require those in violation to reimburse the County for all reasonable attorney fees incurred.

## **ARTICLE VIII VARIANCES**

### **8-1 GENERAL**

### **8-2 CONDITIONS**

#### **SECTION 8-1           GENERAL**

A variance may be granted in circumstances where the developer demonstrates that extraordinary hardships or practical difficulties, such as commercial development, may result from strict compliance with these regulations. The initial application for variance shall be made to the County engineer as part of the application for proposed plat approval. The County Engineer shall review the application and the circumstances, and make a recommendation in writing to the County Commission, with a copy provided to the developer, as to whether or not the variance should be granted. The engineer's report shall set out in detail the basis for the recommendation. An additional inspection fee may be required for any variance application.

If the County Engineer recommends that the variance be granted, he or she may recommend that it be conditioned upon the developer complying with special requirements as set out in the variance approval. Where the County engineer has recommended granting the variance, the County Commission may vote on the request along with the proposed plat approval.

If the County Engineer recommends that the request for variance be denied, the developer may appeal that recommendation to the County Commission, which shall consider the issue at the next regularly scheduled County Commission meeting following notice of the recommendation. The County engineer or his or her designee shall be present at the County Commission meeting and shall present his or her reasons for recommending that the variance not be granted. The developer shall also be given an opportunity to be heard. A decision to grant the variance shall be made by recorded vote and shall require a majority of the membership of the County Commission.

In determining whether to grant the variance, the County engineer and the County Commission shall make findings based upon the evidence presented to it in each specific case that:

- (a) The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;
- (b) The conditions for which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property;
- (c) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner, as distinguished from a mere inconvenience, would result if the strict letter of these regulations are carried out;
- (d) The variance will not in any manner vary the provisions of other adopted policies and regulations of Blount County.

- (e) That the request is not based primarily on financial hardship.

## **SECTION 8-2        CONDITIONS**

In approving variances, the County Commission may require such conditions as will, in its judgment, secure substantially the objectives, standards or requirements of these regulations.

The County Commission shall not grant any variance within the floodway unless the developer submits a study prepared by a registered professional engineer certifying that no increase in the 100-year flood level would result from the proposed development.

## **ARTICLE IX**

### ***CONFLICT WITH PUBLIC AND PRIVATE PROVISIONS***

#### **9-1 PUBLIC PROVISIONS**

#### **9-2 PRIVATE PROVISIONS**

#### **SECTION 9-1 PUBLIC PROVISIONS**

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

#### **SECTION 9-2 PRIVATE PROVISIONS**

These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction; provided, however, that where the provision of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. To the extent that any easement, covenant, or private agreement is not inconsistent with these regulations or any determinations made by the County Commission in approving a subdivision or in enforcing these regulations, such private provisions shall be operative and supplemental to these regulations; provided, however, that neither the County Commission nor the County Engineer shall be responsible for enforcing, regulating, or ensuring compliance with any such easement, covenant, or other private agreement or restriction.



# **ARTICLE X**

## **LEGAL PROVISIONS**

- 10-1 SEVERABILITY
- 10-2 SAVINGS PROVISION
- 10-3 INCORPORATION BY REFERENCE
- 10-4 AMENDMENT PROCEDURE FOR COMMISSION

### **SECTION 10-1 SEVERABILITY**

If any part or provision of these regulations is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined to its terms and shall not affect or impair the validity of the remainder of these regulations or their application to other persons or circumstances.

### **SECTION 10-2 SAVINGS PROVISION**

Except as expressly provided in these regulations, these regulations shall have prospective application only and shall not be construed as abating, modifying, or altering any action, including any penalty, pending under any subdivision regulations in existence on the effective date of these regulations. These regulations shall not affect the rights or liability of any person, firm, or corporation, nor operate as a waiver of any right of the County under any section or provision existing at the time of adoption of these regulations. Notwithstanding the foregoing, any application for plat approval made after the County Commission's adoption of these regulations which is pending on the effective date of these regulations shall be reviewed, approved, or disapproved in accordance with these regulations, provided that the owner or developer was given written notice at the time of application that these regulations would be utilized in the approval of the subdivision's design and development.

### **SECTION 10-3 INCORPORATION BY REFERENCE**

Code of Alabama 1975, § 11-24-1 et seq., Code of Alabama 1975, § 11-52-30, are attached hereto as Appendix IV, and are hereby specifically incorporated by reference and made a part of these regulations.

## **SECTION 10-4      AMENDMENT PROCEDURE FOR COMMISSION**

The County Commission may adopt amendments to these regulations at a regularly scheduled meeting of the County Commission. Amendments adopted by the County Commission shall not apply to any plat submitted prior to the date that the amendments take effect.

The County Engineer shall be authorized to make administrative formatting, grammatical, and spelling adjustments to these regulations from time to time so long as such adjustments are non-substantive in nature and in no way affect the intent of any portion hereof. In the event of any such non-substantive administrative changes actually made, the County engineer shall provide to the County Commission an explanation of such changes at the next available regular meeting. Any administrative change made by the County engineer that is deemed to be substantive in nature shall be null and void and of no effect.

**APPENDIX I**  
***SAMPLE CERTIFICATES***

Example A

(Proposed Plat)

**CERTIFICATE OF ENGINEERING DESIGN BY A PROFESSIONAL ENGINEER**

I, \_\_\_\_\_, a professional engineer licensed in the State of Alabama, License Number \_\_\_\_\_, do hereby certify that the streets and drainage system for \_\_\_\_\_ Subdivision have been designed under my supervision.

I further certify that the drainage system has been designed to meet the \_\_\_\_\_ year storm criteria. This design will ensure that all drainage waters occurring during a storm of less than \_\_\_\_\_ year storm magnitude will flow within the rights-of-way or drainage easements indicated as such on the official plat for this subdivision.

I further certify that the streets are designed for a design speed of \_\_\_\_\_ to meet applicable design criteria for safety, geometry, profile, and typical sections according to the Alabama Department of Transportation's "County Road Design Policy" or the American Association of State Highway and Transportation Officials (AASHTO) "A Policy on Geometric Design of Highways and Streets". [Whichever is applicable]

NAME \_\_\_\_\_

P.E.# \_\_\_\_\_

TITLE \_\_\_\_\_

FIRM \_\_\_\_\_

DATE \_\_\_\_\_

\*\* Refer to Section 5-4-3 for correct design criteria depending on ADT.

Example B

(Final Plat)

**SURVEYOR'S CERTIFICATE AND DESCRIPTION OF LAND PLATTED**

STATE OF ALABAMA  
COUNTY OF BLOUNT

(NAME OF SUBDIVISION) LOTS\_\_THROUGH\_\_

Description  
(Out Boundary Description)

I hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_(Signature of Surveyor)\_\_\_\_\_

\_\_\_\_(Typed Name of Surveyor) \_\_\_\_\_

Alabama License # \_\_\_\_\_

Example C

(Final Plat)

**ENGINEER ' S CERTIFICATE OF ENGINEERING DESIGN AND CONSTRUCTION**

I, \_\_\_\_\_, a professional engineer licensed in the State of Alabama, License Number \_\_\_\_\_, do hereby certify that the streets and drainage system for \_\_\_\_\_ Subdivision have been designed and constructed under my supervision in accordance with the construction plans submitted to the County Engineer.

I further certify that the drainage system has been designed and constructed to meet the \_\_\_\_\_ year storm criteria. This design will ensure that all drainage waters occurring during a storm of less than \_\_\_\_\_ year storm magnitude will flow within the rights-of-way or drainage easements indicated as such on the official plat for this subdivision.

I further certify that the streets are designed and constructed for a design speed of \_\_\_\_\_ to meet applicable design criteria for safety, geometry, profile, and typical sections according to the Alabama Department of Transportation's "County Road Design Policy" \*\* or the American Association of State Highway and Transportation Officials (AASHTO) "A Policy on Geometric Design of Highways and Streets". [Whichever is applicable.]

I further certify that I have checked all test reports and that all base material, concrete, and asphalt have been installed in accordance with the typical sections, profiles and plan details and meet minimum requirements as set out in the most current edition of the State of Alabama Department of Transportation's Standard Specifications for Highway Construction.

I further certify that all Federal and State permits required for construction of the subdivision were obtained and complied by during construction.

NAME \_\_\_\_\_

P.E.# \_\_\_\_\_

TITLE \_\_\_\_\_

FIRM \_\_\_\_\_

DATE \_\_\_\_\_

\*\* Refer to Section 5-4-3 for correct design criteria depending on ADT.

Example D

(Final Plat)

**DEDICATION**

I, \_\_\_\_\_, the owner(s) of said lands surveyed by \_\_\_\_\_, do hereby certify that title was and is vested in said owner(s) and join in the foregoing statement made by said \_\_\_\_\_, and as stated in Code of Alabama 1975, § 35-2-50 et seq., do hereby certify that it was and is my (our) intention to divide said lands into lots as shown by said plat and do hereby dedicate, grant, and convey for public use the streets, alleys and public grounds as shown on said plat.

Signed and sealed in the presence of:

\_\_\_\_\_  
Property Owner

\_\_\_\_\_  
Date

**Note:** One of the following notary’s acknowledgments must appear for each Dedication Certificate (see example E-1 and E-2). Owner’s name should be used in Acknowledgement.

In cases where a subdivision is to remain private, the above dedication (Example D) shall state that the “streets, alleys, and public grounds shall remain private grounds as shown on said plat.”

Example of (E-1)

**ACKNOWLEDGMENT**

STATE OF ALABAMA )  
COUNTY OF BLOUNT)

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

GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

Example of (E-2)

**ACKNOWLEDGMENT**

STATE OF ALABAMA )  
COUNTY OF BLOUNT)

I, \_\_\_\_\_, Notary Public in and for said County, in said State, hereby certify that (owner's or surveyor's name), whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the content of the instrument, executed the same voluntarily.

GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC



Example F

(Final Plat)

**CERTIFICATE OF APPROVAL BY THE (insert name of electric utility)**

The undersigned, as authorized by the (name of electric utility) hereby approved the within plat for the recording of same in the Probate Office of Blount County, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Electric utility authorized signature)

\_\_\_\_\_  
Date

---

Example G

(Final Plat)

**CERTIFICATE OF APPROVAL BY THE  
(insert name of water and sewer, if available, utility)**

The undersigned, as authorized by the (name of water and sewer utility) hereby approved the within plat for the recording of the same in the Probate Office of Blount County, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(water and sewer utility authorized signature)

\_\_\_\_\_  
Date

---

Example H

(Final Plat - without road construction)

**CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER**

The undersigned, as County Engineer of the County of Blount, Alabama, hereby certifies approval of this plat for the recording of same in the Probate Office of Blount County, Alabama, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_. By approving this plat for recording, as County Engineer I do not guarantee the accuracy of said survey.

\_\_\_\_\_  
(Name of county engineer)  
County Engineer  
County of Blount, Alabama

\_\_\_\_\_  
Date

Example I

(Final Plat – with road construction)

**CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER**

STATE OF ALABAMA  
COUNTY OF BLOUNT)

I, (County Engineer Name), as County Engineer of the County of Blount, Alabama hereby approve the hereon plat for the recording of the same in the Office of the Judge of Probate, Blount County, Alabama this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_. By approving this plat for recording, as County Engineer I do not guarantee accuracy of said survey. A bond in the amount of \$\_\_\_\_\_ has been posted with the Blount County Commission to insure the completion of roads by the developer within this said subdivision. Roads SHALL NOT be accepted by the Blount County Commission for maintenance unless or until the developer has complied with all aspects of these Subdivision Regulations of Blount County.

\_\_\_\_\_  
(Name of county engineer)  
County Engineer  
County of Blount, Alabama

\_\_\_\_\_  
Date

Example J

(Final Plat)

**CERTIFICATE OF APPROVAL BY THE BLOUNT COUNTY HEALTH DEPARTMENT**

The lot(s) on this plat are subject to approval or deletion by the Blount County LHD. No representation is made that any lot on this plat will accommodate an Onsite Sewage System (OSS). The appropriateness of a lot for wastewater (sewage) treatment and disposal shall be determined when an application is submitted. If permitted, the lot approval may contain certain conditions which restrict the use of the lot or obligate owners to special maintenance and reporting requirements, and these are on file with the said health department and are made a part of this plat as if set out here on.

\_\_\_\_\_  
Health Officer

\_\_\_\_\_  
Date

---

Example K

(Final Plat)

**CERTIFICATE OF APPROVAL BY THE E-911 BOARD**

The within plat of \_\_\_\_\_, Blount County, Alabama, is hereby approved by the E-911 Board of Blount County, Alabama.

\_\_\_\_\_  
Approving Agent

\_\_\_\_\_  
Date

**APPENDIX II**  
***SUBDIVISION FLOWCHART***  
***SAMPLE FORMS***

**APPLICATION FOR PROPOSED PLAT REVIEW**

DATE: \_\_\_\_\_ DISTRICT # \_\_\_\_\_ PPIN # \_\_\_\_\_

Parcel ID # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ . \_\_\_\_\_

1. Name of Subdivision \_\_\_\_\_

2. Name of Applicant \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_

3. Owner of Record \_\_\_\_\_  
Address \_\_\_\_\_

4. Engineer \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_

5. Land Surveyor \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_

6. Attorney \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_

7. Subdivision Location: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Total Acreage \_\_\_\_\_ Number of Lots \_\_\_\_\_

9. Has this plan been before the Commission in the past? \_\_\_\_\_ If yes, have any changes been made since this plans was last before the Commission? \_\_\_\_\_

If so, describe the changes \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

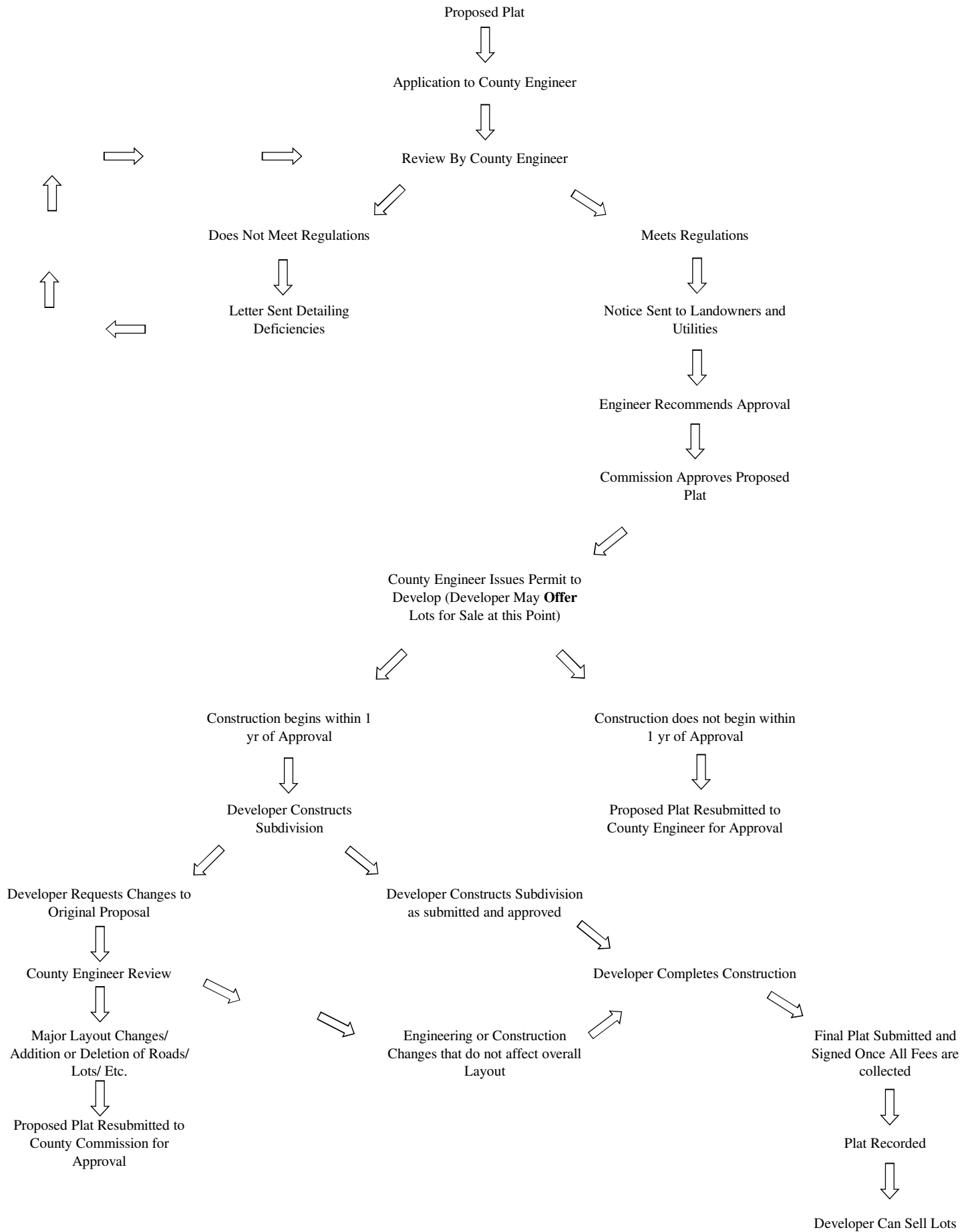
10. Attach list of all adjacent property owner(s) name and addresses.

11. Attach list of all affected utilities names and mailing addresses.

12. Attach two (2) copies of proposed plat.

13. Attach two (2) copies of construction plans.

# MAJOR SUBDIVISION FLOWCHART



## REQUEST FOR AN EXEMPT SUBDIVISION LETTER

I/We would like to request a subdivision exemption letter from the Blount County Subdivision Regulations for the following type division to be made:

**Parcel Identification Number:** \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ . \_\_\_\_\_

**PPIN:** \_\_\_\_\_

**911 ADDRESS OF SITE:** \_\_\_\_\_

Check the appropriate box:

\ Mortgage on a portion of a person's overall parcel of property. [Alabama Attorney General Opinion 2003-140];

\ Sale or gift of one portion of a parcel of land by an owner who retains the other. [Alabama Attorney General Opinion 81-00128];

\ The public acquisition by purchase or donation of strips of land for the widening or opening of streets. [§ 1.6 (b)];

\ Subdivision by court order including, but not limited to, judgments of foreclosure. [§ 1.6 (c)];

\ Family division (legally related family members: spouse, children, siblings, parents, grandparents, or grandchildren). Each parcel shall have its own ingress/egress and utility access or easement that runs with the land of not less than 30 feet in width; [§1.6(d)];

If requesting a family division of land, name of person or persons that property is to be deeded to:

1) \_\_\_\_\_ 2) \_\_\_\_\_ 3) \_\_\_\_\_

Their relationship to me is:

\_\_\_ Spouse \_\_\_ Grandchild \_\_\_ Sibling \_\_\_ Parent \_\_\_ Child \_\_\_ Grandparent

\ Divisions of land where all resulting parcels are 20 acres or more [§ 1.6 (e)];

\ The sale of a portion of a previously unplatted parcel to an adjoining property owner to be incorporated into the receiving property by deed. [§ 1.6 (f)];

\ Sale of a tract that is separated from the balance or remaining part of a tract by an existing boundary such as a road or river. [§ 1.6 (g)];

**I certify that to the best of my knowledge, all information supplied with this request is complete and accurate. I acknowledge that failure to submit the above stated information along with this form will result in the request being returned to the undersigned for completion.**

\_\_\_\_\_  
**Print Name(s) of Property Owner(s) or Authorized Agent**

**Mailing Address:** \_\_\_\_\_

\_\_\_\_\_

**Phone Number:** (    ) \_\_\_\_\_

\_\_\_\_\_  
**Signature(s)**

\_\_\_\_\_  
**Date:**

## REQUEST FOR AN EXEMPT SUBDIVISION LETTER

### SUBMITTAL REQUIREMENTS/CHECKLIST:

The following items must be submitted:

- \ \_\_\_\_\_ \ A copy of the “Request for an Exempt Subdivision Letter” form completed, signed by property owner and dated. If someone other than the property owner is requesting a subdivision exemption letter, written authorization from the property owner must be submitted;
- \ \_\_\_\_\_ \ Sketch Plan/Drawing, drawn to scale showing the original parcel, and/or legal description of original parcel;
- \ \_\_\_\_\_ \ Sketch Plan/Drawing, drawn to scale showing the proposed division and/or legal description of all lots;
- \ \_\_\_\_\_ \ Parcel Identification No.: (this can be found on your tax bill or contact the Revenue Commission Office);
- \ \_\_\_\_\_ \ Attach a copy of your deed along with any other documents necessary to substantiate the request such as court orders, death certificates, etc...;

### Completed forms and attachments may be sent to:

Blount County Engineering Department  
P.O. Box 731  
Oneonta, Alabama 35121  
Telephone: (205) 274-2128  
Fax No.: (205) 625-4441  
Email: [engineer@co.blount.al.us](mailto:engineer@co.blount.al.us)



**APPENDIX III**  
***AMENDMENTS***

- AMENDMENT APPROVED BY VOTE OF THE COMMISSION ON SEPTEMBER 13, 2022.
  1. Page 37 – Added Provision for (11) Roadway Pavement (d.) Bituminous Surface Treatment (Chip Seal).
  2. Page 78 – Added Standard Bituminous Surface Treatment Typical Section.

**APPENDIX IV**  
***APPLICABLE STATE LAWS***

## COUNTY SUBDIVISION REGULATIONS LAW

§ 11-24-1 -- Definitions; regulation of lots, streets, drainage, utilities, etc.; developer to reimburse utility for uneconomical placement.

When used in this chapter, the following words shall have the following meanings:

(a) COUNTY. A political subdivision of the state created by statute to aid in the administration of government.

(b) COUNTY COMMISSION. The chief administrative or legislative body of the County.

(c) STREETS. Streets, avenues, boulevards, roads, lanes, alleys, viaducts, and other roads.

(d) SUBDIVISION. The development and division of a lot, tract, or parcel of land into two or more lots, plats, sites, or otherwise for the purpose of establishing or creating a subdivision through the sale, lease, or building development. Development includes, but is not limited to, the design work of lot layout, the construction of drainage structures, the construction of buildings or public use areas, the planning and construction of public streets and public roads, and the placement of public utilities. A subdivision does not include the construction or development of roads or buildings on private property to be used for agricultural purposes.

(b) The County commission or like governing body of each County in the state shall be authorized to regulate the minimum size of lots, the planning and construction of all public streets, public roads, and drainage structures and require proper placement of public utilities to be located in proposed subdivisions of land or in proposed additions to subdivisions of land existing at the time of the enactment of this chapter where the subdivisions are situated outside the corporate limits of any municipality in the County. The placement of public utilities shall not be inconsistent with the requirements of the Southern Standard Building Code, state and federal laws, and regulations of state and federal regulatory agencies. If the County commission or like governing body of any County shall require the placement of public utility facilities in any subdivision or addition thereto in a manner which is other than the most economical method available from an engineering standpoint, then the developer of the subdivision or addition shall reimburse the utility for the difference in cost between the method so required by the County governing body and the most economical method available.

(c) The County commission or like governing body of each County in the state may establish a board of developers to make suggestions to the commission regarding the development and division of subdivisions. The board may advise the commission on the contents of the regulations, revisions that need to be made to the regulations, and assist in resolving disputes between the commission and developers.

(1)§ 11-24-2 -- Developer to conform with chapter, post bond, submit plat for approval, etc.; County engineer and utility to review plat before approval.

(a) It shall be the duty of the owner and developer of each subdivision to have all construction completed in conformity with this chapter and, prior to beginning any construction or development, to submit the proposed plat to the County commission for approval and obtain a permit to develop as required in this section. The permit to develop shall be obtained before the actual sale, offering for sale, transfer, or lease of any lots from the subdivision or addition to the public, it must include a plan to deliver utilities including water, and shall only be issued upon approval of the proposed plat by the County commission. As a condition for the issuance of a permit, the County commission may require any of the following for approval of the proposed plat:

(1) The filing and posting of a reasonable surety bond with the County commission by the developers of the proposed subdivisions or proposed additions to guarantee the actual construction and installation are in accordance with approved plans for public streets, public roads, drainage structures, and public utilities.

(2) The names and addresses of each adjoining landowner and utility subject to the notice as provided in subsection (b).

(3) A permit fee, which shall not exceed twenty-five dollars (\$25).

(b) No proposed plat shall be approved or 18 disapproved by the County commission without first being reviewed by the County engineer or his or her designee. Following the review, the County engineer or his or her designee shall certify to the commission whether the proposed plat meets the County's regulations. If the proposed plat meets the regulations, it shall be approved by the commission. Should the proposed plat be determined by the County engineer to be deficient in any regard, the County engineer shall detail the deficiency to the County commission along with a recommendation that it be disapproved. Notice of the recommendation of the engineer shall be sent to the owner or developer whose name and address appears on the submitted proposed plat by registered or certified mail at least 10 days before the recommendation shall be presented to the County commission for action. A similar notice shall be mailed to the owners of land immediately adjoining the platted land as their names appear upon the plats in the office of the County tax assessor and their addresses appear in the directory of the County or on the tax records of the County and to each utility affected thereby. Each utility notified in writing by the commission shall be given at least 10 days to review the proposed plat and submit a written report to the commission as to whether all provisions affecting the service to be provided by the utility are reasonable and adequate. If any utility affected by the proposed plat is not properly notified then the approval or disapproval by the County commission shall not be valid until the affected utility has been given at least ten days' notice prior to such approval or disapproval as provided by this subsection.

(c) In addition to the foregoing, once the owner or developer of all proposed subdivisions or proposed additions to existing subdivisions of land situated outside the corporate limits of any municipality in the County has met all requirements of the County's regulations, he or she shall submit the final plat of the developed subdivision or addition to existing subdivision to the County engineer for signature verifying that the subdivision or additions to existing subdivision meets the County's regulations. After the final plat has been signed by the County engineer, it shall be filed for record or received for filing in the office of the judge of probate. Subject to the penalties set out in Section 11-24-3, it shall be a violation of this chapter for the developer to file or to have filed any plat, deed, property description, or document of property transfer without full compliance with this section.

(d) Notwithstanding the provisions of subsections (a), (b), and (c), this section shall not apply to the sale, deed, or transfer of land by the owner to an immediate family member, except that, in the event that there is any sale, deed, or transfer of land by the owner or an immediate family member to someone other than an immediate family member, this chapter shall then apply to any subdivision of property as defined in subdivision (4) of Section 11-24-1.

(2)§ 11-24-3 -- Fines; County to enjoin action, employ inspectors/charge inspection fees.

(a) Any owner or developer failing to comply with the permitting requirement or otherwise violating this chapter or any rule or regulation made pursuant to this chapter shall be fined one thousand dollars (\$1,000) per lot that has been sold, offered for sale, transferred, or leased to the public.

(b) In the event that the developer or owner fails to comply with this chapter, the County commission shall have the right to enjoin action of the developer or owner by a civil action for the injunction brought in any court of competent jurisdiction or, in the event that work on the subdivision has been completed, to bring action to compel the developer or owner to comply with this chapter. In addition to injunction, the County commission may recover the penalty as provided by this section in any court of competent jurisdiction.

(c) The County commission may employ inspectors and may request the County license inspector to see that its rules and regulations are not violated and that the plans and specifications for the minimum size of lots, the planning and construction of public streets, public roads, and drainage structures, and the placement of public utilities are not in conflict with the rules and regulations of the County. The County commission may charge inspection fees, not to exceed actual costs, to be paid by the owners of the property inspected.

(d) This chapter may be enforced by the County license inspector under Section 40-12-10, including issuing citations as provided in subsection (j) of Section 40-12-10 for failure to properly obtain the permit to develop required pursuant to subsection (a) of Section 11-24-2. The license inspector may issue subsequent citations for failure to properly obtain a permit to develop if, after 30 days following the issuance of the previous citation for the same violation, the owner or developer of the subdivision has not made proper application for a permit pursuant to the requirements of this chapter. The applicable fines set out in subsection (a) shall be doubled and separately assessed against the owner or developer of the subdivision for each subsequent citation issued by the license inspector as provided herein."

(d)

(3)§ 11-24-4 Chapter not to impair utilities right of eminent domain, etc.

This chapter shall not be construed to impair the right of eminent domain granted heretofore or hereafter by the laws of this state to utilities, whether public or private, or their right to exercise authority conferred by statutes, franchises, certificates of convenience and necessity, licenses or easements.

(4)§ 11-24-5 -- No jurisdiction within organized municipal planning commission.

No County shall exercise jurisdiction under provisions of this chapter within the jurisdiction of any municipal planning commission presently organized and functional or which shall become organized and functional within six months of the date the County assumes such jurisdiction by publishing and adopting notice thereof.

(5)§ 11-24-6 -- County and municipality agreement as to exercise of jurisdiction.

It is the intent of the legislature that all proposed subdivisions be subject to regulation, and counties and municipalities affected by provisions of this chapter shall have authority to reach and publish agreement as to exercise of jurisdictional authority over proposed subdivisions, which agreement shall be published once a week for two consecutive weeks in a newspaper of general circulation in the County and affected municipality and such agreement shall thereafter have the force and effect of law.

(6)§ 11-24-7 -- Chapter cumulative; not to repeal any local laws.

The provisions of this chapter are cumulative and shall not repeal any local law or general law of local application granting similar or additional duties and authority to any County commission.

## **TERRITORIAL JURISDICTION OF MUNICIPAL PLANNING COMMISSION**

(7)§ 11-52-30 -- Territorial jurisdiction of municipal/county planning commissions and county commissions as to subdivisions; approval of maps or plats of subdivisions.

(a) The territorial jurisdiction of any municipal planning commission over the subdivision of land shall include all land located in the municipality and all land lying within five miles of the corporate limits of the municipality and not located in any other municipality; except that, in the case of any such nonmunicipal land lying within five miles of more than one municipality having a planning commission, the jurisdiction of each such municipal planning commission shall terminate at a boundary line equidistant from the respective corporate limits of such municipalities; provided further, that in all counties having a population of 600,000 or more according to the 1950 federal census or any succeeding decennial federal census, the county planning and zoning commission shall be invested with such authority, except and unless the municipality or municipalities in question is/are actively exercising zoning jurisdiction and control within said police and/or five mile jurisdiction or, in the case of a municipality subsequently incorporated, within 180 days from the date of its incorporation; provided, further, that in all counties having a population of 600,000 or more inhabitants according to the 1950 federal census or any succeeding decennial federal census, the county commission of such county shall have the right and power to establish minimum specifications and regulations governing the lay-out, grading and paving of all streets, avenues and alleys and the construction or installation of all water, sewer or drainage pipes or lines in any subdivision lying wholly or partly in areas outside the corporate limits of any municipality in such counties and relating to subdivisions lying within the corporate limits of any municipality in such counties which has declined or failed to exercise zoning jurisdiction and control as provided in this section.

(b) No map or plat of any subdivision shall be recorded, and no property shall be sold referenced to such map or plat, until and unless it has been first submitted to and approved by the county engineer or, in his absence, by the acting county engineer of such county, who shall examine same for compliance with the specifications and regulations of the county commission of such county and, if it is in compliance, shall note his approval on such map or plat by noting thereon "approved," giving the date of such approval and signing same in his official capacity.

Where any subdivision lies within the extraterritorial planning jurisdiction of any municipality having exercised said extraterritorial jurisdiction, the requirement for approval of improvements in said subdivision by the county engineer shall in no way diminish, waive or otherwise lessen the requirements of such municipality. The more strict requirements, whether of the municipality or of the county, must be complied with by the developer. Approval by the county engineer shall in no way constitute approval in lieu of or on behalf of any municipality with respect to subdivisions lying within its extraterritorial planning jurisdiction. All such maps or plats must be first submitted to and approved by the municipal planning commission or other appropriate municipal agency exercising jurisdiction over any subdivision lying within the extraterritorial planning jurisdiction and, following such approval by such municipal planning commission, must then be approved by the county engineer or, in his absence, by the acting county engineer.

## VACATION OF ROADS

### (8)§ 23-4-1 -- Application.

Streets, alleys and other highways, or portions thereof, may be closed and vacated upon the application of the municipality in which they are situated and, where not situated in a municipality, upon the application of the County in which they are situated in the manner provided for in this article.

### (9)§ 23-4-2 -- Procedure.

(a) Whenever the governing body of a municipality or County proposes to vacate a public street, alley, or highway, or portion thereof, the governing body shall schedule a public hearing prior to taking final action and shall publish notice of the proposed hearing on the vacation in a newspaper of general circulation in the portion of the County where the street, alley, or highway lies once a week for four consecutive weeks in the County prior to deciding the issue at a regularly scheduled meeting of the governing body. A copy of the notice shall be posted on a bulletin board at the County courthouse and shall also be served by U.S. mail at least 30 days prior to the scheduled meeting on any abutting owner and on any entity known to have facilities or equipment such as utility lines, both aerial or buried, within the public right-of-way of the street, alley, or highway to be vacated. The notice shall describe the street, alley, highway, or portion thereof proposed to be vacated and also give the date, time, and location of the meeting of the governing body at which the proposed vacation is scheduled to be addressed. Any citizen alleging to be affected by the proposed vacation may submit a written objection to the governing body or may request an opportunity to be heard at the public hearing held as required herein.

(b) If the governing body elects to vacate, it shall adopt a resolution which shall describe with accuracy the street, alley, or highway, or portion thereof, to be vacated and shall give the names of the owner or owners of the abutting lots or parcels of land and also the owner or owners of such other lots or parcels of land, if any, which will be cut off from access thereby over some other reasonable and convenient way. The resolution shall further set forth that it is in the interest of the public that such street, alley, or highway, or portion thereof, be vacated and shall be filed in the probate court of the County. In counties which elect the members of the County commission by single-member districts, the motion to approve the vacation shall be made by the commissioner in whose district the portion of the public street, alley, or highway to be vacated is located. The vacation shall not deprive other property owners of any right they may have to convenient and reasonable means of ingress and egress to and from their property, and if that right is not afforded by the remaining streets and alleys, another street or alley affording that right must be dedicated. The filing of the resolution as required herein shall operate as a declaration of the governing body's vacation and shall divest all public rights and liabilities, including any rights which may have been acquired by prescription, in that part of the public street, alley, or highway vacated. Title and all public rights, including the right to close the street, alley, or highway vacated, shall vest in the abutting landowners. Entities with utility lines, equipment, or facilities in place at the time of vacation, shall have the right to continue to maintain, extend, and enlarge their lines, equipment, and facilities to the same extent as if the vacation had not occurred. Notice of the governing body's action shall be published once in a newspaper in the County no later than 14 days after its adoption.

### (10)§ 23-4-5 -- Appeals.

Any party affected by the vacation of a street, alley, or highway pursuant to this chapter may appeal within 30 days of the decision of the governing body vacating the street to the circuit court of the County in which the lands are situated, and upon such appeal, the proceeding shall be tried de novo, either party having the right to demand trial by jury when and as demand is authorized in civil actions. The appeal shall not suspend the effect of the decision of the



governing body unless the appealing party shall give bond, with sureties, in an amount to be determined by the circuit judge. From the judgment of the circuit court, an appeal may be taken within 42 days by either party to the Court of Civil Appeals or the Supreme Court in accordance with the Alabama Rules of Appellate Procedure.

(11)§ 23-4-6 -- Article deemed cumulative.

The provisions of this article shall not be held to repeal any existing statute relating to the closing, changing or vacating of streets and highways, but shall be cumulative.

(12)§ 23-4-20 -- Vacation of street or alley.

(a) Subject to the conditions set out in this subsection, any street or alley may be vacated, in whole or in part, by the owner or owners of the land abutting the street or alley or abutting that portion of the street or alley desired to be vacated by following the procedures set out herein. The owner or owners of the land abutting the street or alley to be vacated shall join in a written petition requesting that the street or alley be vacated and shall file the petition with the governing body with jurisdiction over the street or alley, or portion thereof, requesting the governing body's approval of the vacation. Following receipt of the written request for assent, the governing body shall act upon the request applying the same notice, hearing, voting, and appeal procedures as set forth in Sections 23-4-2 and 23-4-5, and if the governing body approves the vacation, it shall have the same effect as provided therein, including that the vacation shall not deprive other property owners of any right they may have to convenient and reasonable means of ingress and egress to and from their property, and if that right is not afforded by the remaining streets and alleys, another street or alley affording that right must be dedicated.

(b) The provisions of this section shall not be held to repeal any existing statute relating to the vacation of roads, streets, or alleys, or parts thereof, and shall not be held to limit or expand any civil causes of action available under the law.

## (13)COUNTY LICENSE INSPECTOR

### § 40-12-10 -- License inspectors generally; when taxes due and payable; collection and distribution of penalties and citation fees on delinquent licenses.

(a) The County commission of each County is hereby authorized and empowered to appoint a license inspector.

(b) It shall be the duty of the license inspector to scrutinize the records and stubs kept in the office of the probate judge and also to examine the license records of each city or town located in the County or counties of which he has been appointed license inspector; and, if it shall be reported to any license inspector or come to his knowledge that any person, persons, firms, or corporations have failed or refused to take out a license for a business or occupation for which a license is required by the state or have failed or refused to take out a license for operating any motor vehicle or trailer for which a license is required by law, the license inspector shall thereupon cite such delinquent to appear before the license inspector at the courthouse of the County in which such citation is issued and to show cause why the license or privilege tax required by law has not been paid and, at the same time, shall file with the probate judge of the County a copy of such citation showing service on the delinquent.

(c) If the license inspector shall discover any motor vehicle being operated without a proper or legal license, he shall cite the operator of the motor vehicle; and, in filing copy of such citation with the probate judge, he shall show on such citation the particular motor vehicle operated without legal license, as well as the operator thereof.

(d) The probate judge must in all cases, in addition to the other penalties required to be collected by him, collect the citation fee, if any, before issuing any license; and, in case of a motor vehicle where a license is taken out in the name of person not cited, the citation fee shall be collected if the citation filed shows the motor number of such vehicle. When any license is due the license inspector shall cause the delinquent to appear before the probate judge of the County and take out the same, but such probate judge shall not have the authority to determine the liability of such delinquent for such license and shall in each case issue a license to the applicant upon the payment by him of the amount or amounts prescribed by this title. If such delinquent shall fail or refuse to take out a license, the license inspector shall institute or cause to be instituted criminal proceedings against such delinquent before any court having jurisdiction of such offense. In case of emergency the license inspector must commence the criminal proceedings in the first place.

(e) All license taxes levied by this title, except as otherwise provided, shall be due and payable as of October 1 of each year and shall be delinquent November 1 thereafter. Where any license issuable by the probate judge or commissioner of licenses shall be delinquent, the same shall be subject to a penalty of 15 percent of the amount of the license, which penalty must be collected by the probate judge or commissioner of licenses when the license is taken out together with interest at six percent from the date of delinquency; provided, that the penalty for delinquency in payment of motor vehicle licenses shall in no case be less than \$1.50.

(f) It shall be unlawful for any probate judge or other officer to fail to collect such penalties when issuing such license.

(g) The probate judge, in remitting such penalties, shall file report with the County commission,

Comptroller, and with the Department of Revenue showing the amount of such penalties collected, from whom, and for what collected, and he shall remit to the County general fund all penalties collected. The probate judge shall remit to the County general fund all citation fees collected where the citation was served by the license inspector or his deputy.

(h) If a criminal prosecution shall be commenced either by affidavit and warrant, or information or indictment, 44 percent of the fine or penalty thereafter imposed in the case shall be paid to the County general fund. The remainder shall be paid to the Treasury of the state.

(i) The County commission may appoint deputy license inspectors, and the acts of such deputies shall be recognized as the acts of the license inspector.

(j) All citations to delinquents shall be served by any lawful officer or by the license inspector or his deputy for which a fee of \$1.50 for each citation served shall be taxed against the delinquent.

(k) License inspectors shall have the same power to arrest persons violating the revenue laws of the state as is now vested in the sheriffs of the state and shall receive the same fees for such service.

(l) The Department of Revenue shall keep a record by counties in which, each month, shall be entered the number of licenses issued by the probate judge for each and every business or occupation for which a state license tax is required, and such record may be compared each month with the number of licenses issued by cities and towns for the same business or occupation.

(m) The license inspector shall be required to report to the Department of Revenue the reason for the failure to collect any licenses due the state which may be evidenced by the comparison of the report of the probate judge and the report made of licenses issued by cities or towns.

(n) It shall be the duty of the County commissions of the several counties to supply the license inspector with necessary citation blanks and other necessary forms to be paid for by the County.

(o) The County commission shall fix and pay the salary of the license inspector and his deputies and the expenses of his office.

(p) The provisions of this section shall not repeal, modify, or prohibit any presently existing or future local act or general act of local application affecting the office of license inspector or which establishes any office or position which encompasses the duties of license inspector in any County.

## **APPENDIX V**

### ***ACCEPTANCE OF ROADS AND STREETS FOR COUNTY MAINTENANCE***

As stated in Section 1-1, the purpose of these regulations is not to provide acceptance of roads into the County maintenance system, but rather to provide approval of the design and layout of a proposed subdivision as required by Code of Alabama 1975, 11-24-1.

The Blount County Commission, by adoption of these regulations, has adopted the road design standards of these Subdivision Regulations as part of their acceptance policy for roads and streets.

The wearing surface shall be placed at the end of the maintenance period.

After the Subdivision receives Final Plat Approval, all construction is complete, and the roadway pavement meets these acceptance requirements, the developer or owner may request, in writing, to the County Engineer for the start of a maintenance period (Submission of the required surety shall be deemed a request by the developer). After Final Plat Approval, the developer shall maintain this road(s) for the maintenance period. The maintenance period shall be defined as a period of three (3) years or shall be the period of time that eighty (80) percent of home construction is complete in the subdivision, whichever is lesser, but not less than two (2) years. If 80% of home construction is not complete after three (3) years, the maintenance period may be extended for three (3) year. To be eligible for this three (3) year extension the developer shall submit an acceptable surety in the amount of one hundred and fifty (150) percent of the current cost of the wearing surface. At the end of the maintenance period, the County Engineer shall conduct an inspection of the roadway and any deficiencies shall be corrected by the developer. After deficiencies have been corrected to the satisfaction of the County Engineer, the developer shall be required to place the required wearing surface.

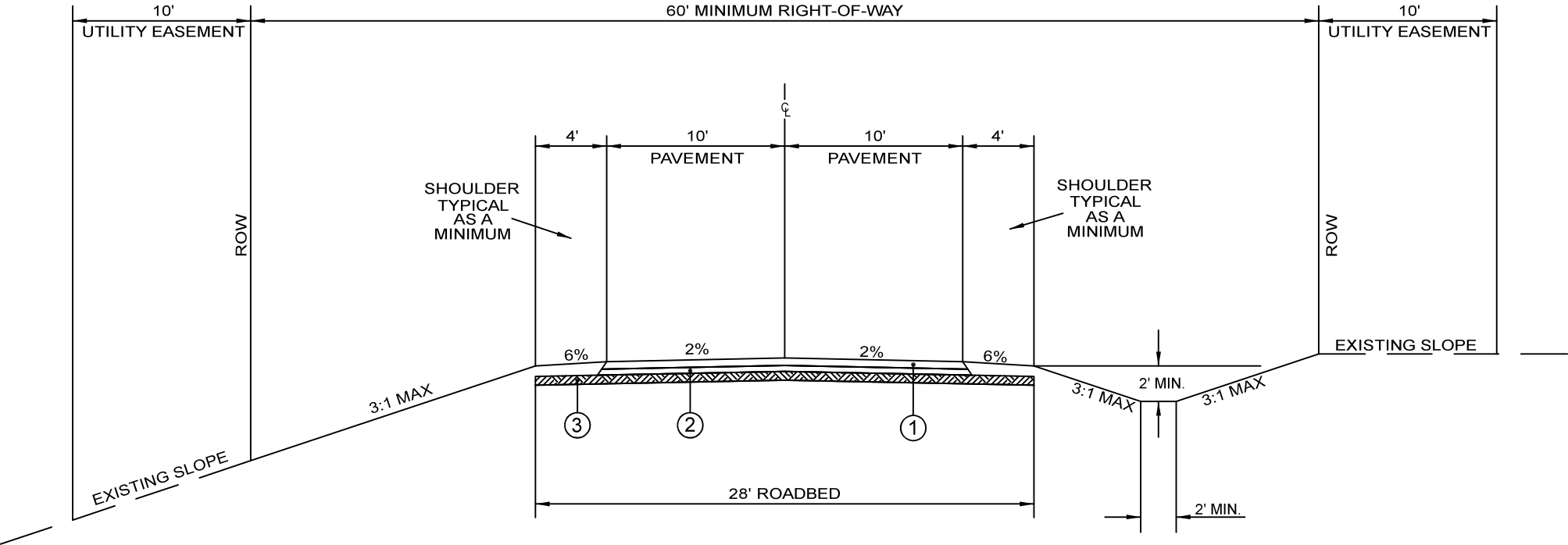
Subdivisions seeking County acceptance for infrastructure shall be required to submit an acceptable surety in the amount of one hundred and fifty (150) percent of the cost of the wearing surface at the time of final plat application and an acceptable surety in the amount of five (5) percent of the total construction costs to serve as a maintenance bond. Estimates for bond calculation shall be submitted and approved by the County Engineer prior to bond submittal.

By adoption of this policy, the County Engineer shall determine when the subdivision roads meet the County's acceptance policy and qualify for County maintenance.

**APPENDIX VI**  
***TYPICAL SECTIONS***

# STANDARD BITUMINOUS SURFACE TREATMENT TYPICAL SECTION

(NOT TO SCALE)

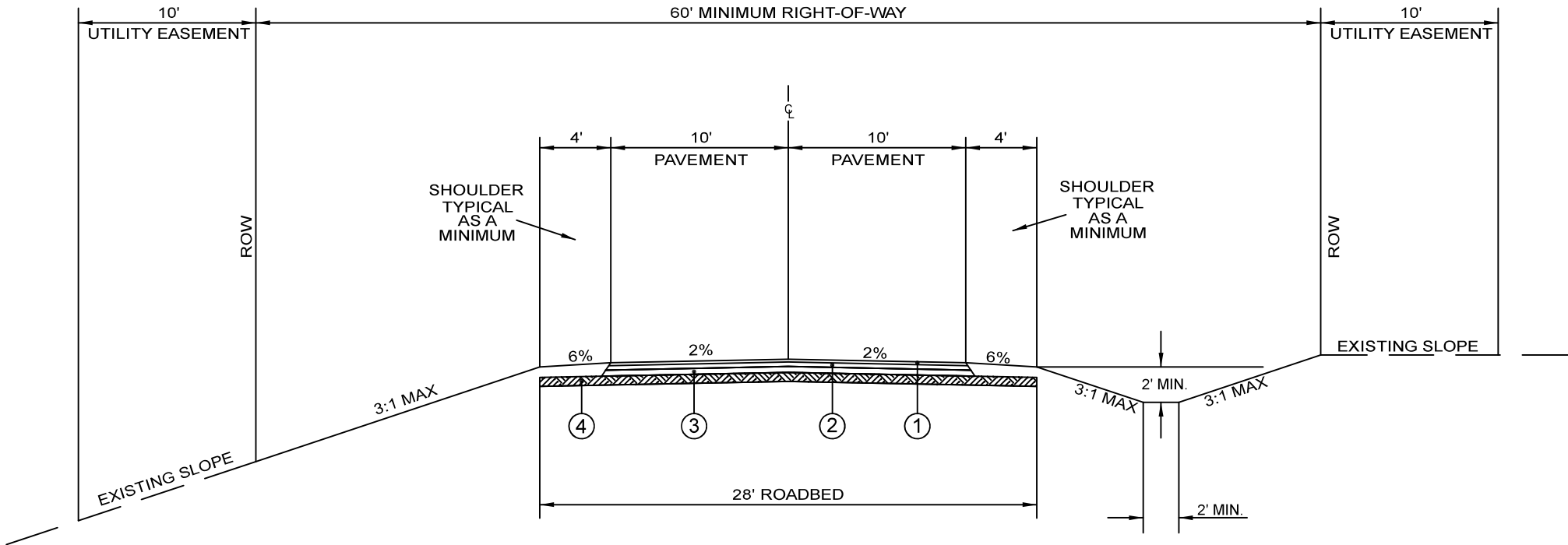


1. DOUBLE BITUMINOUS SURFACE TREATMENT: Type "KG" or "JG"
2. BASE LAYER: 6" Crushed Aggregate Base Course, Type 825 A of B, Plant Mixed, 6" Compacted Thickness.
3. SUBGRADE

NOTE:  
SUBGRADE TO BE CROWNED AT 2%.

# STANDARD TYPICAL SECTION

(NOT TO SCALE)

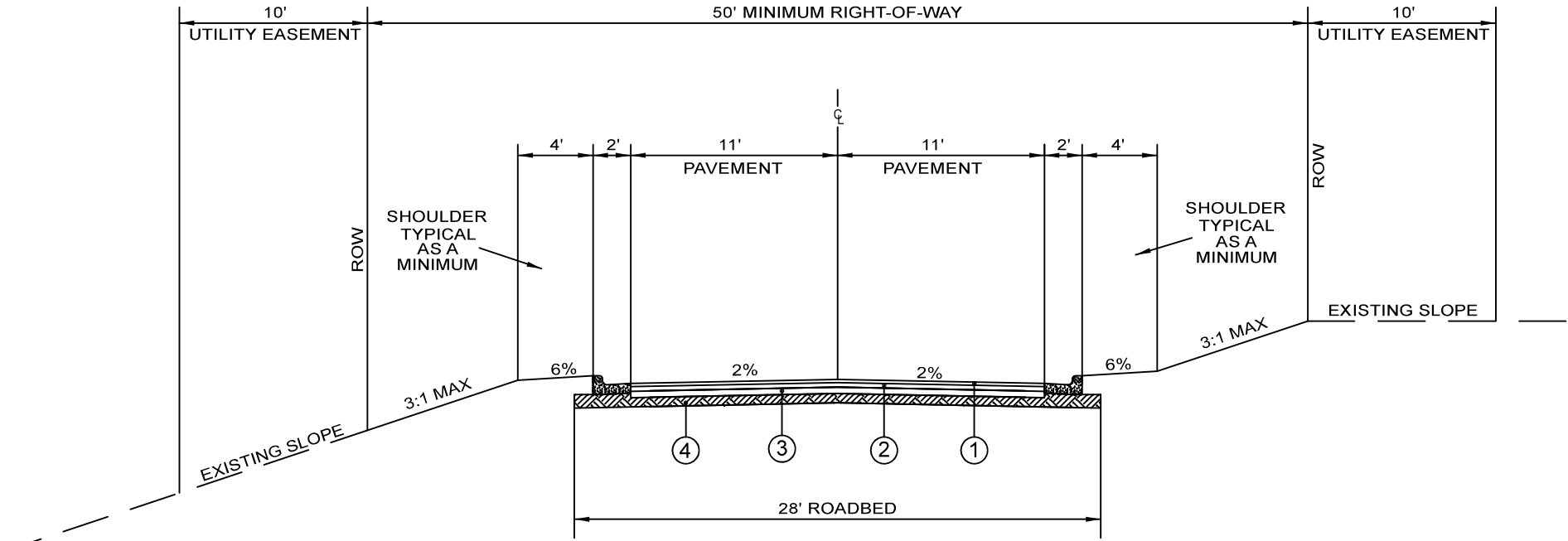


1. WEARING SURFACE: 1" Required Improved Bituminous Concrete Wearing Surface Layer, Type 424, 110 Pounds Per Square Yard.
2. BINDER LAYER: 2" Required Improved Bituminous Concrete Upper Binder Layer, Type 424, 225 Pounds Per Square Yard.
3. BASE LAYER: 6" Crushed Aggregate Base Course, Type 825 A of B, Plant Mixed, 6" Compacted Thickness.
4. SUBGRADE

NOTE:  
SUBGRADE TO BE CROWNED AT 2%.

# CURB & GUTTER TYPICAL SECTION

(NOT TO SCALE)



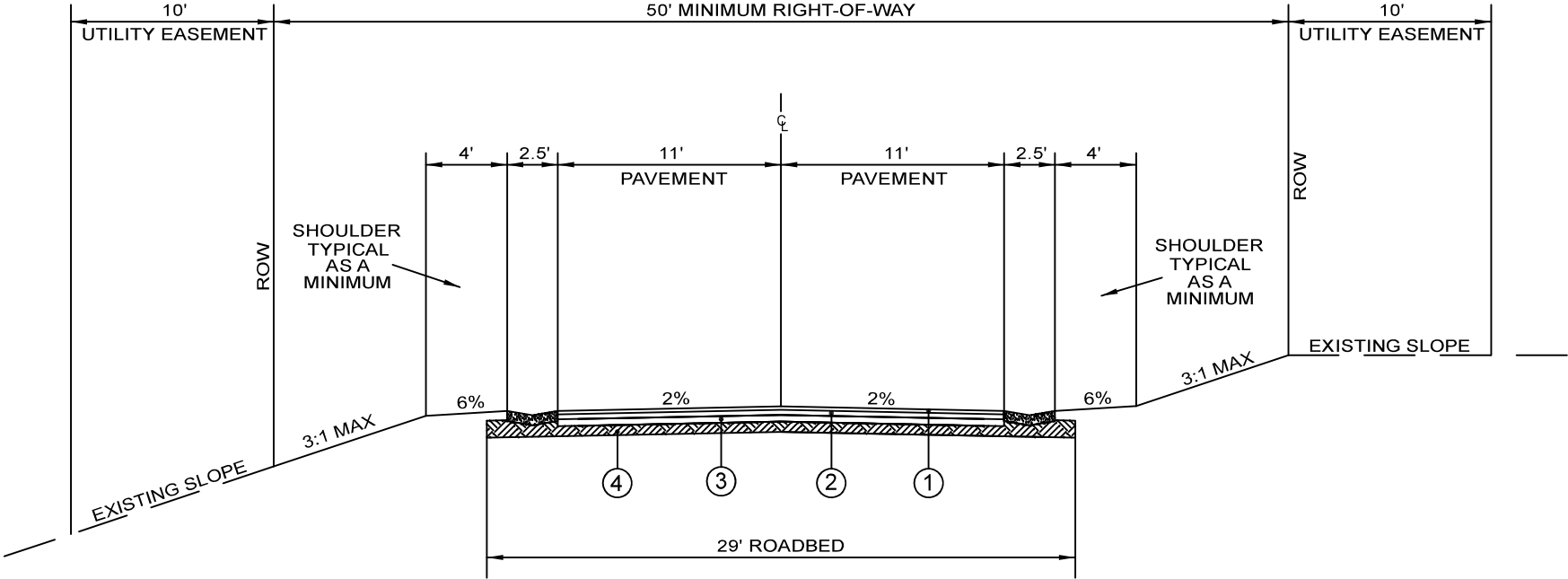
1. WEARING SURFACE: 1" Required Improved Bituminous Concrete Wearing Surface Layer, Type 424, 110 Pounds Per Square Yard.
2. BINDER LAYER: 2" Required Improved Bituminous Concrete Upper Binder Layer, Type 424, 225 Pounds Per Square Yard.
3. BASE LAYER: 6" Crushed Aggregate Base Course, Type 825 A of B, Plant Mixed, 6" Compacted Thickness.
4. SUBGRADE

NOTE:  
SUBGRADE TO BE CROWNED AT 2%.



# VALLEY GUTTER TYPICAL SECTION

(NOT TO SCALE)



1. WEARING SURFACE: 1" Required Improved Bituminous Concrete Wearing Surface Layer, Type 424, 110 Pounds Per Square Yard.
2. BINDER LAYER: 2" Required Improved Bituminous Concrete Upper Binder Layer, Type 424, 225 Pounds Per Square Yard.
3. BASE LAYER: 6" Crushed Aggregate Base Course, Type 825 A of B, Plant Mixed, 6" Compacted Thickness.
4. SUBGRADE

**NOTE:**  
SUBGRADE TO BE CROWNED AT 2%.

## APPENDIX VII

### *Design Guides*

## INTERSECTION SIGHT DISTANCE

Intersection sight distance is measured from a point on the minor road 15 feet from the edge of the major road pavement and measured from an eye height of 3.5 feet on the minor road exit lane to an object height of 3.5 feet on the major road in the lane of concern

Left turn from stop (looking right)

<u>Design Speed (mph)</u>	<u>Intersection Sight Distance (ft)</u>
15	170
20	225
25	280
30	335
35	390
40	445
45	500
50	555
55	610

Right turn from stop (looking left)

<u>Design Speed (mph)</u>	<u>Intersection Sight Distance (ft)</u>
15	145
20	195
25	240
30	290
35	335
40	385
45	430
50	480
55	530

### CREST AND SAG VERTICAL CURVES (LESS THAN 2500 ADT)

<u>Design Speed (mph)</u>	<u>Crest Vertical Rate, K</u>	<u>Sag Vertical Rate, K</u>
20	7	17
25	12	26
30	19	37
35	29	49
40	44	64
45	61	79

### HORIZONTAL CURVE RADIUS (LESS THAN 2500 ADT)

<u>Design Speed (mph)</u>	<u>Radius (ft)</u>
20	100
25	181
30	300
35	454
40	667
45	900

**APPENDIX VIII**

***Multi-Family Dwellings***

## **Multi-Family Residences**

Apartments, Townhomes and Condominiums (To only be constructed in areas where public sewer is available)

- A. The size of the development proposed shall be no less than 2 acres.
- B. The minimum lot size shall be 2,000 square feet for an interior lot and 3,500 square feet for an end lot. Lots shall have a minimum of 20 feet of road frontage for an interior lot and 35 feet for an end lot along the main travel way of the development. The minimum road frontage shall be measured along the right of way line for multi-family residences. Asphalt paving and a curb and gutter and/or a valley gutter system must be installed.
- C. No dwelling unit, structure or building shall be located nearer to the outside boundary of the proposed property to be developed and/or to the right of way of a public road than thirty-five (35) feet.
- D. All utilities shall be placed underground.
- E. The maximum density of the development shall be no more than ten (10) dwelling units per acre.
- F. The construction of the dwelling units within each building shall meet the fire codes as established by the State Fire Marshall. A letter from the State Fire Marshall approving the design of the buildings shall be submitted with the final plat to the County Engineer.
- G. Maintenance of any roadways, parking lots or other types of easements used for ingress and egress within the boundaries of the development shall be maintained by the developer and/or a homeowner's association. These areas within the proposed development will be considered private property and will not be maintained by Blount County.