

City of Dothan

Subdivision Regulations



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Resolution 2007-2

Prepared by City of Dothan
Department of Planning and Development

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Article 1. In General

Sec. 90-1. Authority of chapter.

The subdivision regulations set out in this chapter are promulgated under the authority granted by Code of Ala. 1975, § 11-52-1 et seq.

Sec. 90-2. Purpose of chapter.

It is declared to be the policy of the planning commission to consider land subdivision as a part of the plan for the orderly, efficient and economical development of the city. This means, among other things, that land to be subdivided shall be of such character, that it can be used for building purposes without danger to health and safety; that in areas contiguous to brooks, rivers or other bodies of water subject to flooding, proper provisions shall be made for protective flood control measures and that provisions shall be made to prevent adverse effects of flooding on adjacent properties; that proper provision shall be made for water supply, surface drainage and sanitary sewerage; that the proposed streets shall be in harmony with existing or proposed principal thoroughfares shown in such sections of the city plan as may be in existence from time to time, especially in regard to safe intersections with such thoroughfares, and so arranged and of such width as to provide an adequate and convenient system for present and prospective traffic needs; that in places deemed proper by the planning commission, open spaces for parks and playgrounds shall be shown on the subdivision plan; that adequate access to properties for firefighting apparatus shall be provided; that adequate light and air shall be afforded to all properties; and that the completed subdivision shall accomplish the development of the city plan as may be in existence from time to time.

Sec. 90-3. Extraterritorial planning jurisdiction; submitting plat required.

The regulations set out in this chapter shall govern all subdivisions of land, as the term "subdivisions" is defined in section 90-6, within the corporate limits and extraterritorial planning jurisdiction of the city as now or hereafter established by the City Commission. Any owner of land within this area wishing to subdivide land shall submit to the planning commission a plat of the subdivision according to the procedure outlined in article II of this chapter, which plat shall conform to the minimum requirements set forth in article III of this chapter. Improvements shall be installed as required by sections 90-171--90-196, 90-221--90-226; improvements in a flood hazard zone shall also be installed as required by section 91-171.

Sec. 90-4. Conditions for recording plats and for utility installations.

(a) No plat or plan of a subdivision of land into two or more lots located within the planning jurisdiction region shall be admitted to the land records of the county or received or recorded by the judge of probate until such plat or plan has received final approval in writing by the planning commission.

(b) No board, public officer or authority shall light any road, lay or authorize the laying of water mains or sewers, construct or authorize the construction of other facilities or

utilities in any road located within the planning area unless such road shall have been accepted or opened, or shall have otherwise received the legal status of a public road prior to the adoption of the ordinance from which this chapter is derived, or unless such road corresponds in its location and lines to a road shown on a subdivision plat approved by the planning commission or on a road plan made and adopted by the planning commission.

Sec. 90-5. Penalty for violation of chapter.

Any person violating any provision of this chapter shall be subject to punishment as provided in section 1-4. The city may enjoin such transfers, sales or agreements by action for injunction brought in any court of equal jurisdiction, or may recover the same penalty by a civil action in any court of competent jurisdiction.

Sec. 90-6. Definitions.

(a) *General.* Except as otherwise provided in this section, all words shall have the customary dictionary meaning. The word "lot" includes "plot" or "parcel." The word "building" includes "structure." The word "used" or "occupied," as applied to any land or buildings, shall be construed to include the words "intended, arranged or designed to be used or occupied."

(b) *Specific definitions.* The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Access means the provision for the immediate ingress and egress of vehicles from an abutting property to an adjacent street.

Access Easements means the provision for ingress and egress of vehicles from a public right-of-way to abutting private property.

Alley means any public right-of-way designated primarily for vehicular access to the back or side of buildings or lots otherwise abutting on a street.

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

Base flood (regulatory flood) means the flood having a one percent chance of being equaled or exceeded in any given year; also known as a 100-year floodplain or one percent chance flood.

Central sewer system means all equipment and property involved in the operation of a sanitary sewer utility, including wastewater lines and appurtenances, pumping stations, treatment works, disposal facilities, and general property necessary for the operation of such utility, which shall be fully installed, operable and providing service in compliance with applicable state laws and regulations.

Central water system means all of the equipment and property involved in the operation of a water utility, including water lines and appurtenances, pumping stations, treatment plants and general property relating to such utility, which shall be fully installed, operable and providing service in compliance with applicable state laws and regulations.

Commission means the city planning commission.

*Curb or curblin*e means the outside vertical face of a masonry curb, the centerline of a valley gutter or the edge of the pavement where no curb or gutter exists.

Dedication means the deliberate assignation of land by its owner for any general or public use or uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

Easement means a grant by a property owner of the use of land for a specific purpose or purposes, by the general public, a corporation or a certain person.

Engineer means a professional engineer registered by the state board of registration for professional engineers and surveyors.

Final plat means the completed subdivision plat in form for approval and recording.

Flag Lot means a lot that has access to a public right-of-way by means of a narrow strip of land.

Flood means a temporary rise in stream level that results in inundation of areas not ordinarily covered by water.

Flood frequency means the statistically determined average for how often a specific flood level or discharge may be equaled or exceeded.

Floodplain means any normally dry land area that is susceptible to being inundated by water from any natural source. This area is usually low land adjacent to a river, stream, watercourse, ocean or lake. Floodplain can also be defined as the area comprised of the floodway and the floodway fringe.

Floodway means the channel of a watercourse and portions of the adjoining floodplain which are reasonably required to carry and discharge the regulatory flood.

Floodway fringe means the area adjoining a watercourse which, although not lying within a floodway, has been or may hereafter be covered by regulatory flood.

Frontage lot means the distance for which the front boundary line of the lot and the street line are coincident.

Frontage, street means all of the property on the side of a street between two intersecting streets (crossing or terminating), or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.

Lot means a parcel or portion of land in a subdivision or plat of land, separated from other parcels or portions by description as a distinct and separate tract, and which is identified by a tract or lot number or symbol and which has been properly filed for record.

Plat, Amended means a previously recorded plat that is changed to resolve a technical error.

Plat, Minor subdivision means the division of land into five parcels or less with no public improvements.

Plat, Subdivision means the division of a lot, parcel or tract of land into two or more lots, sites or other divisions of land, whether described by metes and bounds or by any other description, for the purpose, whether immediate or future, of sale or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

Plat, resubdivision means changing all or part of an existing recorded subdivision design, drainage plan, number of lots and/or street design.

Plat, resurvey is a map which changes the location of an internal boundary line between adjacent lots but that does not result in additional lots.

Planning Director. Director for the City of Dothan Planning and Development Department or his designated representative.

Preliminary plat means a tentative plat of a proposed subdivision for presentation to the planning commission for its consideration.

Public Works Director. Director for the City of Dothan Public Works Department or his designated representative.

Reach means a hydraulic engineering term to describe longitudinal segments of a stream or river. A reach will generally include the segment of the flood hazard area where flood heights are influenced by a manmade or natural obstruction. In an urban area, the segment of a stream or river between two consecutive bridge crossings would typically constitute a reach.

Regional commission means Southeast Alabama Regional Planning and Development Commission.

Streets means a thoroughfare which affords traffic circulation and principal means of access to abutting property, including avenues, places, ways, drives, lanes, boulevards, highways, roads and any other thoroughfare, except an alley. A public

street is a thoroughfare accepted by dedication or otherwise by a governing body. A private street is a street not so accepted, or any street designated as a private street upon a recorded plat.

Collector street means the distributor and collector roadways servicing traffic between major and local roadways. These are roadways used mainly for traffic movements within residential, commercial and industrial areas.

Local street means roadways used primarily for direct access to residential, commercial, industrial, or other abutting property. They do not include roadways carrying through traffic. Long local roadways will generally be divided into short sections by collector roadway systems.

Major arterial street means that part of the roadway system serving as the principal network for through traffic flow. The routes connect areas of principal traffic generation and important rural highways entering the city.

Subdivider or applicant means any individual or any other legal entity commencing proceedings under this chapter to effect a subdivision of land under this chapter for himself or for another.

Surveyor means a land surveyor registered in the state by the board of registration for professional engineers and land surveyors.

Unit means one single family dwelling structure.

Cross references: Definitions generally, § 1-2.

Sec. 90-7. Minor subdivisions.

Minor subdivisions of land shall be reviewed and approved required pursuant to the submittal requirements for a final plat or as modified by the Planning Director.

- (a) Preapplication Conference. A preapplication conference is required prior to acceptance of any application for a minor subdivision. This conference will review all documents and maps pertinent to the proposed development. It is suggested that applicants schedule an appointment to ensure staff availability.
- (b) Official Application and Fee. An application for a minor subdivision shall include eight copies of the maps and documents meeting the stipulated requirements along with a complete application and \$25 filing fee which shall not be refunded.
- (c) Notice. Upon acceptance of a complete application, notice will be sent by first class mail to the owner(s) of record according to records of the county tax assessor of all abutting property. The notice shall state the purpose of the review and indicate that the plat is on file for public review at the Department of Planning and Development office for 14 days during normal business hours. Failure of any owner to receive notice shall not invalidate the application.

- (d) Administrative Review. The application shall be reviewed according to the following criteria:
- (1) The proposed subdivision contains 5 lots or less whether for residential or commercial purposes;
 - (2) Whether the proposed land division is consistent with any policies of any plan or program of the city adopted under the general guidance of the city plan;
 - (3) Whether the proposed land division is consistent with the general development patterns of the area, so that it will not unduly or adversely affect current and future planned development opportunities on adjacent land;
 - (4) All parcels are in conformance with any zoning regulations applicable to the subject property;
 - (5) All proposed lots will have adequate water and wastewater facilities. The City of Dothan makes no representation that any lot eligible for approval by the Alabama Department of Public Health for a septic tank will be approved;
 - (6) All lots must front or have access (via a legal document) to a dedicated public right-of-way.
 - (7) The proposed subdivision does not involve the dedication of existing or new streets, right-of-way or public drainage easements.
 - (8) Proposed minor subdivisions lying within 1320 feet from an existing public street intersection will be evaluated for the provision for future roads.
 - (9) Joint access driveways may be required and designated on the plat by the Public Works Director in the interest of public safety.
 - (10) Flag lots.
 - i) Minimum width for flag lots for residential uses is 60 ft. Less than 60 ft. may be approved on a case by case basis.
 - ii) The distance to the building site from the nearest fire hydrant shall be no greater than 800 ft. or as otherwise approved by the Fire Marshal.
 - iii) All subdivisions utilizing flags for access shall be recorded with an easement allowing the ingress/egress for emergency vehicles. A note shall be placed on the face of the plat holding the city harmless from damage to roads, bridges, gates, fences, landscaping etc.
- (e) Required Revisions. Upon completion of the administrative review, the applicant will be notified of any deficiencies. The applicant must resubmit revised maps and documents within 30 days for final review or the case will be void and the applicant must reapply for subdivision approval and pay the required fees.
- (f) Decision. Within 30 days of the date of application or in the case of a resubmittal, the applicant shall be notified of one of the following actions:

(1) The application is approved and shall be processed for recording in accordance with section 90-101 of these regulations.

(2) The application is not approved as submitted with deficiencies specifically noted.

(g) Appeal. If the application is not approved, the applicant may appeal the decision to the Planning Commission by submitting a written request for appeal within 30 days of the notification. An appeal to the Planning Commission shall be treated as an application for a Preliminary Plat according to these regulations.

(h) Recording. Any approved minor subdivision plat shall be recorded in the Office of the Judge of Probate prior to being effective or the issuance of any building permits. All signatures shall be affixed to the plat prior to submittal to this office for the signatures of the Planning Commission Chair or the Public Works Director.

Sec. 90-8. Planned unit development.

If a proposed planned unit development falls within the definition of a subdivision then it shall adhere to the regulations contained in this chapter.

Sec. 90-9. Private Road Subdivisions.

All design standards and requirements in these regulations shall apply. Private road subdivisions shall be subject to the same rules and standards as set forth in these regulations for subdivision with the following exceptions:

(a) All subdivision streets and infrastructure shall be available to the public unless otherwise approved by the Planning Commission.

(b) A sign shall be placed at the entrance(s) to the subdivision stating "PRIVATE ROAD." It is the responsibility of the developer(s) or owner(s) of the subdivision to maintain the sign.

(c) All road and drainage improvements shall be constructed to the same standards normally required of a public road. However, the Planning Commission may waive this requirement upon submittal of an alternative street design approved by the Public Works Director.

(d) The private status of the subdivision shall be clearly stated on the recorded Final Plat and deed with a statement printed on them stating that the "STREETS AND DRAINAGE ARE NOT CITY MAINTAINED."

(e) It shall be clearly stated in writing on each property deed that the roads, drainage structures and/or drainage ditches shall be maintained by the developer and/or property owners. The procedure for accomplishing this shall be outlined in a document and submitted as part of the submittal materials and recorded in the Office of the Judge of Probate.

- (f) If a private subdivision is recorded in the Probate Office and (100% of) the property owners at some future date desire to eliminate the private subdivision and substitute in its place a city maintained subdivision, the owners must petition the Dothan Planning Commission for preliminary approval according to Section 90-76.
- (1) If preliminary approval is granted, the owners shall submit subdivision plans to the Public Works Director including improvements and repairs that may be required to existing infrastructure according to the Dothan Subdivision Regulations effective on the date of the petition.
 - (2) It shall be the responsibility of the owners to prepare and submit a revised Final Plat according to Article II, Division 3 of these regulations and recorded in the County Probate Office.
- (g) Should the owners of property in an existing public subdivision desire to create a private subdivision, 100% of the property owners shall consent in writing explicitly stating their understanding that conversion to private status carries liability and responsibility for;
- (1) The owner's shall make application to the Planning Commission to change a public subdivision to a private subdivision.
 - (2) Vacation of right-of-way. After approval by the Planning Commission and at their expense, the owner's shall take any steps legally necessary to vacate the public right-of-way.
 - (3) Maintenance – The maintenance of all pavements, curbing, drainage structures, conduits, and any other conveying structures integral to the street shall be recorded in a Homeowner's Agreement and Covenants that details how maintenance responsibility will be assessed to the owners. The agreement shall also address but not be limited to:
 - i. Easements granted for all utilities
 - ii. Life safety – coordination with police, fire and rescue services to attain entry.
- (h) A subdivision will not be considered as a "Private Subdivision" if the proposed development prevents access or "land locks" adjoining property.
- (i) Only private subdivisions are allowed to have entrance gates which restrict public access. Emergency vehicles and utilities personnel shall have access at all times.
- (j) The fire marshal must review and approve all plats containing private streets to ensure suitable access and turning capability is available along with the location of fire hydrants.
- (k) The following certification statement shall be added to the face of the plat along with any other required signature blocks before it is recorded:

Maintenance of the private street(s), drainage structures, conduit, and any other conveying structures integral to the street and drainage system shown on this plat are intended to be the responsibility of the duly incorporated homeowners' association. A copy of the homeowner's agreement shall be recorded in the county courthouse. (Note: This statement shall not serve as a substitute for any other statutory disclosure requirements.)

Owner(s)

Sec 90-10. Other Subdivision Actions.

- (a) The resubdivision of an existing recorded lot or lots or the amendment of an existing recorded subdivision shall require the approval of the Planning Commission in accordance with Section 90-76 through 102 inclusive. The Planning Director may authorize the approval of resubdivisions or amended plats not creating additional lots to be approved in accordance with Section 90-101 through 102 inclusive.
- (b) The resurvey of a lot resulting in a change to a boundary line which does not create an additional lot may be approved in accordance with Section 90-101 through 102 inclusive.

Secs. 90-11--90-40. Reserved.

Article II. Plats

Division 1. Generally

Sec. 90-41. Platting authority; applicability of chapter.

- (a) Unless otherwise designated, the city planning commission shall be the official platting authority.
- (b) The regulations contained in this chapter shall govern the subdivision of land in all areas allowed by state law.

Sec. 90-42. Preapplication review.

Whenever the subdivision of a tract of land within the jurisdiction of the planning commission is proposed, the subdivider should consult early and informally with the Public Works Director, and the subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity and the proposed layout and development of the subdivision. The Public Works Director shall return within 15 days the submitted sketch plans to the subdivider and shall inform the subdivider in writing where the plans do not comply with the regulations set forth in this chapter. No fee shall be charged for the preapplication review, and no formal application shall be required.

Secs. 90-43--90-75. Reserved.

Division 2. Preliminary Plat

Sec. 90-76. Procedure for approval.

It is the intent of the planning commission that the preliminary plat is to provide the total development area of a project. Prior to the cutting or grading of any street or the making of any street improvements or the installation of utilities, the subdivider shall submit to the planning commission a preliminary plat of the proposed subdivision in accordance with the following procedure: (Note: The subdivider shall ensure compliance with the subdivision criteria of the state department of public health.)

(a) *Application for preliminary plat approval.* The procedure for application for preliminary plat approval is as follows:

(1) Following the preapplication review of a proposed subdivision, the subdivider or its authorized agent, shall submit to the planning commission, at least 18 days prior to the next regular meeting of the planning commission, an application for approval of a preliminary plat on a form provided by the city along with a fee of \$25 which shall not be refunded, a listing of adjacent property owners, names and mailing addresses, and eight copies of the preliminary plat and other documents as specified in section 90-77.

(2) If the proposed subdivision plat either abuts (land within 500 feet of the county boundary) or includes land in two counties, the subdivider shall submit one additional copy of the preliminary plat.

(3) The subdivider shall post a sign on the property to be subdivided prior to the planning commission's review of the preliminary plat. The planning commission shall specify the size, type, number and locations of the signs to be posted and the time period during which they shall be posted.

(4) Notice of the time and place of the hearing at which the proposed development shall be discussed shall be sent by certified mail to the address of the subdivider and all adjacent property owners not less five (5) days before the date of the hearing. It shall be the responsibility of the planning commission to send the notice.

(b) *Review of preliminary plat.* The planning commission shall forward one copy to the Public Works Department, Planning Department, Utilities Department, Fire Marshal and other appropriate officials for review and retain one copy for its records. All parties shall review the preliminary plat and submit written recommendations to the planning commission for action. Failure to comment by the reviewing party will be taken as concurrence by such party. The planning commission shall hold a public hearing at which the recommendations of the reviewing parties will be presented.

(c) *Preliminary approval.* Following the hearing on the preliminary plat and other related material, the planning commission may detail its approval by written report or by noting the conditions of such preliminary approval on four copies of the preliminary plat with one copy being returned to the subdivider, one copy to the county health department and one copy to the office of the Public Works Director and one copy be added to the records of the planning commission. Approval of a preliminary plat does

not constitute approval of the construction plans or the final plat. It indicates only approval of the layout as a guide to the preparation of the construction plans and final plat. It is, however, the intent of this article that a final plat which adheres to the conditions of approval for a preliminary plat will be approved by the planning commission.

(d) *Expiration time.* Preliminary approval shall be in effect 12 months from the date of the approval. If construction plans have not been submitted within 12 months of the date of approval, the applicant may request a one time extension of up to 12 months from the planning commission. New applications shall be required for any subdivision where no activity has occurred in the first 12 months.

(e) *Disapproval.* Following the hearing on the preliminary plat and other related material, the planning commission may find reasons detrimental to the public safety, health and general welfare, or in conflict with adopted plans of the planning commission which requires the disapproval of the preliminary plat. A statement of the reasons for disapproval shall be made on two copies of the preliminary plat with one copy being returned to the subdivider and one copy being added to the record of the planning commission. The applicant may reapply for preliminary plat approval in accordance with subsection (1) of this section.

(f) *Automatic approval.* Failure of the planning commission to act on the preliminary plat within 30 days after submission by the developer thereof, without due cause, shall be deemed to be approval of the plat and a certificate of preliminary approval shall be issued by the planning commission on demand; provided, however, that the subdivider may waive this requirement and consent to an extension of time.

Sec. 90-77. Specifications.

(a) *Scale.* The preliminary plat shall be clearly and legibly drawn at a scale not smaller than 200 feet to one inch.

(b) *Ground elevation.* The preliminary plat shall show ground elevations based on the datum plan of the National Geodetic Survey (NGVD 29 Datum). Contours at vertical intervals of not more than five feet are required, unless specified by the planning commission. A tie to one or more benchmarks shall be shown. Verification of the existing land contour is essential. A centerline profile of the proposed streets will be required by the Public Works Director on construction plans.

(c) *Information to be provided on preliminary plat.* The preliminary plat shall contain the following information:

(1) Name and address of owner of record and subdivider and name and registration number of surveyor, planner and/or engineer.

(2) Proposed name of subdivision and its acreage.

(3) Total number of lots and blocks and a table listing the square footage of each lot and any non-residential use proposed (commons area, detention, etc).

(4) North arrow and graphic scale and date.

- (5) Vicinity map showing location of the subdivision and north point.
- (6) Approximate boundary lines of the tract.
- (7) Names of owners of record of all adjoining unplatted land with their approximate acreages.
- (8) Existing streets, utilities and easements on and adjacent to the tract, including the size and width of each.
- (9) Proposed layout including streets, alleys, and easements, with both approximate dimensions and proposed street names; lot lines with approximate dimensions; land to be reserved or dedicated for public uses; and any land to be used for purposes other than single-family dwellings.
- (10) Block Letters (Excluding the Letters "I" and "O") and Lot Numbers.
- (11) Indication of zoning district boundaries. Such boundaries, if they exist, to be shown and dimensioned on the plan. Proposed lots shall conform to the minimum requirement of the zoning district in which they are located.
- (12) Proposed conceptual provisions for water supply, sewerage and drainage, as required by the Public Works Director and proposed by the design engineer.
- (13) Minimum building front yard setback lines.
- (14) Location of streams, lakes and swamps and land subject to flooding as determined from past history of flooding, and as delineated by available NGS, FEMA or Federal EPA, or other approved information.
- (15) Location of land dedicated for a neighborhood park or open space.
- (16) Any other information that may be considered necessary by the Public Works Director for full and proper consideration of the proposed subdivision.

(d) *Flood hazard review.* If the proposed subdivision is located in an area which is subject to flooding, the planning commission shall require a thorough review by the Public Works Director. This review may require additional information to be provided by the subdivider in regards to valley cross sections, topography information, flood occurrence records or whatever is available to determine the potential of flooding on the proposed site or adjacent property. Any report issued to the planning commission concerning the flood hazard of an area must be prepared by a professional engineer.

(e) *Approval from the health department.* The county health department must be notified by the developer by letter of the intent to construct a subdivision with individual wells and/or septic tanks if applicable. A copy of this letter shall be submitted with the preliminary plat.

(f) *Certificate of preliminary approval.* A certificate of approval of the preliminary plat by the planning commission shall be inscribed on the plat as follows:

"All the requirements of preliminary approval having been fulfilled, this subdivision plat was given preliminary approval by the City of Dothan Planning Commission on _____ 20_____. The preliminary approval does not constitute approval of the final plat. This certificate of preliminary approval shall be in effect for 12 months or subject to review at that time.

TABLE INSET:

_____	_____
Date	Dothan Planning Commission Chairman

(g) *Construction and approval of physical improvements.* The subdivider shall submit detailed construction plans and stormwater runoff siltation control plan (developments greater than one acre requires a NPDES permit) for the subdivision for review and approval by the Public Works Director prior to commencing any construction activity on the site. Such plans shall be prepared by a professional engineer. After receiving approval of the preliminary plat by the planning commission and approval of construction plans by the Public Works Director, the subdivider may proceed to clear the land, grade the streets and install all improvements in accordance with the approved construction plans. Deviations may be made from the approved construction plans which do not alter the scope of the project and which are authorized by the design engineer and approved by the Public Works Director. Approval of construction by the Public Works Director in no way approves or sanctions any noncompliance with ADEM/EPA NPDES permitting regulations or any other state or federal laws, rules or regulations. In lieu of the completion of all improvements, prior to approval of the final plat, the subdivider may post a cash completion bond with the city in an amount determined by the Public Works Director to cover the cost of completing the construction and installation of such improvements. The city may use the bond to complete the required improvements within the period of time specified by the planning commission. This provision for bond is applicable only for a completion cost not exceeding ten percent of the required construction costs for the total development. It is the sole responsibility of the developer to ensure that all plans utilized in construction are of the latest approved revision.

(h) *Digital format.* A digital copy of the preliminary plat shall be submitted to the city with the application in digital form in a .PDF, .JPEG or similar format on electronic media.

Sec. 90-78--90-100. Reserved.

Division 3. Final Plat

Sec. 90-101. Procedures for approval.

After substantial completion of the physical development of the subdivision, the subdivider shall submit to the Department of Planning and Development a final plat in accordance with the following procedure:

(a) *Application for final plat approval.* After the preliminary plat of a proposed subdivision has been given approval, the subdivider may within one year or within such additional time as may be granted by the planning commission, submit to the Planning Department for review, the following:

- (1) An application requesting review and approval of the final plat, including a listing of adjacent property owners' names and mailing addresses.
 - (2) Six printed copies of the final plat, with signed certifications and other documents as specified in section 90-102.
 - (3) A fee of \$25.00 which shall not be refunded.
- (b) Review of the final plat. The final plat shall be checked for conformance with the previously approved preliminary plat, and with conformance to these regulations.
- (c) Public hearing. No public hearing shall be required for a final plat provided it is in substantial conformance with the approved preliminary plat, or in the case of a minor subdivision, concerns have been raised, which in the opinion of the Planning Director, require a public hearing.
- (d) Decision. Within 30 days of the date of application, the Planning Director shall notify the applicant in writing of one of the following actions:
- (1) The application is approved in compliance with these regulations.
 - (2) The application is approved conditionally subject to comments and conditions of city staff.
 - (3) The application is found not to be substantially in conformance with the previously approved preliminary plat, the application shall be scheduled for public hearing at the next available regularly scheduled planning commission meeting. Notice of the time and place shall be sent by certified mail to the address of the subdivider and adjacent property owners as required for preliminary plats as stipulated in 90-76(1)(a). Notice shall be sent not less than fourteen days before the meeting. Any costs for sending the notice shall be the responsibility of the applicant.
- (e) Recording. Any approved Final Plat shall have all required signatures and be submitted to the County Engineer for approval before being recorded in the Office of the Probate Judge of Houston County, Alabama.

- (f) Automatic approval. Failure to act on the final plat within 30 days after submission by the developer thereof shall be deemed to be approved and a certificate of final approval shall be issued by the planning commission on demand; provided, however, that the subdivider may waive this subsection and consent to an extension of time.

Sec. 90-102. Final plat specifications.

(a) *Digital format.* The final plat shall also be submitted to the city in digital form utilizing the standard city layer name structure and AutoCad or DXF format on electronic media.

(b) *Conformance with the preliminary plat.* The final plat shall conform to the conditions of the approved preliminary plat.

(c) *Original tracing specifications.* The final plat shall be clearly and legibly drawn on any acceptable synthetic tracing material. The scale shall be a minimum of 100 feet to an inch on a sheet size 24 inches by 36 inches. If the complete plat cannot be shown on one sheet of this size, it may be shown on more than one sheet with an index map at a reduced scale.

(d) *Additional specifications.* The final plat shall contain the following information:

(1) Name and address of owner of record and subdivider and name and registration number of surveyor or engineer.

(2) North arrow, subdivision acreage, graphic scale and date.

(3) Vicinity map showing location and north point of the subdivision.

(4) Location of streams, lakes, and swamps and land subject to flood.

(5) Names of owners of record of all adjoining land.

(6) Bearing and distance to permanent points on the nearest existing street or benchmark or other permanent monuments (not less than three) shall be accurately described on the plat. The plat shall show the location of the subdivision in relation to the U.S. government land survey by distances and bearing to a line and corner of a section, one-quarter section or one-quarter of a one-quarter section. Local tie for horizontal and vertical control must be made to two or more monuments in the city horizontal and vertical control monumentation system which is based on NAD 83 Horizontal and NGVD 29 vertical datums with state plane coordinates established for the points of benchmarks required in subsections (b) and (c) of this section.

(7) Municipal and county lines shall be accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision.

(8) Designation of included land dedicated for a neighborhood park or open space area and designation of any commonly owned property.

(9) Exact boundary lines of the tract, determined by a field survey, giving distances to the nearest 1/100 foot and angles to the nearest second, shall be balanced and closed with an apparent error of closure not to exceed one in 10,000.

(10) Name of subdivision, exact locations, width, and names of all streets and alleys within and immediately adjoining the new subdivision shall be shown on the plat.

(11) Street rights-of-way shall show all curvature information including central angle, tangent length, radius length and chord length and bearing. Lot lines along street rights-of-way shall show a minimum of cord length and bearing and radius length for each curved section and the length and bearing for each straight section. Supply the length and bearing across each road right-of-way that crosses the boundary of the subdivision.

(12) Lot lines shall be shown with dimensions to the nearest 1/100 foot and bearings to the nearest second.

(13) Lots shall be numbered by numerical order and blocks lettered alphabetically (excluding the letters "I" and "O").

(14) Each lot shall have a house number placed on the curb for identification purposes. The Public Works Director will determine the house numbers.

(15) Location, dimensions, and purposes of any easements and any areas to be reserved or dedicated for the public use shall be shown on the plat.

(16) Accurate location, material and description of monuments and markers shall be described on the plat.

(17) Minimum building front yard setback lines shall be shown for all street frontage.

(e) *Surveyor's certification.* A signed certification by a registered land surveyor certifying to the accuracy of the survey and the plat shall be placed on the final plat as follows:

"I certify that this plat is a correct representation of the land subdivided and has been prepared in conformity with the minimum standards and requirements of law and has been calculated for closure by latitudes and departures and is found to be accurate within one foot in 10,000 feet.

By _____
Land Surveyor, Alabama
Registration Number _____ "

(f) *Owner's Certification.* A signed certification of ownership shall be placed on the final plat as follows:

"Owner's Certification:

State of Alabama, County of _____ The undersigned certifies that he is the owner of the land shown on this plat and acknowledges this plat and allotment to be his free act and deed and dedicates forever to public or private use all areas shown or indicated on this plat as streets, alleys, easements or parks."

TABLE INSET:

Date _____	_____ Owner's Name
------------	-----------------------

State of Alabama
Houston County

I, _____, a notary public in and for said county and state, do hereby certify that _____, whose name(s) _____ signed to the foregoing certificate and who _____ known to me, acknowledge before me on this date, that, of being informed of the contents of said certification, _____ executed the same voluntarily on the date same bears. Given under my hand this _____ day of _____, 20_____.

TABLE INSET:

Date _____	_____ Notary Public
------------	------------------------

(g) *Health department certification.* A signed certification of the county health department shall be placed on the final plat as follows:

"I certify that the general lot layout shown on this plat has been approved by the _____ County Health Department for development with _____.

TABLE INSET:

Date _____	_____ Health Officer
------------	-------------------------

(h) *Certificate of approval by the Public Works Director.* A signed certification by the Public Works Director shall be placed on the final plat as follows:

"I certify to the best of my knowledge and belief that the owner, or his agent, has completed the construction and installation of the streets, drainage, utilities and other improvements in accordance with the laws and specifications of Dothan, Alabama, or has posted a cash performance bond in lieu thereof."

(i) Construction Certification. A signed certification by a registered professional engineer certifying to the conformity with these regulations shall be placed on the Final Plat as follows:

I, _____, a professional engineer registered in the State of Alabama, Registration Number _____, do hereby certify that the streets, water system, sewer system, and drainage system for _____ subdivision have been constructed under my general supervision in accordance with the construction plans submitted to and reviewed by the Public Works Director.

I further certify that the public improvements constructed herein 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 City of Dothan Code of Ordinances and shall have no adverse impact on adjacent or down stream properties.

I acknowledge that in the event that the certification given herein shall be determined by the Public Works Director to be grossly incorrect, the City may hereafter refuse to accept the certification of the undersigned.

NAME: _____ TITLE: _____

P.E. #: _____ FIRM: _____

DATE: _____

Sec. 90-103. Approval.

(a) *Distribution of copies of final plat.* Upon approval of the final plat by the planning commission and upon certification of the final plat by all necessary parties, the engineer shall return two copies to the subdivider, one copy to the county health department, retain one copy for his office and retain one copy for the records of the planning commission.

(b) *Certificate of final approval by the planning commission.* Certificate of final approval by the planning commission shall be placed on the final plat only after every item in sections 90-101 and 90-102 have been complied with and shall state the following:

"I certify that all the requirements for final approval of this plat have been fulfilled in accordance with the regulations of Dothan, Alabama, and the requirements of the planning commission."

TABLE INSET:

_____	_____
Date	Dothan Planning Commission Chairman

(c) *General requirements.* General requirements for final approval are as follows:

(1) No changes, erasures, modifications or revisions shall be made in any subdivision plat after approval has been given by the planning commission and endorsed in writing on the plat. If any subdivision plat, when recorded, contains any changes, the plat shall be considered null and void, and the planning commission shall then file a correct plat as approved, noting the reason for such filing.

(2) Upon application by the subdivider, the planning commission may make a reasonable extension of the approval; provided, however, that the commission may require that the layout be revised according to any changes in regulations or ordinances applicable to the layout subsequent to the first approval.

(3) Expiration of an approval shall mean that any further action will require a new filing fee as well as a review of all previous findings.

Sec. 90-104. Recording.

Upon the approval of a final plat by the planning commission, the owner or his agent shall have the final plat recorded in the office of the probate judge prior to the sale of any lot in the subdivision.

Sec. 90-105. Reserved.

Sec. 90-106. Subdivision of property located on public thoroughfares.

At its discretion, the planning commission may adopt special procedures that would require a comprehensive access utility and drainage plan to facilitate the orderly development of land located on public thoroughfares.

Secs. 90-107--90-135. Reserved.

Article III. Design Requirement and Minimum Standards

Sec. 90-136. General requirements.

(a) *Name of subdivision.* The name of the subdivision must have the approval of the planning commission. The name shall not duplicate nor closely approximate the name of an existing subdivision.

(b) *Access.* Every subdivision shall have access to a public street.

(c) *Conformance to adopted comprehensive plan.* All streets and other features of the comprehensive plan of the city shall be platted by the subdivider in the location and to the dimension indicated on the comprehensive plan adopted by the board of commissioners.

(d) *Through traffic.* Residential streets shall be so laid out that their use by through traffic will be discouraged.

Sec. 90-137. Requirements for streets and other rights-of-way.

(a) *Continuation of existing streets.* Existing streets shall be continued at the same or greater width, but in no case less than the required width.

(b) *Connections with future subdivisions.* Streets shall be reserved at strategic locations to provide for future access to adjoining properties which may be subdivided in the future. Each street connection shall intersect property lines at not less than a 75-degree angle.

(c) *Street names.* Street names shall require the approval of the planning commission. Streets that are obviously in alignment with streets already in existence and already named shall be given the name of the existing street. Names of new streets shall not duplicate or closely approximate those of existing streets.

(d) *Street jogs.* Street jogs with centerline offsets of less than 200 feet shall not be permitted.

(e) *Cul-de-sacs.* Cul-de-sacs shall be provided at the closed end with a turnaround having a property line radius of at least 55 feet or 50 feet plus a 10 ft. utility easement with an outside pavement radius of at least 40 feet in residential areas and a property line radius of at least 100 feet with an outside pavement radius of at least 90 feet in commercial and industrial areas unless directed otherwise by the Fire Marshal. The length of cul-de-sacs shall be subject to review and approval by the planning commission but should generally be no longer than 1320 ft. and shall reflect consideration for traffic, fire protection and utility lines. In cul-de-sacs, minimum grade shall be determined by the length of the curblines rather than the length of the centerline. Temporary turnarounds shall be required on any street longer than 200 feet. Islands may be permitted if approved by the Public Works Director. All temporary turnarounds shall be paved.

(f) *Development along major street, limited access highway or railroad right-of-way.* Where a subdivision abuts or contains an expressway, freeway, arterial or Collector Street, or a railroad right-of-way, the planning commission may require a street approximately parallel to and on each side of such right-of-way, either as a marginal access street, or at a distance suitable for an appropriate use of intervening land, with a non-access reservation suitably planted. Due regard should be given requirements for approach grades and future grade separations in determining distances. Lots shall have no access to expressways, freeways or arterial or collector streets, but only to an accessible street in which case the planning commission may require double frontage lots.

(g) *Access Lanes.* The requirements for providing access lanes within a subdivision are as follows:

- (1) They shall not be provided in residential developments unless the subdivider provides evidence satisfactory to the planning commission of their need.

(2) They may be provided at the rear of all lots intended to be used for business purposes.

(3) They shall be generally parallel to the streets, shall not be less than 20 feet wide and shall be paved according to city design standards.

(4) Right-of-way shall not be dedicated to the public.

(5) Where two access lanes intersect, a triangular flair of not less than 20 feet from the normal intersection of the property line shall be provided along each property line.

(6) Dead-ends shall be prohibited.

(h) *Reserve strips and easements.*

(1) Reserve strips may be implemented to control vehicular access to and physical access to public or private utilities to all unplatted property or properties which abut onto a dedicated public or private street. Said reserve strip shall be 5' in width and contained within the public or private street right-of-way or easement and shall not be removed until such time as the adjacent unplatted property or properties are platted, approved by the Dothan Planning Commission and duly recorded in the office of the County Probate Judge.

(2) The planning commission may require easements for access, poles, wires, conduits, storm sewers, sanitary sewers, gas lines, water lines or other utility lines along all rear lot lines, and along side lot lines as determined necessary by the Public Works Director. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a required easement for future maintenance. The minimum width needed for easements shall be determined by the design engineer in accordance with the utility which is involved and shall be approved by the Public Works Director for each specific subdivision.

(3) Medians or islands located in the right-of-way may be permitted as part of the approved subdivision design. Maintenance shall be the responsibility of the developer or homeowners association. Fences or perimeter walls installed by the developer shall be the responsibility of the developer or a homeowners association.

(i) **AUXILIARY LANE REQUIREMENTS.** In order for the internal subdivision streets and the adjacent existing roadways to operate safely and efficiently, it is necessary to evaluate the need for channelization of traffic movements, especially at major unsignalized intersections. The warrants outlined here shall be followed for unsignalized intersections that provide access to new subdivisions or developments and for major unsignalized intersections internal to the subdivision or development. The warrants apply both to subdivisions and developments that require a Traffic Impact Study (TIS), and to those that do not.

1. **Left Turn Lane Warrants.** The methodology presented here applies to all subdivision or development access points where a left turn must be executed from a

two-lane roadway to enter the subdivision. The intent is to identify locations where lack of left turn lanes presents a potential safety concern.

The need for an exclusive left turn lane can be determined from Table 3 if the following parameters are known:

- ADT: The two-way average daily traffic on the roadway from which the left turn is executed. If a TIS for the subdivision is not available, ADT can be obtained from the City of Dothan Traffic Engineering Division if traffic counts exist for the roadway.
- LT: Number of left turns in the peak hour. If a TIS for the subdivision is not available, the number of left turns can be estimated based on the number of trips generated by the subdivision or development in the peak hour (using the trip generation rate from *Trip Generation*⁴) divided by the number of access points where left turns are (or will be) permitted, as shown in the following equation:

$$LT = 0.5 \text{ Trip Generation}_{P.H.} / \text{Access Pts}$$

For residential subdivisions the equation simplifies to:

$$LT = 0.5 \text{ Dwelling Units} / \text{Access Pts}$$

- Posted Speed: The posted speed limit on the roadway from which the left turn is executed.

Table 3 shows the maximum number of left turn movements allowed in the peak hour without a dedicated left turn lane. If those values are exceeded for any ADT and speed combination, a left turn lane shall be provided. Table 4 shows the minimum left –turn approach and bay taper lengths.

An exclusive left turn lane will also be required regardless of the size of the subdivision or development, if an access point to the subdivision is located in an area where sufficient stopping sight distance is not provided on the major roadway. If the roadway shoulders or any pedestrian or bicycle facilities are affected by the addition of a left turn lane they must be replaced. The minimum storage length required for the lane must comply with the requirements in the City of Dothan turn lane specifications.

Table 3. Maximum left turn volume in the peak hour without a left turn lane

Posted Speed (mph)	ADT (2-way)			
	<2,500	2,500-5,000	5,000-10,000	>10,000
≤35	75	50	30	15
40-50	75	40	20	10
≥55	75	30	10	5

Table 4. Minimum Left-Turn Approach and Bay Tapers

Design Speed (mph)	Approach 1 (in feet)	Approach 2 (in feet)
25	125	100
30	180	120
35	245	140
40	320	160
45	405	180
50	500	200
55	605	220
60	720	240

(2) Right Turn Lane Warrants. The methodology presented here applies to all subdivision or development access points where a right turn must be executed from a collector or arterial to enter the subdivision. The intent is to identify locations where the lack of right turn lanes presents a potential safety concern.

The need for an exclusive right turn lane can be determined from Table 4 if the following parameters are known:

- ADT: The bi-directional average daily traffic on the roadway from which the right turn is executed. If a TIS for the subdivision is not available, ADT can be obtained from the City of Dothan Traffic Engineering Division if traffic counts exist for the roadway.
- RT: Number of right turns in the peak hour. If a TIS for the subdivision is not available, the number of right turns can be estimated based on the number of trips generated by the subdivision or development in the peak hour (using the trip generation rate from *Trip Generation*⁴) divided by the number of access points where right turns are (or will be) permitted, as shown in the equation below:

$$RT = 0.5 \text{ Trip Generation}_{P.H.} / \text{Access Pts}$$

For residential subdivisions the equation simplifies to:

$$RT = 0.5 \text{ Dwelling Units} / \text{Access Pts}$$

Table 5 shows the maximum number of right turn movements allowed in the peak hour without a dedicated right turn lane. If those values are exceeded, a right turn lane shall be provided. Table 6 shows the length of lanes and tapers for right-turn lanes.

Table 5. Peak Hour Volume Warrant for Right Turn Lanes

ADT (2-way)	Max. Peak Hour Right Turn Volume (w/o RT Lane)
2,500-5,000	100
5,000-10,000	70
>10,000	40

Table 6: Speed Change Lane Lengths for Right-Turn Lanes

Design or Posted Speed (mph)	Stop Condition		15 mph Turn		Minimum Acceleration Lane Taper Ratio	Minimum Deceleration Lane Taper Ratio
	Accel	Decel	Accel	Decel		
25	100	200	90	150	7.5:1	7.5:1
30	190	235	190	185	10:1	8:1
35	270	275	240	235	12.5:1	10:1
40	380	315	320	295	15:1	11.5:1
45	550	375	480	350	15:1	13:1
50	760	435	700	405	20:1	15:1
55	960	485	910	450	22.5:1	18.5:1

Auxiliary Lanes Sample Calculation

- Given the following information, determine the need for dedicated left turn and right turn lanes:
- Turns made from a 2 lane collector roadway
- Posted speed: 40 mph
- ADT on collector roadway: 8,000 veh/day
- 150 single-family residences
- 2 Access points

To calculate LT and RT

$$LT = RT = (0.5 \cdot 150) / 2 = 38$$

To evaluate need for left turn lane

Reading in Table 3 for ADT between 5,000 and 10,000 and posted speed of 40, the maximum number of left turns allowed in the peak hour is 20.

Since $LT (38) > 20$, a left turn lane IS warranted (at each access point).

To evaluate need for right turn lane

Reading in Table 4 for ADT between 5,000 and 10,000 and posted speed of 40, the maximum number of right turns allowed in the peak hour is 70.

Since $RT (38) < 70$, a right turn lane IS NOT warranted.

Sec. 90-138. Right-of-way or easement width requirements.

The minimum street right-of-way widths shall be as follows:

- (a) Freeways and expressways . . . 150 feet
- (b) Arterial streets . . . 100 feet
- (c) Collector streets . . . 80 feet, or 60 feet with additional 10 feet of utility easements on each side of proposed right-of-way.
- (d) Minor commercial and industrial streets . . . 60 feet
- (e) Minor residential streets . . . 60 feet, or 50 feet with additional 10 feet of utility easements (each side) of the proposed right-of-way.
- (f) Dead-end streets (cul-de-sacs) . . . 60 feet, or 50 feet with additional 10 feet of utility easements (each side) of proposed right-of-way.
- (g) Marginal access streets . . . 50 feet
- (g) Access Lanes . . . 20 feet
- (i) Or as directed by state and federal regulations.

Sec. 90-139. Street design requirements.

Street intersections. Street intersections shall be as nearly at right angles as possible with no street intersection being at any angle of less than 75 degrees.

(a) *Right-of-way radius.* The street right-of-way radius at street intersections shall be at least 20 feet. A longer radius may be required by the Public Works Director. Where the angle of street intersection is less than 90 degrees, the planning commission may require a longer radius.

(b) *Additional width on existing streets.* Additional width on existing streets shall be determined according to the following:

1. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing streets.
2. When the subdivision is located on one side of an existing street, one-half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided.
3. The planning commission may control access to expressways, freeways and arterial streets by requiring all lots to face and have access only to minor streets.

(c) *Street Connectivity*

- (1) A proposed development shall provide or enable direct connections to the public street system from adjacent similarly zoned properties. Each development shall incorporate and continue all local and collector streets stubbed to the boundary whether previously approved but unbuilt or to existing streets.
- (2) In the event adjacent developable properties are unzoned or zoned for a less intense use and to ensure future street connections to adjacent developable parcels whose use is indicated on the adopted future land use map to contain compatible development, a proposed development shall provide local street connections spaced at intervals not to exceed 1320 feet. Should the proposed development site not be shown on the future land use map, the planning commission shall determine if the connection is appropriate given its location, proposed use and market potential.
- (3) Streets shown on the adopted transportation plan shall be incorporated into the proposed development.
- (4) Works Director may require the installation of any access or speed management control or traffic calming device.
- (5) Private residential streets whose purpose is to avoid complying with this standard are prohibited.
- (6) Notwithstanding Sec. 90-197 of these regulations, the requirements of (a), (b), and (c) above may be waived if, in the opinion of the Planning and Public Works Directors, they are infeasible because of unusual

topographic features, existing development, or the presence of an existing natural area containing environmentally sensitive lands.

Sec. 90-140. Design standards for blocks and lots.

(a) *Design lengths and widths.* Block lengths and widths shall be determined or based on the following requirements: Blocks shall not be greater than 1,320 feet between intersections with other public or private streets unless topographic or other constraints shall make it impractical.

(b) *Lots abutting public streets.* Each lot shall abut upon a dedicated public street unless otherwise approved by the Planning Director and the Public Works Director.

(c) *Double frontage lots.* Double frontage lots should be avoided except where essential to provide separations of residential development from traffic arterials or to overcome specific disadvantages of topography and orientation. Access shall be taken from only one side.

Sec. 90-141. Sidewalks.

(a) Sidewalks shall be provided in residential subdivisions according to the chart below and/or as otherwise required by the planning commission. Where zoning exists sidewalks shall be provided according to those designations.

Pedestrian Facility Requirements					
	Net Density	Zoning	Arterial	Collector	Local
Residential Streets	2.5 – 4 du's per acre	R-100-S R-85-S R-75-S	5 ft. both sides	5 ft. both sides	5 ft. one side
	4 plus du's per acre	R-75-D, M R-65-S,D,M,A R-50-S GH TH 20,24	5 ft. both sides	5 ft. both sides	5 ft. both sides

(b) Sidewalks shall have a thickness of four inches and be of concrete, stone or masonry construction or other materials approved by the planning commission.

(c) Sidewalks shall be at least 24 inches from the back of the curb and/or in line with existing area sidewalks. The area between the curb and sidewalk shall be grassed or otherwise landscaped.

(d) All sidewalks shall slope one-fourth of an inch per foot toward the curb.

- (e) With the exception of developments zoned either TH-20 or TH-24, sidewalks are not required on cul-de-sacs where trips are not expected to exceed 400 per day or as required in Section 90-137(e).
- (f) The provision of sidewalks in non-residential areas shall be as approved on the development plan.

Secs. 90-142--90-170. Reserved.

Article IV. Required Improvements

Division 1. Generally

Sec. 90-171. Flood hazard areas.

Any filling, construction, development or improvements in flood hazard areas shall comply with chapter 42.

Sec. 90-172. Monuments.

Right-of-way and property line monuments shall be placed in each subdivision in accordance with the following: Concrete monuments four inches in diameter or square, three feet long, with a flat top shall be set at all street corners, at all points where the street lines intersect the exterior boundaries of the subdivision and at all angle points of the boundary of the subdivision and at all angle points and points of curve in each street. The top of the monument shall have an indented cross to identify properly the location and shall be set flush with the finished grade. An iron, or other approved long - life material, pin embedded at least 18 inches into the ground shall be required at each lot corner and each point where the property line changes direction. Such iron pin shall be at least one-half of an inch in diameter. The top surface of such iron pin shall be approximately level with the finished grade.

Secs. 90-173--90-195. Reserved.

Division 2. Administrative Procedures

Sec. 90-196. Enumeration.

The administrative procedures for installing the subdivision improvements required in this article shall be as follows:

- (a) *Beginning construction.* Construction and installation of any required public improvements as described in this section shall not begin until the planning commission has given preliminary approval of the new subdivision and the Public Works Director has approved construction plans for the new subdivision. Construction plans must be prepared, signed and sealed by a professional engineer.

(b) *Inspections and approval.* All construction shall be inspected by the designing engineer or his designated representative. After completion of all the construction and the installation of the required public improvements and if the work has met the specifications as described in this section, and certified by the design engineer, the design engineer shall then supply two sets of as-built (record) plans and profiles showing the locations of all improvements, including all lateral service lines to the Public Works Director, along with/prior to a written request for a final inspection. Upon completion of the final inspection, a punch list will be generated. When the punch list items have been corrected, the Public Works Director shall notify the subdivider in writing of the approval of such work. Work outside the contract, such as electrical, telephone, etc., must be performed in accordance with the approved plans and be in agreement with the design engineer and the Public Works Director. The Public Works Director or his authorized agent may inspect all or any of the work associated with the subdivision. The term "as-built" (record) plans shall also include plans submitted in AutoCad or DXF format on 3 1/2-inch diskette. These plans will include roadway centerline, edge of roadway pavements (or back of curb) and right-of-way lines tied to the state plane coordinates. Lot information shall include side and rear lot lines and the location and size of any easements. Utility information shall include the following: Sewer line location and size, manhole and service locations, storm drain pipe location and size, inlet junction box and headwall location and type and a description and location for other drainage improvements (paved ditches, grassed swales, etc.), water line location and size, valve, fire hydrant, service locations, and any other information necessary for the update and maintenance of the city GIS system.

(c) *Official acceptance by governing body.*

- (1) Upon determination that the Final Plat should be approved and that the installation of all required improvements has been satisfactorily completed in accordance with City specifications, the Public Works Director shall procure a maintenance surety from the subdivider, in accordance with Sec. 90-196 (5) herein.
- (2) Once a surety has been obtained, the Public Works Director shall then sign two (2) copies of the Final Plat. The owner, or his agent, shall then have the Final Plat recorded in the office of the Probate Judge prior to the sale of any lot in the subdivision. One (1) copy of the Final Plat with the county probate office recording information stamped on it shall be returned to the office of the Public Works Director.
- (3) The Public Works Director shall secure from all developers a statement in which said developer shall agree to be responsible for repairing any defects in the construction for two years after the final plat is recorded or completion of construction, whichever occurs last. The city's responsibility for acceptance and/or maintenance of streets and other designated public infrastructure does not begin until the final plat has been recorded and the maintenance period has expired.

(d) *Performance bond.* Under some conditions and as a condition of obtaining approval of a final plat, a performance bond may be provided by the developer to insure the completion of required public improvements as follows:

(1) The Public Works Director, in consultation with the Planning Director may allow a cash performance bond to be submitted in lieu of full completion of the subdivision construction for final approval. The amount of the performance bond shall be agreed to by the Public Works Director. The amount of the bond shall be equal to 125% of the estimated cost of the incomplete construction. The city is not obligated to accept the cash performance bond in lieu of completion. The subdivider must substantiate the circumstances which warrant this action.

(e) *Maintenance Agreement and Bond.*

(1) Maintenance Agreement. The Public Works Director shall secure from all developers a statement in which the developer shall agree to maintain all improvements for a period of two (2) years after the final plat has been recorded or completion of construction, whichever occurs last.

(2) Type of Bond. A bond shall be required to ensure the fulfillment of such agreement and shall be by cash, certified cashier's check, certificate of deposit, or surety bond produced by a company authorized to do business in the State of Alabama. The applicant shall not be released from said bond except by a release in writing from the Public Works Director.

(3) Bond Amount. The bond amount shall be set at twenty-five percent (25%) of the estimated cost of the improvements that are to be maintained by the City and/or County if located outside the city limits. A schedule of estimated costs for all items to be bonded shall be submitted by a registered engineer for review by the Public Works Director. This schedule shall clearly describe the items, quantities, unit cost and total cost of the improvements.

(f) *Cost of improvements.* Determining the responsibility for the cost of improvements shall be done as follows:

(1) *Subdivider's responsibility.* The subdivider shall incur the cost of construction and installation of all required public improvements based on the following:

a. *Streets.* Incur the cost for the construction of the full width of streets from back of curb, to back of curb or from shoulder to shoulder.

b. *Water and sewer systems.* Incur the cost for the installation of all water and sewer systems which are required to serve the new subdivision and tie in with existing water and sewer systems, based on the specifications set forth herein.

c. *Monuments.* The entire cost of monuments.

d. *Street signs.* The entire cost of street signs.

e. *Pavement striping, legends and stop bars.* Permanent markings shall be thermoplastic. The entire cost of pavement striping, legends and stop bars.

f. *Storm drainage.* Storm drainage, including storm drainage detention basins, the entire cost.

(2) *Governing body's responsibility.* The governing body shall partially participate in sharing the cost of construction and installation of required public improvements on the following conditions: Incur cost for any difference in the cost of laying of oversized pipe and outfall systems which are needed in excess of the required water and sewer facilities needed to serve exclusively the new subdivision as determined by the planning commission, the Public Works Director and the Utilities Director.

Sec. 90-197. Variances.

Where the subdivider can show that a provision of this article would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the planning commission, a departure may be made without destroying the intent of such provisions, the planning commission may authorize a variance. Any variance thus authorized is to be stated in writing in the minutes of the planning commission with the reasoning on which the departure was justified set forth. The Planning Commission shall not approve any variance to the technical street or utility design or construction standards in Sections 221- 224 in these regulations without the approval of the Public Works Director.

Secs. 90-198--90-220. Reserved.

Division 3. Street Construction Specifications

Sec. 90-221. Grades, horizontal curves, vertical curves, tangents and sight distances.

The following street design requirements shall be adhered to in addition to other requirements stated in this section:

TABLE INSET:

	Expressways, Freeways, Arterial Streets	Collector Streets	Other Streets
Maximum street grades:	6 percent	8 percent	15 percent
Minimum street grade:	0.5 percent	0.5 percent	0.5 percent
Minimum crown slope	3/8-inch per foot	3/8-inch per foot	3/8-inch per foot
Minimum radii of centerline curvature	800 feet	500 feet	100 feet
Minimum length of tangent between reverse curves and approaches at intersections	300 feet	200 feet	100 feet
Minimum stopping sight distance	350 feet	240 feet	200 feet
Minimum curblines radius	40 feet	30 feet	20 feet

A street which ends at an intersection a maximum grade of 5% for a distance not less than one hundred (100) feet from the centerline of said intersection. For grade transition, a vertical curve with a length, approved by the Public Works Director shall be used which shall not be less than the minimum set in this chapter.

Sec. 90-222. Basic construction requirements for all classes of streets.

(a) *Grading.* All streets, roads and alleys shall be graded to their full width by the subdivider so that pavements and sidewalks, where required or if installed in the future, can be constructed. The preparation of the right-of-way shall be complete before grading is started, and the construction of cuts and fills shall be accomplished in accordance with the construction plans for approval by the Public Works Director. Grading must meet the standard specifications for construction as published by the Public Works Director's office. For all construction work within or adjacent to an existing right-of-way, construction zone traffic control signing and detour plans must be in place and in conformance with the Manual on Uniform Traffic Control Devices (MUTCD) prior to the start of work.

(b) *Storm sewers and drainage.* Subdivision drainage design shall include a hydrological analysis sealed by a professional engineer registered in the state of all land upstream from and through the proposed subdivision. This analysis shall include, but not be limited to, a map of the upstream basin showing the contributing drainage area, runoff coefficients or curve selection criteria, and the time of concentration. Drainage computations should be calculated by using the rational method for subdivisions of 40 acres or less and by using the Soil Conservation Service (SCS) method for subdivisions of greater than 40 acres. The subdivision post development peak flow, at a minimum, shall not exceed the predevelopment peak flow for the 2, 10, and 25 year frequency

storms. In addition, at the determination of the Public Works Director the post-development peak flow shall not exceed the pre-development peak flow for the 50-year and the 100-year frequency storms. Any variance of this limitation of peak flow shall be determined and/or approved by the Public Works Director. This can be accomplished by the construction and maintenance of detention ponds or other approved remedies. A freeboard of one vertical foot for the greatest design storm shall be provided in detention ponds. The analysis shall be submitted to the Public Works Director when the construction plans are submitted.

Storm sewers, drains and catchbasins shall be provided in each subdivision as follows: Branch catchbasins (inlets) shall be designed to intercept the runoff from a ten-year frequency storm, with the exception of sump inlets on roadways. Sump inlets shall be designed to intercept the runoff from a 25-year frequency storm. Inlets shall be adequately spaced to limit spread to $\frac{1}{2}$ a lane width on local and collector streets based on the design storm for the subject inlet. Spread for arterial and high speed collector streets shall be as determined by the Public Works Director. The minimum inlet size shall be a Type II, single inlet with one wing (7' opening). Stormwater conduits (pipes, flumes, etc.) shall be designed to convey the runoff from the frequency storm (ten-year or 25-year) associated with the controlling inlet upstream. The submitted storm drainage analysis shall show the effects of the 100-year frequency storm for the subject site and the impacted areas downstream. The acceptable runoff factor is 95 percent for pavements and buildings and additional runoff factors can be submitted for approval by the Public Works Director depending upon topography and type and cover of soil for other areas. These storm drains shall be connected to or spilled into existing drains or ditches as approved by the Public Works Director. Storm drainage pipes shall be sized in accordance with a method approved by the Public Works Director.

Where existing area drainage ditches, creeks, branches, swales, etc., occur through or alongside the proposed subdivision, the subdivider shall furnish pipe or paved bottoms with either sloped masonry or concrete side for any opening of 24 square feet, as measured by circular concrete pipe equivalent or smaller, as determined by the Public Works Director. Drainage channels carrying drainage requiring a pipe larger than 24 square feet shall be improved and maintained in a manner to be determined by the Public Works Director on an individual basis. All drainage improvements shall be installed prior to the approval of the final plat. Routing or rerouting these ditches shall be a consideration in the layout of all lots, and only in exceptional cases due to natural topography shall a ditch bisect any lot in the subdivision. Culverts and bridges shall be constructed by the developer over all watercourses at street crossings and shall extend the full width of the street, and be approved by the office of the Public Works Director.

(c) *Installation of Utilities.* After grading is completed and approved and before any base is applied, all of the underground utilities located in the street right-of-way and all service connections related thereto shall be installed completely and approved throughout the length of the street and across the section. Where alleys exist, utilities shall be installed in the alley right-of-way, unless specifically directed to do otherwise by the planning commission. It shall be the responsibility of the design engineer to coordinate installation of utilities with the appropriate utility departments or utility companies.

- 1) Backfill for utilities crossing proposed roadway section shall conform to the Alabama Department of Transportation Standard Specification for Highway construction in force at the time of installation.
- 2) All utility installations, under existing paving shall be bored and encased unless otherwise approved by the Public Works Director.
- 3) All utility installations shall conform to current standards as set forth in the most current edition of the Alabama Highway Department Utility Manual.

(4) *Slopes and shoulder improvements.* The minimum ratio for all fill or cut slopes shall be two to one. The minimum width for shoulders from back edge of the curb shall be six feet where sidewalk is required and two feet when sidewalk is not required. All shoulders shall slope, plus or minus two percent, to the right-of-way. When all construction is completed, all slopes and shoulders shall be cleared of all rubbish and shall have a stand of grass to prevent undue erosion, either by sprigging or seeding.

(5) *Testing.* Before starting construction, the subdivider shall make necessary arrangements for adequate laboratory testing and construction inspection, excluding the contractor, to ensure that the proposed improvements comply with the requirements of the City of Dothan. All testing and associated costs shall be the responsibility of the subdivider and shall be done by a Testing Laboratory approved by the Public Works Director.

Sec. 90-223. Roadway surfacing and paving.

For all streets, turn, acceleration or deceleration lanes, the following minimum requirements shall be adhered to for the surfacing and paving of the streets:

(a) *Subgrade.* Subgrade shall be modified as set forth in Section 230.01 of the current edition of Alabama Department of Transportation Standard Specifications for Highway Construction. Finish grade shall conform to lines; grades and cross-sections as shown on approved plans unless specific permission is acquired in writing from the Public Works Director.

(1) Test Requirements

- (a) CBR. One (1) test per each 5,000 feet or at each significant material change to design pavement buildup. This test is to be run prior to submission of the construction plans.
- (b) Proctor Density and Optimum Moisture. One (1) test each 2,000 feet or at each material change.
- (c) Compaction Test

(1) Subgrade Course compaction shall conform to current Alabama Department of Transportation standards, AASHTO T-99 to 100% density and +/-2% Optimum Moisture, minimum.

(2) One (1) per 200 feet of finished roadway in locations to be approved by the City.

(d) A reliable testing firm using the standard testing methods as approved by the Alabama Department of Transportation shall perform testing. Either the developer or developer's engineer, excluding the contractor, shall provide and pay for all testing. The testing lab shall be approved by the Public Works Director.

(e) Copies of all test reports both passing and failing shall be submitted to Public Works Director prior to placing overlaying layer.

(2) *Mandatory Inspections by Public Works Director.* The Public Works Director or representative shall inspect subgrade prior to placing the base material. The developer shall contact the Public Works Director at least two (2) days in advance of placement of the base course.

(b) *Base.* Base course shall meet the requirements for granular soil or soil aggregate as set forth in Section 301 of the Alabama Department of Transportation Standard Specifications for Highway Construction.

(1) *Thickness.* Base thickness shall be determined by CBR Test. A minimum thickness of six inches (6") for minor streets and eight inches (8") for collector streets is required.

(2) *Compaction.* Base course compaction shall conform to current Alabama Department of Transportation standards and the requirements as set forth in this section.

(3) *Test Requirements*

1. Soils analysis minimum of one (1) each 2,000 feet.
2. Proctor Density and Optimum Moisture one (1) each 2,000 feet.
3. Compaction Test

(1) Base Course compaction shall conform to current Alabama Department of Transportation standards, AASHTO T-180 to 95% density and +/-2% Optimum Moisture, minimum.

(2) One (1) per 200 feet of finished roadway in locations to be approved by the City.

4. A reliable testing firm using the standard testing methods as approved by the Alabama Department of Transportation shall perform testing. Either the developer or the developer's engineer, excluding the contractor, shall

provide and pay for all testing. The testing lab shall be approved by the Public Works Director.

5. Copies of all test reports both passing and failing shall be submitted to Public Works Director prior to placing overlaying layer.

(4) *Mandatory Inspections by the Public Works Director.* The Public Works Director or his representative shall inspect the base course prior to placing the overlaying layer. The developer shall contact the Public Works Director at least two (2) days in advance of the anticipated placement of the prime coat.

(c) *Prime.* Prime coat shall meet the requirements of bituminous treatment Type A as set forth in Section 401 of the current Alabama Department of Transportation Standard Specifications for Highway Construction.

(1) *Application.* A bituminous surface treatment Type "A" shall be placed from curb to curb. Material and rates shall be as specified in the Alabama Department of Transportation Standard Specifications for highway construction.

(d) *Pavement.* Pavement shall meet the requirements for bituminous concrete wearing surface as set forth in Sections 424 or 429 of the current *Alabama Department of Transportation Standard Specifications for Highway Construction.*

(1) *Thickness.* Thickness shall be as determined from CBR Testing prior to submission of plans but shall not be less than one hundred sixty-five (165) lbs./sq. yd. for plant mix. Collector streets shall have a minimum of two hundred twenty (220) lbs./sq. yd. for plant mix. Thickness for turn, deceleration and acceleration lanes shall be as determined from CBR testing but shall not be less than 350 lbs./square yard binder course and 150 lbs./square yard wearing surface.

(2) *Mandatory Inspections by Public Works Director.* The Public Works Director or representative shall inspect base course and/or prime coat prior to placement of the pavement. The developer shall contact the Public Works Director at least three (3) days in advance of the scheduled placement of the pavement.

(3) *Width.* The width of paving on through streets and cul-de-sacs longer than 600 ft. shall be a minimum of thirty feet (30') back of curb to back of curb. On streets with cul-de-sacs that are less than 600 ft. in length, the paving width can be a minimum of twenty-seven feet (27') back of curb to back of curb. Street widths not conforming to the above standard may be approved by the Planning Commission upon concurrence from the Planning and Public Works Director.

(e) *Curbs and gutters.* Two-foot combination curb and gutter shall be used equal to ALDOT standard type M-2 curb and gutter. Special combination curb and gutter sections (such as mountable curb and gutter, etc.) shall require approval from the Public Works Director.

- (f) *Pavement breaks for utility connections.* When it is necessary for a subdivider, or any utility company, to break existing pavement for the installation of utilities or drainage facilities, or for any other purpose, the subdivider, or utility company, shall be financially responsible for the repair of the pavement. The pavement shall be repaired in accordance with the specifications required by the Public Works Director.
- (g) *Tile Drainage.* Tile drainage shall be of material as set forth in Section 606.01 of Alabama Department of Transportation Standard Specifications for Highway Construction. Subsurface tile drainage shall be installed in order to protect the base material as required by the Public Works Director. The installation of tile drainage may be required by the Public Works Director at any time during construction and throughout the entire two year maintenance period. The cost of design and installation is the responsibility of the developer.

Sec. 90-224. Installation of utilities.

(a) *Water.* Water mains for both domestic use and fire protection shall be properly connected with the public water system, or with an alternate water supply approved by the city. The water mains and associated facilities shall be constructed in such a manner as to serve adequately all lots shown on the subdivision plat. The water mains and associated facilities shall be specified and installed in conformance with the technical standards as established by the city.

(b) *Sewer.* A sanitary sewer system shall be installed for all lots in the subdivision. Where subdivisions cannot be connected to the city sewer system in a manner which is technically feasible or economically reasonable, the planning commission may provide a waiver to the developer which provides for the installation of individual sewage disposal systems. This waiver will be contingent upon suitable soil conditions, as approved by the county health department, and may include a requirement for dry sewers to be constructed for future use. The waiver may in no case require less than a complete sewer design for the subdivision and provisions for all easements made for future sewer construction.

(c) *Gas and electricity.* When gas mains and/or electric lines are connected with the distribution systems, the lines shall be installed in such a manner as to serve adequately all lots shown on the subdivision plats. The gas and electric lines shall be specified and constructed in conformance with the technical standards as established by the city.

(d) *Gas, Electricity, Telephone, Cable TV, and any other utility.* When they are shown on the subdivision construction plans, utilities that are installed during the construction phase of the subdivision will be covered under the approved construction plans. When the utilities are not shown on the plans, the utility or the subdivision design engineer must submit plans showing the proposed locations for approval. No utilities will be installed without consideration of the other existing or proposed utilities. If the utilities are not installed during the construction of the subdivision, and after the final plat is signed and recorded, a permit will be required. A set of plans showing the locations and depths of all other utilities and the location and depth of the proposed utility to be

installed will be required before any permit will be issued. The plans and location of proposed utilities must be approved by the Public Works Director.

The utility will agree to carry out excavation activities and in locations as shown by the plans so as to occasion the least possible interference with the maintenance of the street and/or other public utilities and facilities. The utility will also agree to conform to the provisions of the current City standards and the laws of the City of Dothan.

Any existing permanent property pins or monuments that are damaged during the installation process must be relocated and paid for by the utility.

(e) *Drainage Structures.* Drainage structures shall be designed as required in Section 90-222 (b).

- 1) Size. The minimum size of roadway structures shall be eighteen (18") inch or equivalent. A special design drawing will be required for any drainage structure having a required end area of twenty (20) sq. feet or more.
- 2) Material. Roadway pipe material shall meet the requirements as set forth in Section 850 of the current edition of the Alabama Department of Transportation Standard Specifications for Highway Construction. Material shall be class 3 reinforced concrete. Material must meet Alabama Department of Transportation Standard Specifications. A vendor's certificate or test report must be furnished to the Public Works Director. Reinforced concrete drainage structures shall be constructed in accordance with standard drawings and specifications approved by the Public Works Director.
- 3) Placement. Pipe shall be laid and backfilled in accordance with Alabama Department of Transportation specifications and procedures.
- 4) Boxes, Headwalls, Etc. Headwalls or boxes shall be installed on pipe culverts. Headwalls for precast concrete or brick masonry construction shall require preapproval by the Public Works Director. Headwalls for pipe sizes larger than forty-eight (48) inches shall be shown on the approved plans. Boxes, headwalls, etc. will be constructed of 3000 PSI concrete. Slope paved headwalls may be used when approved by the Public Works Director.

Sec. 90-225. Street signs.

All streets shall be designated by name on a street signpost approved by the Public Works Director. The post shall be so located as to be visible for both pedestrian and vehicular traffic. At cross street intersections, two street signposts shall be located diagonally across the intersection from each other. Only one street sign post shall be required at T street intersections.

Sec. 90-226. Public sites and open space.

It is the intent of this section to provide an opportunity for the planning commission to review each subdivision proposed as to its suitability for the inclusion of recreational open space. Therefore, each proposed subdivision will be subject to review by the planning commission, and the planning commission may, where it deems necessary, require recreational open space included within the project. Each proposed subdivision will be reviewed individually as to the need for open space, and the owners must provide a statement concerning the recreational need associated with the area in which the subdivision is proposed.