

SUBDIVISION REGULATIONS

TUSCALOOSA, ALABAMA

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As Amended Through September 18, 2023

TUSCALOOSA CITY PLANNING COMMISSION

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SUBDIVISION REGULATIONS

RESOLUTION PROVIDING REGULATIONS GOVERNING THE SUBDIVISION OF LAND

Be it resolved by the Tuscaloosa City Planning and Zoning Commission that regulations governing the subdivision of land within the jurisdiction of the Tuscaloosa Planning and Zoning Commission be, and they are hereby, prescribed and adopted as follows:

SUBDIVISION REGULATIONS

CITY OF TUSCALOOSA

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ARTICLE I - GENERAL PROVISIONS

SECTION 1.1 ENACTMENT AND AUTHORITY

These regulations are adopted by the Tuscaloosa Planning and Zoning Commission under authority of Title 11, Chapter 52, of the Code of Alabama 1975.

SECTION 1.2 JURISDICTION

From and after the effective date hereof, these regulations shall govern all subdivision of land, as herein defined, located within the following described areas, to wit:

1. All property located within the Corporate Limits of Tuscaloosa, and
2. All territory located within one (1) mile of the right-of-way of Interstate Highway 20/59 on either side of that portion of Interstate Highway 20/59 which was annexed into the Corporate Limits of Tuscaloosa by Public Law 94-533, the Mercedes Corridor Annexation Act, LESS AND EXCEPT any portion of the said territory located within the corporate limits of another municipality or in an area nearer the corporate limits of another municipality than to the Corporate Limits of Tuscaloosa, and
3. All territory located within a three (3) mile radius of the Corporate Limits of Tuscaloosa (except those Corporate Limits established by Public Law 94-533, the Mercedes Corridor Annexation Act), LESS AND EXCEPT any portion of Township 22 South, Range 10 West or Township 22 South, Range 11 West which is located on the right bank (facing downstream) of the Black Warrior River, and further LESS AND EXCEPT any territory which may hereafter be withdrawn from the Planning Jurisdiction pursuant to the provisions of Public Law 97-647, and further LESS AND EXCEPT any territory located within the corporate limits of another municipality or in an area nearer the corporate limits of another municipality than to the Corporate Limits of Tuscaloosa.

SECTION 1.3 PURPOSES

These regulations are adopted for the following purposes:

1. To protect and provide for the public health, safety, and general welfare of the City and its environs.
2. To guide the future growth and development of the City in accordance with plans and policies adopted pursuant to the comprehensive planning process.
3. To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other dangers, to prevent overcrowding of the land and undue congestion of population.
4. To encourage the orderly and beneficial development of the City and its environs.
5. To protect and conserve the value of land throughout the City and its environs and the value of buildings

and improvements upon the land, and to minimize the conflicts among the uses of land and buildings.

6. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation, and other public requirements and facilities.
7. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the city, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines.
8. To establish reasonable standards of design and procedures for subdivisions and resubdivisions, in order to further the orderly layout and use of land; and to insure proper legal descriptions and monumenting of subdivided land.
9. To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
10. To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the community in order to preserve the integrity, stability, and beauty of the community and the value of the land.
11. To preserve the natural beauty and topography of the Tuscaloosa area and to insure appropriate development with regard to these natural features.
12. To provide for open spaces through the most efficient design and layout of the land, including the use of average density in providing for minimum width and area of lots, while preserving the density of land as established in the Zoning Ordinance of Tuscaloosa.

SECTION 1.4 VARIANCES

1. **General.** Where the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Planning Commission shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that;
 - a. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;
 - b. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property;
 - c. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is adhered to;

- d. The variance will not in any manner vary the provisions of the Zoning Ordinance.
2. **Conditions.** In approving variances, the Planning Commission may require such conditions as will, in its judgment, secure substantially the purposes of these regulations.
3. **Procedures.** A petition for any such variance shall be submitted in writing by the subdivider at the time when the preliminary plat is filed for the consideration of the Planning Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

SECTION 1.5 ENFORCEMENT, VIOLATIONS, AND PENALTIES

1. **Enforcement.** It shall be the duty of the Planning Director to enforce these regulations and to bring to the attention of the City Attorney any violations or lack of compliance herewith.
2. **Violations and Penalties.** Whoever, being the owner or agent of the owner, of any land located within a subdivision as defined herein, transfers or sells such land without first recording an approved plat in the Office of the Probate Judge of Tuscaloosa County, shall forfeit and pay a penalty of one hundred dollars (\$100.00) for each lot or parcel so transferred or sold. The City of Tuscaloosa may enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction or may recover the same penalty by a civil action in any court of competent jurisdiction.
3. Any person, business or corporation or unincorporated association or individual owner, partner or shareholder who is in violation of the subdivision regulations regarding infrastructure or storm water drainage/ retention or open space amenities for any property or development may not proceed with any matter before the planning and zoning commission as an owner, shareholder, member or partner with an interest of 10% or greater until such violation is resolved to the satisfaction of the Planning and Development Services Department. In addition, Planning and Development Services shall maintain a list of developers in violation of this subsection as the department is made aware of the violation.

ARTICLE II – DEFINITIONS

SECTION 2.1 USAGE

1. For the purpose of these regulations, certain abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this article.
2. A "person" includes a corporation, a partnership, and an incorporated association of persons such as a club; a "building" includes a "structure"; a "building" or "structure" includes any part thereof; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

SECTION 2.2 WORDS AND TERMS DEFINED

AASHTO. The American Association of State Highway and Transportation Officials.

Adjoining Property Owner or Owners. The individual owning property adjoining the tract of land proposed for subdivision development. If the owner of such adjoining property is a corporation, the term shall apply to the officers and agents of such corporation who shall be identified on preliminary plats as adjoining property owners. Owners of property located across streets, alleys, water courses, drainage easements and other rights-of-way adjoining the proposed subdivision are, for the purpose of this regulation, adjoining property owners and shall be so identified on all preliminary plats.

Agriculture. The use of land for agricultural purposes, including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the customary accessory uses.

Alley. A public right-of-way less than 25 feet in width designed to provide secondary access to the side or rear of properties whose principal frontage is on some other street.

Approved Plat A plat conforming to the requirements of these Regulations which has received the approval of the Planning Commission and has the signature of those officials authorized to sign the plat under the requirements of this Regulation.

Building. A roofed structure built for the shelter, housing, or enclosure of persons or property.

Building Line. A line on a lot parallel to the street line representing the forward limit for the construction of the front wall of a building.

City. The City of Tuscaloosa, Alabama.

City Engineer. The city engineer or his/her authorized representative.

City of Tuscaloosa Standard Drawings. Latest edition of standard drawings on file with the Office of the City Engineer.

Developer. The person, firm, or corporation who owns or controls a tract of land proposed for subdivision, and at whose direction plans and surveys for such subdivision are prepared.

Developer's Engineer. The design professional, who shall be a Land Surveyor and, when required, a Civil Engineer, licensed and in good standing with the State Board of Licensure for Professional Engineers and Land Surveyors of Alabama and permitted to practice in the City and County, and who is originally responsible for coordinating and certifying as to the completeness and correctness of all information collected by his/her efforts or those of his/her agents and/or subcontractors and submitted for approval on behalf of the developer. In the event that the developer changes his engineer/surveyor, then his new engineer/surveyor shall be required to recertify all previously submitted documents and thereby accept responsibility for the completeness and correctness of same.

Engineer. A registered Professional Engineer in good standing with the State Board of Registration in Alabama.

Engineering Division. The Engineering Division of **TDOT**.

Flood Boundary and Floodway Map. That certain set of maps of the City of Tuscaloosa and environs entitled "Flood Boundary and Floodway Map" bearing an effective date of February 1, 1979 issued by the Federal Insurance Administration (now the Federal Emergency Management Agency), as revised on June 2, 1995 by the issuance of four new panels bearing the title "FIRM, Flood Insurance Rate Map", and as the same may hereafter be amended by official action of the Federal Emergency Management Agency.

Flood Hazard Boundary Map. A map officially promulgated by the Federal Emergency Management Agency (formerly the Federal Insurance Administration) depicting the boundaries of flood hazard areas in the vicinity of Tuscaloosa covering areas part or all of which extend beyond the area covered by the Flood Boundary and Floodway Map. Where two or more Flood Hazard Boundary Maps are extant, the one bearing the most recent date shall be considered official.

Floodway. The channel of a river, stream, or other watercourse and the adjacent land areas which must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation by more than one (1) foot.

Half-Street Improvement. That improvement to the cross section of an existing street which is required by Section 5.2(d) of these Regulations and as further described in the City of Tuscaloosa Standard Drawings.

Metric. (See SI.)

Minor Subdivision. The subdivision of land into not more than three (3) lots or a reduction of the number of lots in an existing subdivision in the corporate limits; or the subdivision of land into not more than six (6) lots or a reduction of the number of lots in an existing subdivision in the planning jurisdiction. Provided, however, that lakefront lots on Lake Tuscaloosa, property within the Downtown/Riverfront Overlay District (Sec. 24-226 of the City of Tuscaloosa Zoning Ordinance) and property within the University Area Neighborhood district (Sec. 24-220(a)(2) of the Zoning Ordinance) shall not be eligible for a minor subdivision. A minor subdivision shall not require any public improvements, the dedication of public way, or the expenditure of any funds, and the plan for the minor subdivision shall not conflict with the master plan, official zoning map, any zoning ordinance, or any other subdivision regulations. A minor subdivision may administratively be approved by the zoning officer or his designee without a public hearing before the planning

commission; provided, however, that staff shall have the authority to choose to send an item to the planning commission for approval regardless of it meeting the definition of minor subdivision.

100-year Flood. The highest level of flooding that, on the average, is likely to occur once every 100 years (i.e. that has a 1-percent chance of occurring each year).

Planning Commission. The Tuscaloosa City Planning and Zoning Commission.

Planning Director. The director of the Planning Division of the Office of Urban Development of the City of Tuscaloosa.

SI (Systeme International). The International System of Units, commonly referred to as the metric system, as defined by the National Bureau of Standards.

Street. A public right-of-way, as defined in Section 21-1 of the Code of Tuscaloosa, Alabama, but not including alleys, as herein above defined.

Subdivision. The division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, of lease, or of building development. The term includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

Surveyor. A Land Surveyor registered and licensed to practice in the State of Alabama.

TDOT. The Tuscaloosa Department of Transportation.

Townhouses. A row of three (3) or more dwellings flush against each other at the sides or attached at the sides by party walls, on individual lots, each unit of which is designed as a residence for one (1) family.

ARTICLE III - USE OF METRIC AND ENGLISH DIMENSIONS

SECTION 3.1 USE OF METRIC DIMENSIONS OPTIONAL

Either metric (SI) or English dimensions may be used in the preparation of plats intended for approval and recordation pursuant to this regulation. All dimensions shown on a single plat shall be either metric or English, i.e., plats using partly metric and partly English units will not be approved, unless, owing to peculiar circumstances, the Planning Commission deems the use of mixed dimensions advisable.

SECTION 3.2 STANDARD DIMENSIONS

Where this regulation specifies a standard dimension, such as the minimum right-of-way width for a street, it will specify a round figure in English units and a round figure in metric units. For example, while a 50 foot street ROW is equal to 15.24 meters, a plat drawn with metric dimensions should show a street width of 15 meters, not 15.24.

SECTION 3.3 REQUIRED STATEMENT ON METRIC DIMENSIONS

All final plats drawn to metric specifications shall include the following statement in letters not less than 5 mm in height:

NOTE: ALL DIMENSIONS DEPICTED ON THIS PLAT ARE EXPRESSED IN THE METRIC SYSTEM (SI) (EXCEPT AS OTHERWISE NOTED).

ARTICLE IV - SUBDIVISION DESIGN: PRINCIPLES AND STANDARDS

SECTION 4.1 CONFORMITY TO COMPREHENSIVE PLAN

All proposed subdivisions shall conform to any comprehensive plan, or elements of a comprehensive plan, which shall have been adopted by the Planning Commission and which have not been superseded or revoked. Wherever a tract to be subdivided embraces any part of a proposed street or easement designated in any such comprehensive plan or element thereof, the developer shall plat such street or easement in the same location and the same width as indicated on such plan or element thereof, except that no developer shall be required, by these regulations, to dedicate more than one hundred (100) feet or thirty (30) meters for a major street. The plan of each subdivision shall be made as compatible as possible with immediately adjoining tracts in regard to street connections, utility lines, drainage facilities, and open space reservations.

SECTION 4.2 SUBDIVISION SCHEME

1. **General.** The principal factors which should determine the layout of a subdivision are:

- a. Topography and Soils
- b. Drainage features
- c. Street design criteria
- d. Efficient provision of utilities
- e. Off-site considerations (e.g. adjoining land uses)
- f. Economical use of land
- g. Solar orientation of home sites
- h. Aesthetic considerations

These Regulations prescribe no aesthetic standards. Street design criteria are set out at length in Section 4.3 below. Developers shall adhere to the principles listed in Subsections (2) through (6) below in dealing with the other design determinants.

2. **Topography and Soils.** Subdivisions shall be laid out in a manner which duly heeds the advantages offered and limitations imposed by the soil conditions and terrain of the area to be developed. Subdivision schemes requiring excessive gouging of hillsides for streets or homesites should be avoided. Every effort should be made to avoid the disturbance of steep wooded ravines.

3. **Drainage Features.**

- a. Drainage Study. A developer who owns or controls more than ten acres of (and in one watershed and who is subdividing all or part of such acreage shall submit, with the Preliminary Plat for such

subdivision, a drainage study in accordance with the Technical specifications as set out in Section 21-105(A-G) of the City Code pertaining to Storm Drainage and Erosion Control requirements and an engineering analysis of the probable erosion-producing effects upon the principal stream or streams receiving storm water runoff from such property which would result if and when all of the developer's property is fully developed. All Planned Unit Developments, regardless of size, shall submit a drainage study and engineering analysis, as stated above, with the Preliminary Plat. The engineering analysis shall include "before" and "after" estimates of runoff volumes and velocities resulting from a 25-year frequency storm event, calculated at 500-foot intervals along such stream(s) within the developer's property and at a point 300 feet downstream from the developer's lower property line. The analysis shall identify streambed soil types at each of these intervals and cite appropriate authorities concerning the erosion resistance of these soils. Where appropriate, existing riprap or earth-anchoring vegetation shall be described. The analysis shall be sufficient to document one of the following conclusions:

- i. The existing streambed and bank, within the developer's property and for a distance of 300 feet downstream from the developer's property line, will suffer no appreciable increase in erosion as a result of the proposed development, or
 - ii. In order to prevent erosion of the streambed, certain engineering measures will be required, either to decrease the rate at which storm water runoff enters the principal stream(s), to reduce the stream velocity after storm water enters such stream(s), to increase erosion resistance of the streambed and bank, or some combination of such measures. If such steps are required, the analysis shall present a general description of the measures recommended for employment in the subdivision in question.
- b. Streams depicted on Flood Boundary and Floodway Map, Land located within the subdivision jurisdiction of the City of Tuscaloosa which abuts or is bisected by a stream, or segment of a stream, for which the floodway and the 100-year flood boundary are depicted on the Flood Boundary and Floodway Map shall be subdivided in accordance with the following regulations:
- i. Except as provided in Paragraph iii below, any portion of a proposed subdivision lot which lies within a floodway shall be designated as a drainage easement on the Final Plat, and shall be further identified by the word "FLOODWAY". The portion of the lot lying outside the floodway shall be of such size and configuration as will permit construction of a residence without encroaching upon the floodway easement. The following note shall be set forth on the margin of the Final Plat in 14 point type or larger:

"NOTE: NO FILLING OR CONSTRUCTION SHALL BE ALLOWED IN THE PORTION OF THIS SUBDIVISION DESIGNATED AS "FLOODWAY" WITHOUT THE WRITTEN PERMISSION OF THE CITY OR COUNTY ENGINEER, AS APPLICABLE."

- ii. Any lot or portion of a lot lying outside the floodway but below the 100-year flood elevation shall contain a note indicating the minimum first-floor elevation for any habitable structure to be built thereon. Said minimum first-floor elevation shall be equal to the 100-year flood elevation plus one foot.
- iii. In the event that a developer wishes to channelize, straighten, or relocate a stream depicted in a flood hazard area on the Flood Boundary and Floodway Map in connection with a proposed

subdivision, such developer's engineer shall present engineering plans, profiles, and calculations to the City Engineer drawn in sufficient detail to permit the City Engineer to verify that the proposed channelized, straightened, or relocated floodway will accommodate the 100-year flood runoff without increasing the 100-year flood elevation and without increasing runoff velocities to an unacceptable degree. After verifying the adequacy and accuracy of the plans, profiles, and calculations, the City Engineer shall forward them to the Federal Emergency Management Agency with a request that the Flood Boundary and Floodway Map be amended if and when the proposed channel improvements are constructed. Approval by the Planning Commission of any plat of a subdivision involving the channelizing, straightening, or relocation of such a stream shall not be construed to constitute an amendment of the Flood Insurance Rate Map or the Flood Boundary and Floodway Map.

- c. Other Flood-Prone Streams. Land located within the subdivision jurisdiction of the City of Tuscaloosa which abuts or is bisected by a stream, or segment of a stream, for which no floodway or 100-year flood elevation is depicted on the Flood Boundary and Floodway Map, but along which a "Special Flood Hazard Area" is depicted on a "Flood Hazard Boundary Map" as defined herein, shall be platted in such a way that any lot abutting such a stream shall have a minimum dimension of 200 feet (60 meters) measured perpendicular to the axis of the stream. A drainage easement not less than 50 feet (15 meters) in width shall be reserved along said stream. The Planning Commission may waive the requirements of this Subsection where topographic conditions so indicate, upon submission of a properly documented written request by the developer's engineer.
- d. Low Lying or Poorly Drained Areas. In subdivisions platted on relatively level, poorly-drained terrain which is not located in a designated flood hazard area, the Planning Commission may specify a minimum first floor elevation for each lot to prevent flooding caused by poor site drainage. Low lying or marshy land lying within a "Special Flood Hazard Area" as depicted on a "Flood Hazard Boundary Map", but for which 100-year flood elevations have not been established by the Federal Emergency Management Agency, shall be subdivided only in accordance with the following procedure:
 - i. The developer's engineer shall investigate all readily available sources of information upon which to base an estimate of the 100-year flood elevation. He shall submit, with the Preliminary Plat, a report setting forth the said elevation and citing the evidence upon which his estimate is based.
 - ii. The City Engineer shall report to the Planning Commission whether or not he concurs with the estimated 100-year flood elevation, or whether he wishes a one-month continuance of the plat to permit further study.
 - iii. A minimum first floor elevation shall be specified on the Final Plat of any subdivision, all or part of which lies below the 100-year flood elevation as finally approved by the City Engineer. Said minimum first floor elevation shall be equal to or above the 100-year flood elevation.
- e. Minor Drainage Features. In designing the drainage system for a subdivision, the developer and his engineer are obligated to balance many conflicting design considerations to achieve a responsible compromise. The system should permit storm water to run off without damage to the subdivision itself, while not contributing to unnecessary downstream flooding caused by the increased speed of concentration. At the same time, the system should minimize erosion, minimize maintenance requirements, be safe for children, and be aesthetically acceptable. Where possible, particularly in low

density subdivisions, these Regulations encourage maximum use of properly designed swales, detention basins, and other design features which attenuate peak runoff and facilitate aquifer recharge. Developers are encouraged to plat lots around functional, erosion-resistant natural channels, so as to minimize the devegetation and channelization of such features. Extensive use of swales and ditches in a subdivision without proper engineering analysis, however, for the principal purpose of reducing development cost shall not be approved. See also Section 5.7 of these Regulations.

4. ***Efficient Provision of Utilities.***

- a. General policies for coordinating the location of utility lines and other facilities in subdivisions shall be developed by the City Engineer in cooperation with utility companies concerned.
- b. Water lines within subdivisions shall be cross-connected by means of loops or grids in accordance with approved engineering practice. See also Section 5.8 of these Regulations.
- c. Developer-installed sanitary sewer lines shall be designed to operate by gravity, if at all possible. Sanitary sewer laterals shall be designed and installed in each subdivision so that the same connect with existing, or may be connected with future, collecting or trunk line sewers. See also Section 5.9 of these Regulations.
- d. Each lot or portion of a lot intended for erection of a duplex unit or townhouse shall be provided with a separate water connection point for each dwelling unit. It is recommended, but not required, that a separate sewer connection point also be provided.

5. ***Off-Site Considerations.*** Integrating a proposed new subdivision with adjacent development and with the overall fabric of the City should not be an afterthought, but rather a dominant factor considered by the developer from the outset. Any neighborhood or city-wide land use plan which has been officially adopted by the Planning Commission shall be consulted and duly regarded. The proposed subdivision shall be compatible with the Major Street Plan, and shall provide for any rights-of-way depicted in said Plan across the property in question. The subdivision layout should provide convenient access to schools, parks, fire stations, and other community facilities. Storm drainage development within a subdivision shall be designed in such a way as to minimize adverse effects upon downstream property.

6. ***Solar Orientation of Homesites.*** Increased use of solar-assisted residential heating systems dictates careful attention to the solar orientation of homesites. To the extent permitted by topography and other constraints, subdivisions shall be designed to afford desirable solar orientation to the maximum number of homesites. At Tuscaloosa's latitude (approximately 33.12'), it is generally most advantageous to site homes along both sides of east-west streets. Developers planning "all-solar" subdivisions are encouraged to establish appropriate deed covenants and/or solar access easements to protect each homesite against unwanted shading from adjacent property.

SECTION 4.3 STREET DESIGN

1. ***Functional Street Classification.*** Subdivision streets shall be designed to the appropriate standards set forth in Table 1, depending on their functional classification as determined by reference to the Major Street Plan

and Figure I, provided, however, that the Planning and Zoning Commission shall have the discretion to authorize narrower rights-of-way widths in areas where older adjacent development with narrower street rights-of-way renders use of a higher standard pointless or undesirable. The exact or approximate alignments of most proposed collector and higher classification streets are specified in the Major Street Plan. The alignments of subcollectors and local service streets are not ordinarily specified in the Major Street Plan and should be laid out by the developer's engineer in accordance with criteria contained in these Regulations.

2. ***Effect of Street Classification upon Subdivision Layout.*** As indicated in Table 1, collector and higher classification streets are not primarily intended to afford access to abutting property. To the extent reasonably permitted by the terrain and other circumstances, subdivisions shall be laid out so as to minimize or eliminate the requirement for driveways entering such streets and to minimize the frequency of street intersections, and the Planning and Zoning Commission may exercise reasonable discretion in determining whether this requirement has been satisfied in each particular case. Where there is no practical alternative to platting lots which must have driveway access to a collector or higher classification street, the use of joint driveway easements is encouraged to permit sharing of driveway entry points by two, but not more than two, adjoining lots. The illustrative examples presented in Figure II should be followed to the extent permitted by the terrain and other pertinent factors.
3. ***Cul-de-Sac Lengths and Turnarounds.*** A cul-de-sac street shall not be more than six hundred feet (180 meters) in length unless approved by the Planning Commission for specific reasons of topography or other practical difficulties. Each cul-de-sac shall be terminated by a turnaround with a ROW radius not less than 50 feet (15 meters).
4. ***Horizontal and Vertical Geometry.*** In general, T-type intersections shall be used in preference to four-way intersections. No two street intersections shall be designed to produce a centerline offset of less than 150 feet (46 meters) unless this minimum offset is waived by the Planning Commission on the recommendation of the City Engineer for practical reasons. Streets shall intersect at an angle as close to 90 degrees as possible, and in no case less than 75 degrees. The centerline elevation of any subdivision street shall be at or above the base flood elevation, where the base flood elevation has been established, except at the point where the subdivision street intersects an existing street built at a lower elevation. Street design shall otherwise be in compliance with the standards and specifications set out by AASHTO in A Policy on Geometric Design of Streets and Highways, latest edition.

TABLE 1

FUNCTIONAL CLASSIFICATION OF STREETS

CLASSIFICATION	LANES	PAVEMENT WIDTH*	ROW WIDTH	PURPOSE AND CHARACTERISTICS
Principal Arterials	4-8	Varies	Varies	Serves through traffic, the major centers of activity, the highest traffic volume corridors, and the longest trips. Should be designed primarily to carry traffic, rather than provide access to abutting property.
1. Interstate Highways	4-8	Varies	Varies	
2. Expressways	4-8	Varies	Varies	
3. Other Major Highways				
Minor Arterials	3-5	Varies	90 Ft. (27M)	Provides service to trips of moderate length, and distributes traffic to secondary centers of activity. Minor arterials interconnect with and augment the principal arterial system. Continuity is essential, and no stubs, jogs, or T-intersections should be permitted. Access to abutting property is minimized.
Collectors	2 traffic 1 turning	36 Ft. (11M)	80 Ft. (24M)	Conducts traffic from lower classification streets to arterials. Access to lots is a secondary function only, so driveways should be minimized. Collectors should not form a continuous system through the City, lest they be used by arterial traffic.
Subcollectors	2 traffic 1-2 parking	30-36 Ft. (9-11M)	60 Ft. (18M)	Provides access to local service streets and conducts traffic to an activity center or a higher classification street. It may be a loop street connecting one collector or arterial street at 2 points, or a more or less straight street connecting collector and/or arterial streets.
Local Service Streets	1 traffic 2 parking	30 Ft. (9M)	50-60 Ft. (15-18M)	Conducts traffic to/from dwelling units to other streets within the hierarchy of streets. Usually there is no through traffic between 2 streets of higher classification.
Local Service Streets (Located in subdivisions with lots in excess of four (4) acres)	2 traffic	22 Ft. (7M)	60 Ft. (18M)	

*From inside to inside of curb, if any.

FIGURE I

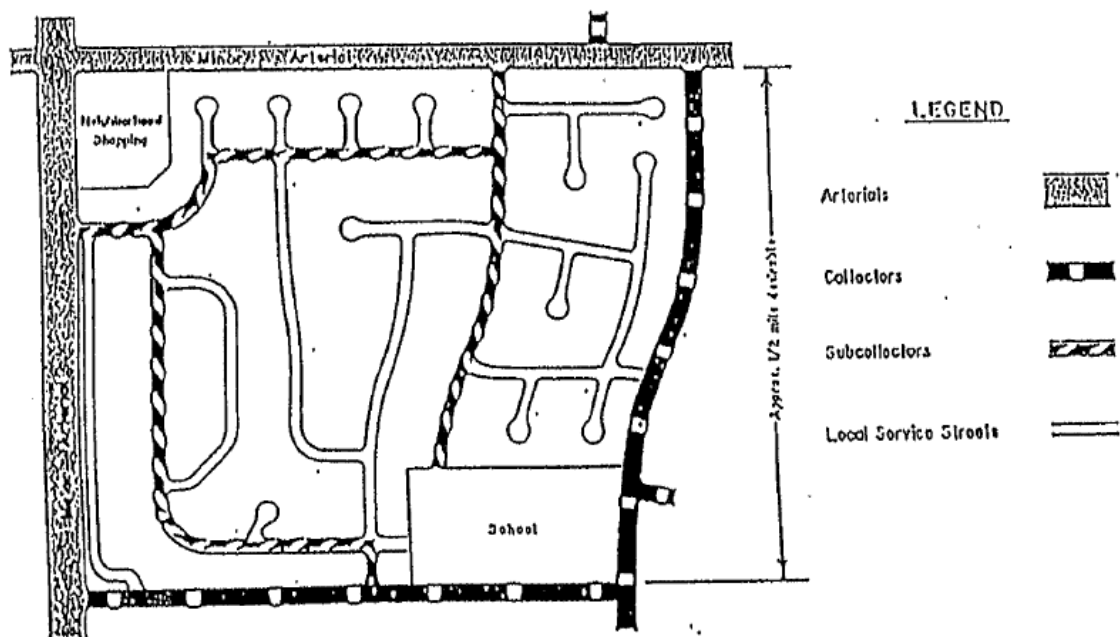
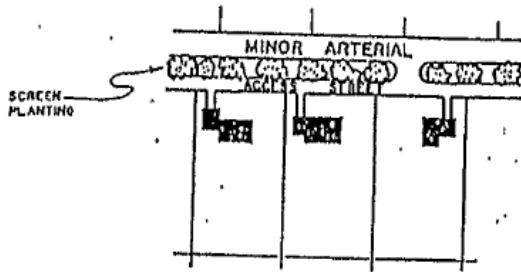
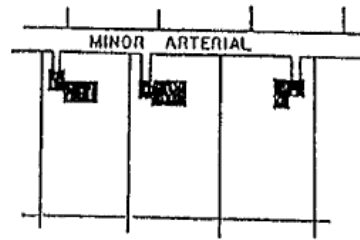


FIGURE II



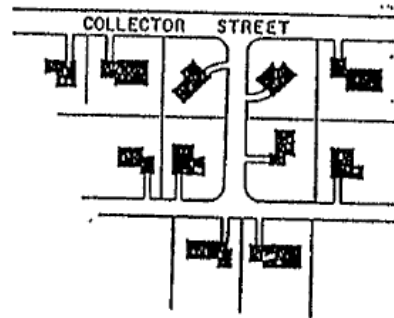
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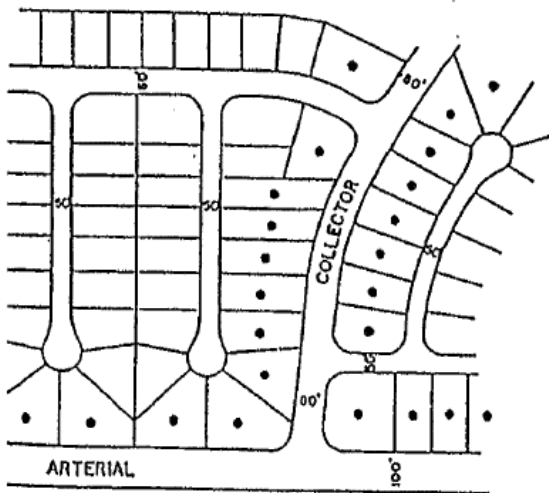
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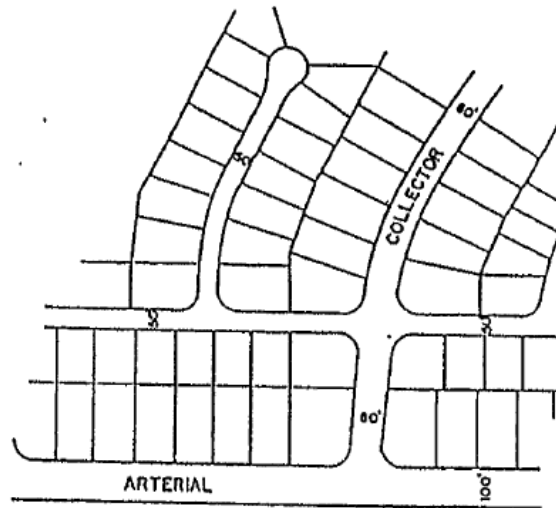


NOT THIS



OVENANT PROHIBITING ACCESS TO
COLLECTOR/ARTERIAL STREET

THIS



NOT THIS

5. **Stub Streets.** Where a proposed subdivision abuts unplatted developable land, the Planning Commission may, in the interests of emergency access, efficient traffic circulation, optimizing the utility of land, and other pertinent considerations, require the developer to provide streets stubbed out to the adjoining tract at intervals of approximately one quarter mile or less. Such stub streets, when required, shall be located at points where the topography of the adjoining land will permit their future extension with reasonable ease. When required, such stub streets shall be paved by the developer to the boundary of the unplatted land unless the Planning Commission, for reasons of storm drainage, preventing erosion, or other practical considerations, expressly waives this requirement. A stub street which provides the sole access to more than two lots shall be terminated by a temporary cul-de-sac turnaround with a paved radius not less than 20 feet (6 meters). A developer extending an existing stub street shall remove the turnaround and extend the existing street profile as appropriate.
6. **Alleys.** Alleys may be platted in commercial and industrial subdivisions where necessary to afford convenient access to vehicles and utilities. Alleys shall not be permitted in residential subdivisions, except in townhouse, garden house, or similar developments or portions of developments where lot widths average 60 feet or less. Where permitted, alleys shall be platted not less than 20 feet (6 meters) in width, and shall be paved to the full width.
7. **Public Street Frontage.** No lot shall be platted having less than twenty (20) feet of frontage on a dedicated public street, except as provided in Section 4.7(1), provided however that the Planning Commission may waive this requirement where the following conditions apply:
 - a. The land to be developed is inaccessible except via private property and
 - b. Terrain or other physical conditions are such that it is not possible or practical to develop a public street to the land to be developed, and
 - c. A joint access easement is provided in a form satisfactory to the City Legal Department under which the easement will be maintained in a safe and trafficable condition by one or more of the benefitted property owners, and
 - d. No more than three lots, each of which is not less than two acres in size, will share a single private access easement, and
 - e. Road distance over the access easement from the public street to the most remote lot shall not exceed 2,000 feet.

SECTION 4.4 LOT ARRANGEMENT

Side lot lines shall be approximately perpendicular to straight street lines or approximately radial to curved street lines unless topography or other special conditions are such that a better lot design can be provided by a different side lot line location. The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with applicable codes and regulations and in providing driveway access to buildings on such lots.

SECTION 4.5 MINIMUM LOT SIZE

Within the City, lot sizes and widths at the building line shall comply with the Zoning Ordinance. In unzoned areas, no lot shall contain less than nine thousand (9000) square feet (836 square meters) or be less than 75 feet (23 meters) wide at the building line, except as provided in Section 4.7. Corner lots shall be wide enough to permit establishment of building lines as provided in Section 4.6. In areas not served by sanitary sewers, lot sizes shall meet the requirements of the Health Department. Within the watersheds of Lake Tuscaloosa and Lake Nicol, no lot using an on-site sewage disposal system shall be platted measuring less than one (1) acre.

SECTION 4.6 BUILDING LINES

Lots platted in the Corporate Limits of Tuscaloosa shall have building lines indicated on the Final Plat which conform to the minimum front yard requirements for the zoning districts in which they are located. Lots platted in areas not subject to the Zoning Ordinance shall conform to the following requirements:

1. Building lines for each lot shall be indicated on the Final Plat which shall be equal to or greater in depth than the requirements for lots in R-2 districts within the City. Buildings on all such lots shall comply with the minimum side line requirements for R-2 districts, unless otherwise authorized by the Planning Commission.
2. A building line of greater depth than stated above may be required by the Planning Commission if the character of the surrounding development or the location of a major street may be jeopardized by the use of the minimum setback requirements.

SECTION 4.7 PLANNED UNIT DEVELOPMENTS

These Regulations seek to encourage sound innovations in residential site planning by permitting reasonably flexible site design standards in Planned Unit Developments (PUDs). The PUD provisions of these Regulations shall not apply to the subdivision of an existing multi-family structure or apartment complex.

1. Within the Corporate Limits of Tuscaloosa, minimum lot sizes and plat review procedures for planned unit developments shall be as specified in the Zoning Ordinance. The Planning Commission and City Council may approve private streets in a planned unit development within the Corporate Limits of the City, subject to the following conditions:
 - a. The private streets shall be designed and constructed prior to final approval, and to the same standards required for design and construction of public streets.
 - b. Adequate access shall be provided to public authority for police and fire protection, public utilities and other public services.
 - c. The PUD plat shall dedicate public easements for water, sewer, and other utilities.
 - d. There shall be a Homeowners' Association which shall have an agreement for the maintenance of private ways and common areas to the same level and standards as those observed by the City for maintenance of public ways, including traffic control devices. All traffic control devices shall

conform to the Alabama Uniform Traffic Control Manual at a minimum. Speed limits shall be posted to conform to those applicable to public streets. The Homeowners' Association shall maintain a street maintenance reserve fund, in an adequate amount determined by the City, to repair, replace, and maintain the private street.

- e. There shall be noted on the plat recorded in the Probate Judge's Office, a provision for the dedication of any of the private streets as public streets if the governing body of the City determines at any time in the future that the same is required for adequate public access for adjacent or other property or required for the public health, safety, and welfare. The Homeowners' Association shall agree to indemnify and hold the City harmless from any liability or claims arising from, or in any way associated with, the decision of the City to make such streets public.
 - f. No private street shall be permitted if the street is shown on either the major street plan of the City or of any metropolitan planning organization.
 - g. No development with private streets shall be permitted except in accordance with a PUD plan approved by the Planning and Zoning Commission and the governing body of the City.
2. In areas within the subdivision jurisdiction but outside the Corporate Limits, developments of clustered houses, duplexes, and townhouses intended for sale to individual homeowners, which incorporate lots smaller than 9000 square feet (836 square meters) in area and less than 75 feet (23 meters) wide at the building line, may be permitted subject to the following standards and plat review procedures:

Sufficient permanent open space shall be set aside to produce a gross site density not exceeding the following values:

- a. Five dwelling units per acre (12 dwelling units per hectare) in single-family detached houses or two-family (duplex) houses.
- b. Nine dwelling units per acre (22 dwelling units per hectare) in single-story townhouses.
- c. Twelve dwelling units per acre (30 dwelling units per hectare) in two or more story townhouses or apartments.

Yards provided shall be adequate, in the opinion of the Planning Commission, to admit necessary light and air. No single row of townhouses shall exceed three hundred (300) feet in length. The Preliminary Plat, in addition to the information otherwise required on such plat, shall also depict proposed parking areas, the size, height (in stories), and layout of buildings, and the boundaries of permanent open space. The Preliminary Plat shall be accompanied by a written statement setting forth a clear description of proposed arrangements for the ownership and maintenance of the permanent open space and a description of any covenants and restrictions to apply to property sold to homeowners. The Final Plat, in addition to the information otherwise required on such plat, shall identify all permanent open space as such. All restrictive covenants, building setback lines, and other private restrictions affecting the use of the property shall be set forth upon the plat, unless such restrictions are recorded in a separate document, in which event a reference to such recorded document shall be set forth upon the plat. The Preliminary and Final Plats shall be processed in accordance with Article VI of these Regulations.

SECTION 4.8 CONDOMINIUMS

Within the Corporate Limits of Tuscaloosa, new multi-family structures may be developed, and existing multi-family rental structures may be converted, pursuant to applicable provisions of State law, to be held under the condominium form of ownership, subject to the density standards and other requirements of the Zoning Ordinance applicable to the site. In an historic district listed on the National Register of Historic Places or in the portion of the City platted and known as the Original City, the Planning Commission may authorize the conversion of an existing structure to the condominium form of ownership notwithstanding the fact that the structure fails to conform to zoning requirements on density, off-street parking, and the like, upon a finding that such conversion would serve the ends of historic preservation or Original City revitalization. Outside the Corporate Limits, but within the subdivision jurisdiction, condominium developments not exceeding twelve dwelling units per acre (30 dwelling units per hectare) in density may be approved. Whether the proposed development is within the Corporate Limits or not, the developer shall submit a Preliminary Plat to the Planning Commission which, in addition to the information otherwise required on such a plat, shall also depict proposed parking areas, the size, height (in stories), and layout of buildings, and the boundaries of permanent open space. In lieu of a Final Plat, the developer shall submit the Declaration of Condominium, as defined in State law, which shall contain the Information required for the Final Plat of a conventional subdivision, as well as graphics drawn in sufficient detail to permit the distinction of common elements from private units on each floor of multi-story structures.

SECTION 4.9 SITES FOR SCHOOLS, PARKS, OPEN SPACE, AND COMMUNITY FACILITIES

Where the comprehensive plan, or any element of the comprehensive plan which shall have been duly adopted by the Planning Commission, indicates that a proposed subdivision includes part or all of a site proposed for a school, park, open space preserve, or community facility, the developer shall be requested to dedicate or attempt to sell such site to the appropriate public agency. To any extent which may be sanctioned by the Zoning Ordinance, the Planning Commission may allow lot size reductions in a subdivision in exchange for dedications of such sites. Where the developer fails to dedicate or sell such a site, the Planning Commission shall deny approval of any portion of the subdivision included in such site for a period not exceeding one (1) year, to permit the public agency concerned to acquire the site.

SECTION 4.10 EASEMENTS FOR UTILITIES

Easements shall be provided as needed for utility purposes. Such easements shall be not less than 20 feet (6 meters) in width, unless said easement adjoins a public right-of-way, provided that the City Engineer may require a wider easement where two or more utilities are to be located in the same easement. Each Final Plat shall contain the following marginal note:

NOTE: ALL EASEMENTS, EXCEPT THOSE IDENTIFIED AS PRIVATE, SHOWN ON THIS PLAT ARE FOR PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS, AND STORM DITCHES, AND MAY BE USED FOR SUCH PURPOSES TO SERVE PROPERTY BOTH WITHIN AND WITHOUT THIS SUBDIVISION. NO PRIVATE UTILITY, INCLUDING PRIVATE SANITARY SEWER LINES, THAT RUN ALONG THE PUBLIC UTILITY EASEMENT SHALL BE INSTALLED WITHIN THE PUBLIC UTILITY EASEMENT, BUT MAY BE PERMITTED TO CROSS PERPENDICULAR TO THE EASEMENT. NO PERMANENT STRUCTURE OR OTHER OBSTRUCTION SHALL BE LOCATED WITHIN THE LIMITS OF A DESIGNATED EASEMENT. FENCES OR SHRUBBERY PLACED WITHIN

AN EASEMENT ARE SUBJECT TO REMOVAL WITHOUT COMPENSATION AT THE CONVENIENCE OF THE CITY OR COUNTY.

Where it is necessary to construct pump grinder or other type private sanitary sewer lines, a private sanitary sewer easement not less than 10 feet in width, adjacent to the street right-of-way or public utility easement, shall be designated on the plat.

Where the developer owns land adjacent to that shown on the Final Plat, such easements as may be necessary to serve the proposed subdivision shall be dedicated across said adjacent land.

SECTION 4.11 NONRESIDENTIAL SUBDIVISIONS

The design criteria for a commercial or industrial subdivision shall be appropriately altered to suit the anticipated building types, vehicular traffic, parking demand, and other characteristics. The platting of any lot or parcel which requires the construction of sanitary sewer (not including laterals, as defined in the Code of Tuscaloosa, Alabama), storm sewers, or streets, including half-street improvements, shall be subject to all policies, procedures, and requirements for subdivisions as set out in these Subdivision Regulations.

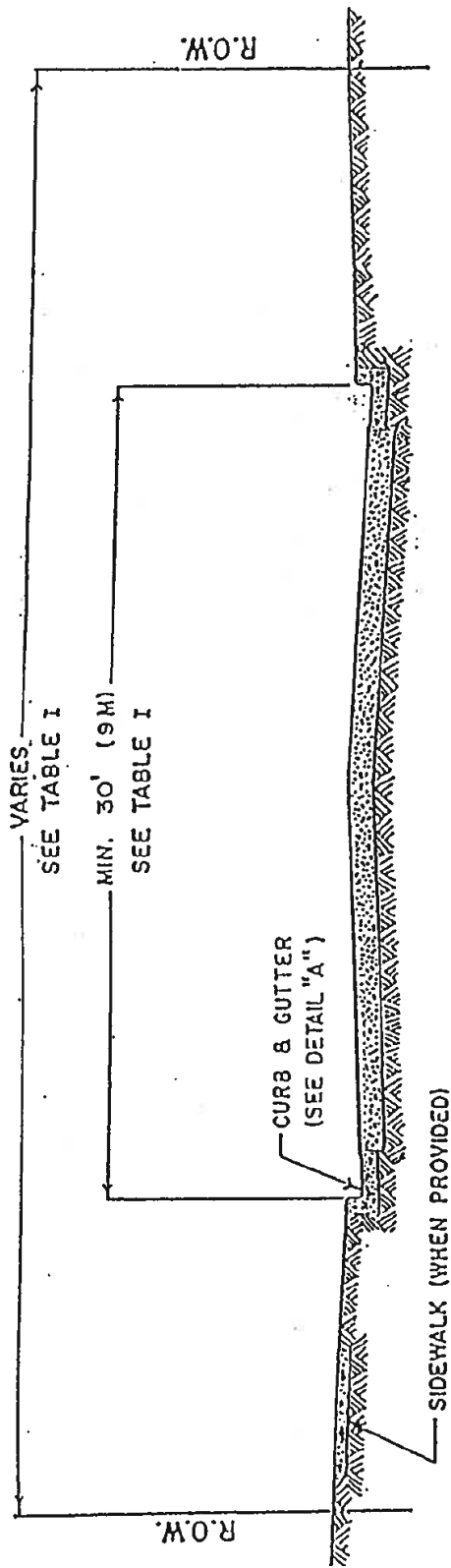
ARTICLE V - REQUIRED IMPROVEMENTS

SECTION 5.1 CONFLICT WITH OTHER CITY SPECIFICATIONS

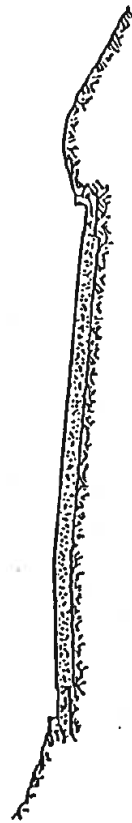
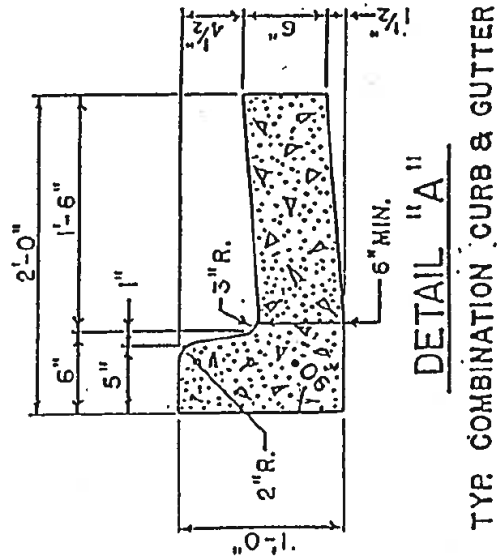
In the event that other City standard specifications for the construction of streets, drainage structures, and other improvements in the City are adopted which conflict with any requirement of these Regulations, then the more stringent or restrictive requirement shall govern the construction of subdivision improvements.

SECTION 5.2 STREET CROSS SECTIONS AND CONSTRUCTION STANDARDS

1. **Cross Section.** All streets to be dedicated to the public within the subdivision jurisdiction of the City, and any private streets which may be approved in a planned unit development within the City shall be paved and improved in accordance with one of the cross sections shown in Figure III, provided, however:
 - a. That a street cross section meeting the requirements of the County Engineering Department but not conforming to Figure III may be approved in subdivisions with no lot smaller than four (4) acres in size.
 - b. That, except as provided in Paragraph a. above, a street cross section without curb and gutter may be constructed only with the express approval of the Planning and Zoning Commission in subdivisions in which average lot size exceeds one (1) acre. Curb and gutter may not be waived pursuant to this Paragraph on streets or portions of streets with grades exceeding five percent (5%) unless alternative drainage features acceptable to the City Engineer are provided.
 - c. That rights-of-way shall be graded to their full width, so as to produce proper drainage, a pleasing appearance, reasonable grades for driveways, and, where required, a sidewalk grade substantially on the same elevation as the top of the curb.
 - d. That where the periphery of a proposed subdivision abuts an existing street which is not improved substantially in accordance with an appropriate cross section depicted in Figure III, the developer shall install curb and gutter and shall perform all grading and drainage work otherwise required on that half of said street which directly abuts his subdivision, provided however, that such half-street improvement shall produce a street with a total paving width of not less than 21 feet. The Planning Commission may amend or waive this requirement where peculiarities of terrain or other circumstances so dictate.
 - e. In the case of a resubdivision of three or fewer lots in an existing subdivision, no improvements of the existing street abutting the lots shall be required unless the City Engineer (or, for lots outside the City, the County Engineer) advises the Planning and Zoning Commission that the abutting street is so deficient that the resurvey should not be approved unless the street is upgraded.
2. **Subbase and Base.** All streets whether dedicated or private, shall be constructed in accordance with the Typical Roadway Sections on file in the Office of the City Engineer.

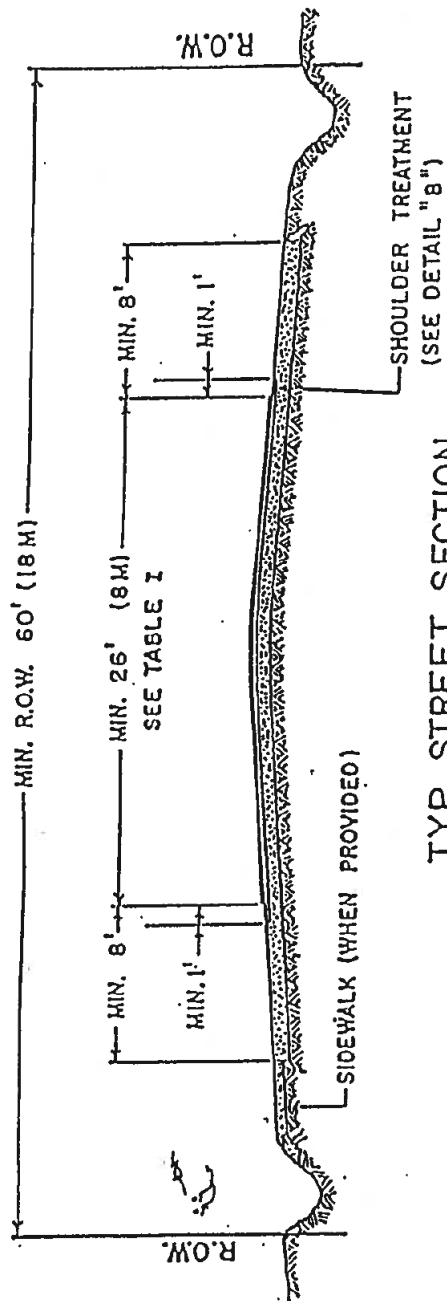


TYP. STREET SECTION
(WITH CURB & GUTTER)



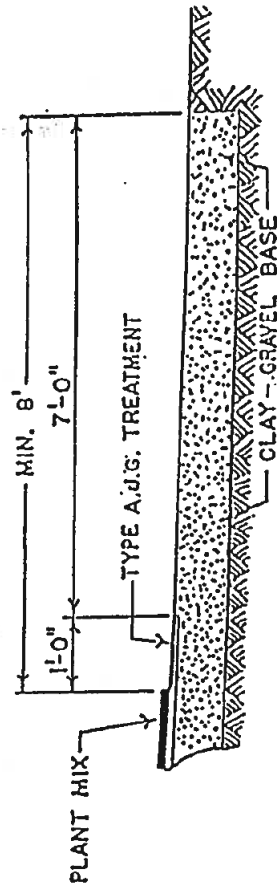
NOTE: ALLOWED ON SIDEHILL CUT ONLY.

FIGURE III
Sheet 1 of 3



TYP STREET SECTION (WITHOUT CURB & GUTTER)

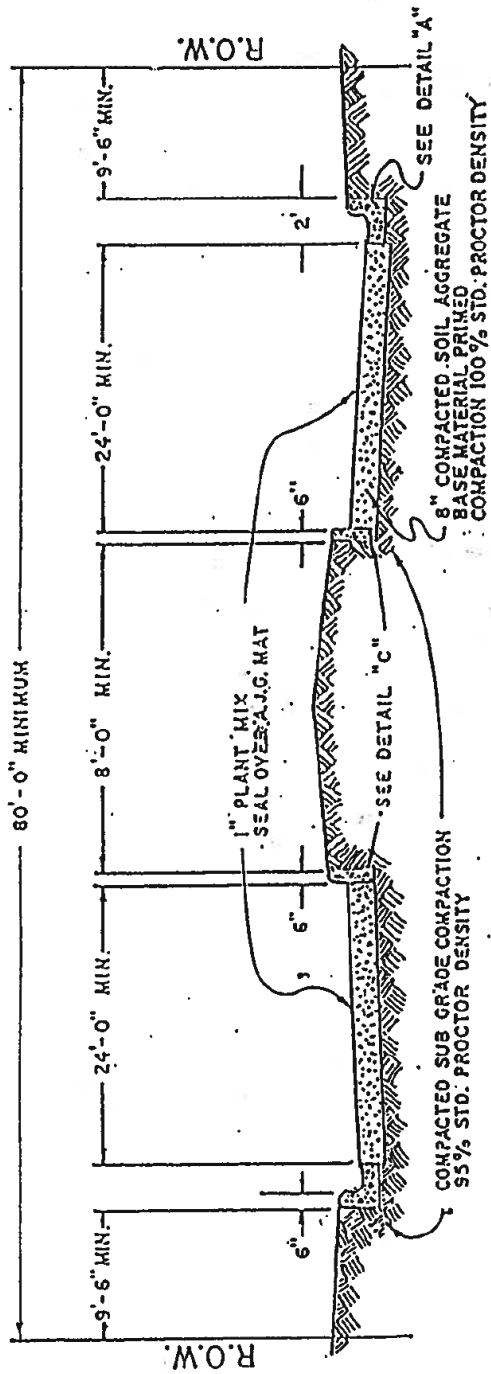
NOTE: ALLOWED ONLY BY WAIVER
UNDER SPECIAL CIRCUMSTANCES.



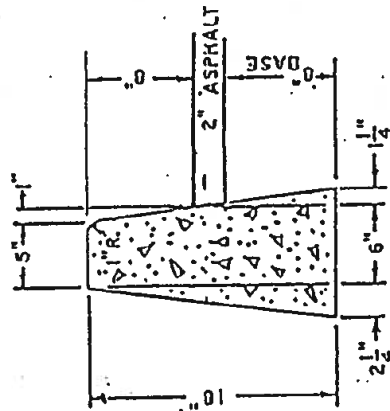
DETAIL "B"

TYP SHOULDER TREATMENT
WITHOUT CURB & GUTTER

FIGURE III
Sheet 2 of 3

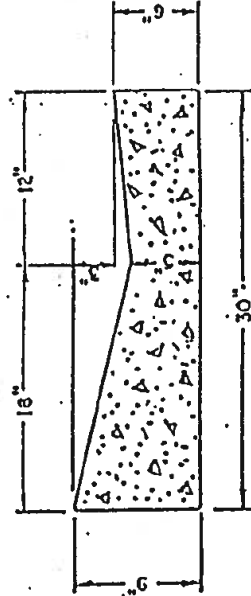


TYP. BOULEVARD SECTION



DETAIL "C"

MODIFIED TYPE "D" CURB



DETAIL "D"

VALLEY GUTTER

NOTE: ALLOWED ONLY BY WAIVER
UNDER SPECIAL CIRCUMSTANCES

FIGURE III

Sheet 3-of-3

SECTION 5.3 SIDEWALKS

1. Where Required.

- a. **Residential Streets.** The following are minimum requirements. Unless otherwise specified in the zoning district in which the subject property lies, all residential streets are classified into three levels, two of which require the construction of sidewalks:

Residential Level 1 streets are those streets that serve as entrance streets into a subdivision. A subdivision may have several level 1 streets that serve as entrance roads. The streets are required to have 27' of asphalt, curb and gutter or valley gutter, 4' sidewalks on both sides with minimum 4' space with grass, landscaping, or trees between the sidewalk and the curb. The sidewalks must be built before the final plat is signed.

Residential Level 2 streets are streets that serve 21 or more lots in the subdivision. Residential Level 2 streets are required to have 25' of asphalt, curb and gutter or valley gutter, 4' sidewalks on one side with a minimum 4' space with grass, landscaping, or trees between the sidewalk and the curb. The sidewalks must be built before the final plat is signed.

The developer is encouraged to use sidewalks to connect other subdivisions or subdivisions to commercial areas.

- b. Sidewalks are required within the city limits of Tuscaloosa and within the City of Tuscaloosa's Planning Jurisdiction on all streets classified as collectors and above by the Major Street Plan and/or the Tuscaloosa Area Metropolitan Planning Organization's Long-Range Transportation Plan. Sidewalks built parallel to streets designated as collectors or above must maintain a minimum 6' separation from the curb or back of ditch featuring grass, landscaping, or trees.
 - i. Where sidewalks are required to be constructed within the City of Tuscaloosa's Planning Jurisdiction, the Homeowner's Association (or similar entity) shall establish maintenance provisions within its covenants.
- c. Sidewalks are required if a property is within a ½-mile linear distance from any school or public park. The linear distance shall be measured from the front edge of the property line of the property being subdivided, along the centerline of the public street, to the school property or the nearest cleared edge of the public park.

2. Where Not Applicable.

- a. **Sidewalks are not required for the following:**
 - i. Along Alabama state roads where the Alabama Department of Transportation (ALDOT) has submitted a written statement to the City designating all or such portion of a state road where sidewalks are prohibited.
 - ii. In previously recorded subdivisions where sidewalks were not required.
 - iii. Residential Level 3 streets are streets that serve 20 or fewer lots. Residential

Level 3 streets are required to have 23' of asphalt, curb and gutter or valley gutter, but are not required to have sidewalks.

- iv. On streets within the City of Tuscaloosa's Planning Jurisdiction classified as a collector or above by the Major Street Plan and/or the Tuscaloosa Area Metropolitan Planning Organization's Long-Range Transportation Plan where the Tuscaloosa County Engineer has advised the City in writing that sidewalks are not desired or required and the Planning Director and City Engineer concur.

3. **Variances.** The Planning Commission may grant a variance from the requirement for sidewalks in accordance with Section 1.4 of these regulations in the following instances:
 - a. Where the terrain is such that sidewalk grades cannot meet current applicable standards.
 - b. If the City Engineer recommends the variance due to a practical difficulty with installing the sidewalks prior to the signing of the final plat and the Planning Director concurs.
 - c. If the City Engineer and Planning Director recommend an alternative street-cross section without sidewalks due to the desirability to encourage sheet drainage. Instead of concrete sidewalks, the Planning Commission, in consultation with the City Engineer, may consider alternative systems, including trails, porous materials, or other methods acceptable to the City Engineer.
4. **Minimum Standards.** All sidewalks shall be a minimum of four feet (1.2 meters) in width (unless the adjacent sidewalks are a different width, in which case the adjacent sidewalk width shall be met, with a minimum width of four feet), at least four inches (10 centimeters) in thickness, of three thousand pound (3,000 psi) concrete or better, and conforming to the concrete specifications for the City of Tuscaloosa. ADA-compliant curb ramps shall be provided at every street intersection and elsewhere as needed in accordance with standard designs and specifications on file in the Office of the City Engineer. Sidewalks shall not have a cross slope greater than 2%.

SECTION 5.4 DRIVEWAYS AND PARKING

1. **Driveway - General.** Location and construction of all driveway approaches shall conform to the rules and regulations established in Article III, Chapter 21 of the Code of Tuscaloosa and the associated standard specifications on file in the office of the Department of Transportation.
2. **Single Family Lots.** When the locations of proposed driveways intended to serve individual lots are known to the developer prior to construction of subdivision streets, the driveway approaches shall be constructed at such locations. That portion of the driveway which will be located on the public right-of-way shall conform to the location and geometric standards on file in the office of the Department of Transportation.
3. **Multi-Family Lots.** Each lot in a subdivision intended for construction of duplex, fourplex, or other multi-unit structures shall be laid out so as to accommodate two properly designed off-street parking spaces per dwelling unit, in addition to the building itself and required yards. The preliminary plat of any such subdivision shall depict the outline of a building of the general size intended to be constructed, the outline of properly arranged off-street parking spaces for such a

building, provided that where many lots are identical only one "typical" arrangement is required to be shown. That portion of driveways which will be located on public right-of-way shall conform to the location and geometric standards on file in the office of the Department of Transportation. Bay-type off-street parking, if used, shall conform to the location and geometric standards on file in the office of the Department of Transportation and is subject to the rules and regulations established in Article III, Chapter 21 of the City Code.

SECTION 5.5 TRAFFIC AND STREET SIGNS

The Preliminary Plat shall indicate proposed locations for stop signs, yield signs, and other necessary traffic control signs. Unless the Department of Transportation advises the Planning Commission of any requested changes prior to approval of the Preliminary Plat, the proposed layout of traffic control signs shall be approved. The developer shall purchase traffic control and street name signs, poles, and all hardware for erecting such signs from the Department of Transportation and shall install them in the subdivision. Street names will be assigned by the Community Planning and Development Department.

SECTION 5.6 UNDERGROUND UTILITIES

When installed underground, electrical conductors or fiber-optic cables may be direct-buried or installed in conduit, provided that any such cable placed under the pavement of a public street shall be installed in conduit. Underground electric power lines shall be stubbed out at each street intersection so as to facilitate provision of streetlights. The developer's engineer shall attempt to minimize potential conflicts of buried utilities with each other and with surface features such as sidewalks, fences, and trees by means of careful design. (See also Section 6.5.)

SECTION 5.7 DRAINAGE AND STORM SEWERS

1. **General Design Criteria.** All drainage structures and facilities shall be designed and sized to meet the runoff of the drainage area to be served and in accordance with the Technical specifications as set out in Section 21-105(A-G) of the City Code pertaining to Storm Drainage and Erosion Control requirements. A runoff coefficient of not less than 0.5 shall be used in all runoff calculations, unless the developer's engineer presents data concerning slopes, soils, vegetation and the like sufficient to demonstrate to the satisfaction of the City Engineer that a lower coefficient is appropriate. Drainage structures in subdivisions shall be designed to accommodate at a minimum a 25-year frequency storm event, except where a higher standard is specified elsewhere. See also Sections 4.2 and 4.10 of these Regulations.
2. **Gutters and Open Channels.** Street gutters and other open channels shall be so designed that the velocity in the deepest part of the gutter or channel shall not exceed ten (10) feet per second. The velocity shall be computed by the Manning Equation using the depth at a point six (6) inches from the face of the curb as the hydraulic radius. Inlets shall be provided so that surface water is not carried across or around any street intersection, nor for a distance of more than 600 feet in the gutter, unless this requirement is waived for sound engineering reasons by the City Engineer.

When calculations indicate that gutter capacity is exceeded or that gutter runoff velocity exceeds ten (10) feet per second, catch basins shall be used to intercept flow at that point. Cross sections of ditches and flumes and all calculations of runoff velocity and gutter capacity shall be set forth on the plans and profiles submitted to the City Engineer. No ditch or flume section shall be constructed which, in the opinion of the City Engineer, lacks the capacity, structural strength, or erosion resistance to discharge runoff from the design storm without suffering damage or requiring more than routine maintenance.

3. **Culverts.** The inside diameter or cross sectional area of culverts to be provided shall be determined by Talbot's Formula or accepted engineering practice, but no pipe with an inside diameter less than 15 inches shall be used. All calculations of culvert size shall be set forth on the plans and profiles submitted to the City Engineer. Types of culverting to be placed under the roadbed of a public street may include bituminous coated corrugated steel pipe, pipe arch, aluminum pipe, reinforced concrete pipe, and reinforced concrete pipe box culverts designed and constructed according to the latest edition of the Standards and Specifications for Road and Bridge Construction of the Alabama Department of Transportation. A ditch, stream, or other drainage channel crossing a public street shall be culverted for a distance not less than 80 feet from the back of the curb, or from the edge of the pavement if no curb is provided, on both upstream and downstream ends or to the developer's property line, whichever distance is lesser, provided that the Planning Commission may modify or waive this requirement in the case of large streams and in subdivisions located more than three (3) miles outside the Corporate Limits. Concrete headwalls or special flared end sections shall be provided on the upstream and downstream ends of all culverts and riprap shall be employed to prevent erosion at the downstream end of all culverts, except where such requirements may be waived by the City Engineer.

SECTION 5.8 WATER FACILITIES

The provision of water facilities in subdivisions shall be governed by the Resolution Establishing a Uniform Policy and Procedure for Extending Water Mains and Water Services to New Land Subdivisions or Other Real Estate Developments, copies of which are on file in the office of the Superintendent of the Tuscaloosa Water and Sewer Department. All water mains in subdivisions served by the Tuscaloosa Water and Sewer Department or located less than three miles from the Corporate Limits shall be constructed by the City Water and Sewer Department unless, owing to conflicting work commitments, City forces cannot carry out the work within a reasonable period of time. If the City Water and Sewer Department notifies the developer that City forces are not available to install the required water lines, the developer may employ a qualified contractor to install the said water lines and facilities. A private contractor installing water lines and facilities in a subdivision shall notify the City Water and Sewer Department prior to commencing work to arrange for the inspection of such work during construction.

SECTION 5.9 SANITARY SEWERS AND ON-SITE DISPOSAL

1. **Sanitary Sewers.** The developer of a subdivision shall construct sanitary sewer laterals within the streets of the subdivision or within platted sanitary sewer easements so that the same connect

with existing, or may be connected with future, collecting or trunk line sewers. It is the intention of this Section that such sewers be constructed whether or not they can presently be utilized, in order to prevent future street cuts or expensive yard cuts involved in the construction of the sewer following completion of streets and houses. The Planning Commission may, however, waive this requirement in remote areas which, in the written opinion of the City Engineer, are unlikely to be served by a trunk or collecting sewer for a ten-year period and cannot economically be connected at the developer's expense to an existing sewer, in requesting such a waiver, the developer's engineer shall submit a preliminary feasibility study, including estimated costs for connecting the proposed subdivision with the nearest existing sanitary sewer, provided that the City Engineer may waive the requirement for such a study when he deems it unlikely that the area will be served by sanitary sewer systems in the foreseeable future. Before authorizing commencement of sewer construction, the City Engineer shall approve the design, grade, and drainage characteristics of the proposed sewers.

All such designs, and the construction thereof, shall be in accordance with the provisions of Section 33-36 through Section 33-47, both inclusive, of the Code of Tuscaloosa. Service lines shall be stubbed out to the back of the curb to serve each platted lot. Where the sewer is in an easement not in the street, wyes or sewer stubs shall be provided. Each stub or wye shall be marked with an Electronic Location Marker meeting the specifications of the Engineering Division. The locations and depths of such stubs and wyes shall be indicated on the plans. Plans and profiles, showing the sewer, as built, shall be furnished to the City Engineer prior to the City's accepting the same for maintenance. One print, along with a magnetic disk maintaining a CAD format compatible with TDOT software shall be presented to the City Engineer.

2. ***Oversized Facilities to Serve Adjoining Land.*** When a tract lying downstream from other vacant, developable land is subdivided, the developer's engineer shall determine (a) the size and cost of the sewer system required to serve his subdivision only, and (b) the size and cost of the sewer system which would be required within his subdivision if all land lying upstream were developed in accordance with the Comprehensive Plan. Unless upstream property owners privately agree with the developer to pay the additional cost of the larger system, the developer's engineer shall present his calculations to the City Engineer, who shall forward them to the City Council with a request that the City pay the difference in cost between the smaller and larger diameter sewers. If the City Council has not agreed within 30 days to pay the difference in cost, the City Engineer shall authorize the developer to commence construction on a sewer system adequate to serve his subdivision only. Whenever the owner or owners of land lying upstream from a subdivision with oversized sewers wish to tap into such sewers, they shall be required to reimburse the City on a pro-rata basis for any payments made pursuant to this Section in proportion to their respective shares of the total acreage served by such sewers.
3. ***Sewage Pumping Stations.*** Before issuing a permit for the construction of a developer-installed sewage pumping station, the City Engineer shall determine that the developer's plans and specifications conform to all requirements prescribed by the City.
4. ***On-Site Disposal.*** Septic tanks shall be allowed only with approval of the Alabama Health Department.
5. ***On-Site Disposal Setback.*** No part of any on-site sewage disposal system, including field lines,

shall be installed closer than 300 feet from the edge of Lake Tuscaloosa or Lake Nicol at normal pool elevation. In such instances, the Preliminary Plat shall depict, as accurately as possible, a line 300 feet from the edge of Lake Tuscaloosa at normal pool elevation and label this line "On-Site Disposal Setback."

SECTION 5.10 MONUMENTS AND MARKERS

Each subdivision platted under these Regulations shall have monument pipes 1/4 inches in diameter and two feet in length placed at all main control points within the subdivision. Said monuments shall extend no higher than six (6) inches above finished grade. All corners on platted lots shall be marked by a 1/2 inch diameter pipe two feet long which may not extend over three (3) inches above finished grade. Location of Points of Curvature (P.C.s) and Points of Tangency (P.T.s) for street center lines shall be marked with a monument pipe identical with those used to identify all lot corners in the subdivision. Said (P.C.) and (P.T.) markers will be placed on each boundary of the right-of-way.

ARTICLE VI - PROCEDURES FOR APPROVAL AND INSPECTION OF SUBDIVISIONS

SECTION 6.1 OVERALL PROCEDURE

To obtain approval of a proposed subdivision, the developer shall submit to the Planning Commission a Preliminary Plat prepared by a registered land surveyor and submit plans and profiles of proposed improvements to be prepared by a registered engineer to the City Engineer. No land owner or developer shall proceed with improvements without the written approval of the preliminary plat from the Planning Commission and receipt of necessary construction permits from the Engineering Division of the Tuscaloosa Department of Transportation. The approval of the preliminary plat shall be construed to be a conditional and revocable approval of the final plat, conditioned upon the satisfactory completion and/or bonding of all required improvements and the presentation of a final plat meeting all requirements set forth in these regulations. After required improvements are completed to a stage as prescribed in Section 6.7(2), a Final Plat prepared by a registered land surveyor shall be submitted to various departments as prescribed in Section 6.7(1). No land owner or developer shall convey property in a "Subdivision" until a Final Plat has been recorded in the Probate Records of Tuscaloosa County, Alabama. Except as otherwise specified in this Article, the overall procedure for securing City of Tuscaloosa approval of a new subdivision within the City of Tuscaloosa's Planning Jurisdiction shall be as depicted in Figure IV.

SECTION 6.2 PRE-DESIGN CONFERENCE

Before commencing the design of a subdivision, the developer's engineer shall confer with the staff of the Planning Division in order to ascertain the existence of any plans, policies, or projects which would affect the design of the subdivision. All pre-design conferences must be accompanied by a site plan drawn to scale of the proposed subdivision. Representatives of the Tuscaloosa Department of Transportation, Water and Sewer Department, and other affected departments or agencies shall be invited as may be appropriate.

SECTION 6.3 MASTER PLAN

A developer presenting a Preliminary Plat who owns, leases, or has options to purchase twenty (20) or more acres of additional vacant land contiguous to, but not included in, said Preliminary Plat, shall also submit a Master Plan depicting the proposed future development of the additional land, provided that prior to the filing deadline the developer's engineer may submit a written request setting forth reasons why the development of the remaining land within the foreseeable future is extremely unlikely. If the Planning Director concurs, he may issue a written waiver of the Master Plan requirement.

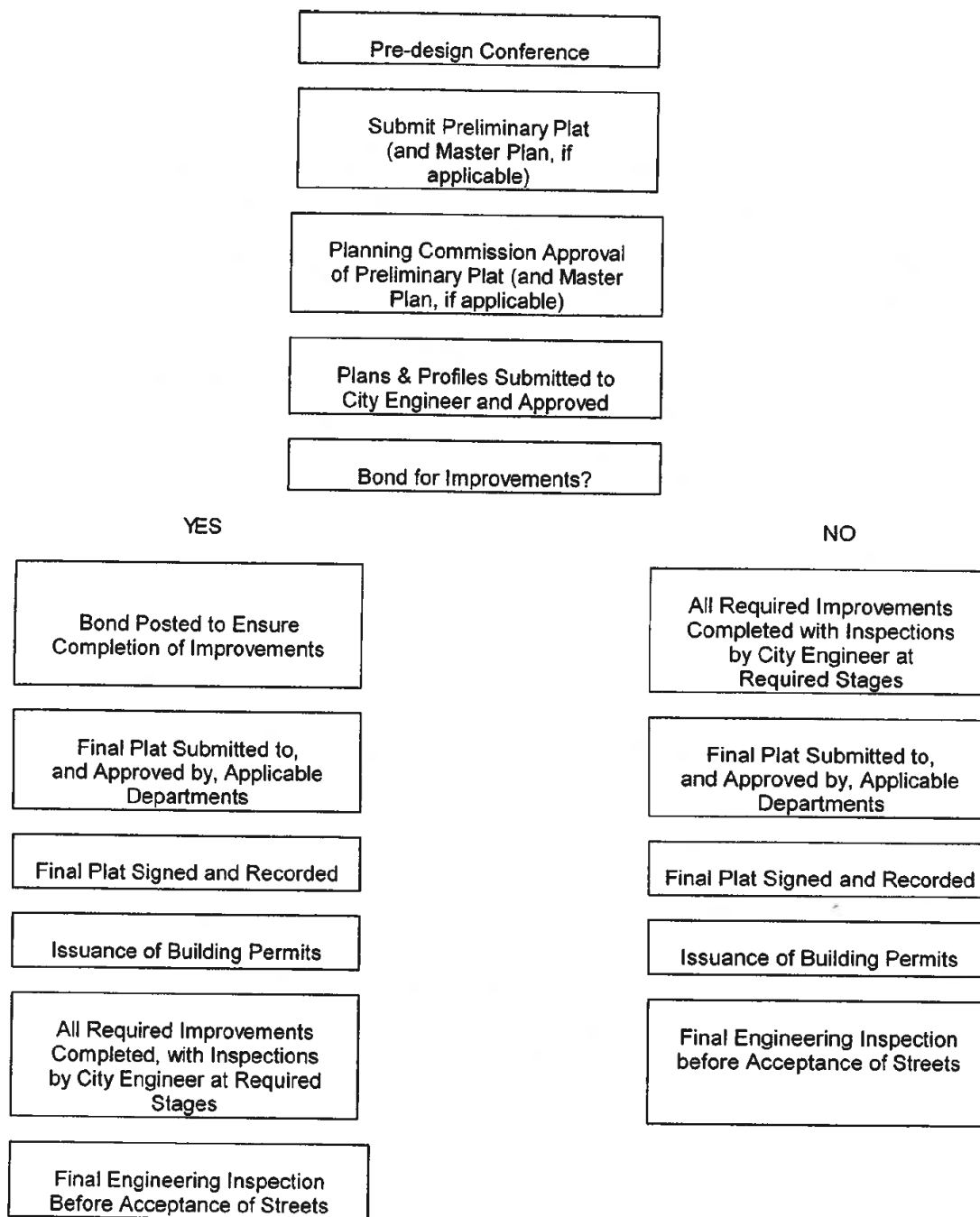


FIGURE IV
OVERALL PROCEDURE

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SECTION 6.4 PRELIMINARY PLAT

The developer shall submit one (1) digital copy of the Preliminary Plat with contours and one (1) digital copy of the Preliminary Plat without contours, together with a fee as prescribed by resolution of the Planning Commission, to the Office of Urban Development, Planning Division by 12:00 noon not less than one calendar month prior to the scheduled meeting of the Planning and Zoning Commission at which the plat is to be considered. For purposes of public transparency and ease of access, six (6) paper copies of the Preliminary Plat shall also be submitted.

Only a completed application will be advertised and placed on the agenda for the public hearing. A developer desiring a variance of any requirement specified in Articles IV or V shall request such variance in writing, setting forth any facts which may justify such a variance. The Office of Urban Development, Planning Division shall forward a copy of the Preliminary Plat to the Office of the City Engineer, the Tuscaloosa County Public Works Division, and such other departments and agencies as shall appear appropriate. Such departments and agencies shall submit their written comments, if any, prior to the meeting of the Planning and Zoning Commission. The Office of Urban Development, Planning Division shall notify the owners of record of property adjoining the proposed subdivision not less than five days before the hearing on the Preliminary Plat, as required by Section 11-52-32 of the Code of Alabama, 1975. The developer shall submit three labels for each adjoining property owner by the deadline noted above.

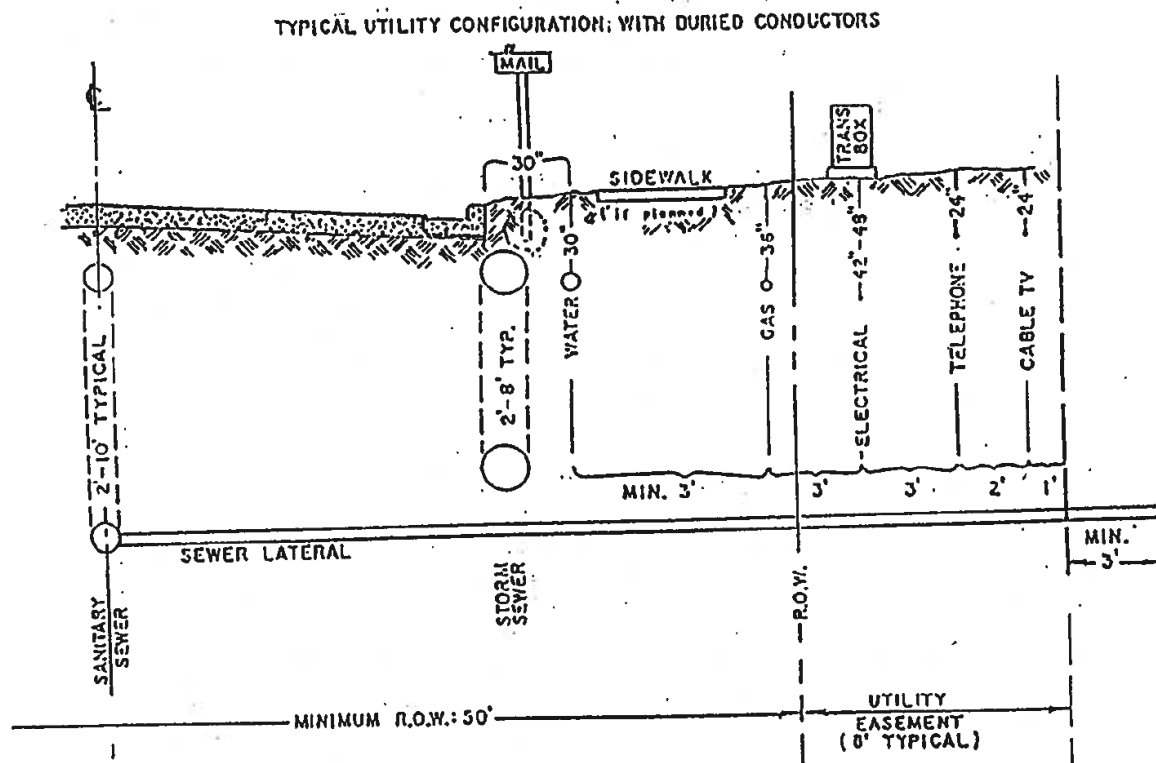
The Planning and Zoning Commission shall approve, conditionally approve, or disapprove such Preliminary Plat within thirty (30) days after holding a hearing thereon, unless the developer consents to an extension of this period. If the Preliminary Plat is disapproved or conditionally approved, the reasons or conditions for such action shall be stated in the minutes of the Planning Commission. If any requirements of these Regulations are modified or a variance is granted, such action shall be noted in the minutes. Approval of the Preliminary Plat by the Planning Commission is conditioned upon the approval of required plans and profiles by the City Engineer. Preliminary approval of a proposed subdivision shall lapse at the end of one (1) year if construction of the subdivision has not begun.

SECTION 6.5 PLANS AND PROFILES OF IMPROVEMENTS

The developer shall furnish the City Engineer three (3) copies of construction drawings setting forth plans and profiles of proposed improvements for review and approval prior to the commencement of construction on the proposed subdivision. Along with plans and profiles, the developer shall furnish the City Engineer and each affected utility a typical street cross-section depicting where each buried system is proposed to be located, terrain and other factors permitting. Figure V shall be used as a reference in designing such a cross-section, omitting any utility systems not intended to be buried within the subdivision and narrowing the utility easement accordingly. A gap of a specified width may be left between the right-of-way and the utility easement if homeowners are expected to erect walls, fences, or ornamental gates along their front property lines. Subject to the approval of the City Engineer and affected utilities, the developer may propose the use of rear lot easements, conduit banks, or other unconventional utility configurations in lieu of the concept shown in Figure V. The City Engineer shall employ the checklist set forth in Appendix B to these Regulations to verify that the plans and profiles conform to all requirements set forth in Articles IV and V, except those expressly waived

by the Planning Commission. He shall approve the plans and profiles within 20 days after receiving them or notify the developer's engineer of discrepancies requiring correction.

FIGURE V



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SECTION 6.6 CONSTRUCTION AND INSPECTION OF IMPROVEMENTS

Subdivision improvements shall be constructed only under the supervision of a civil engineer employed by the developer. Construction of subdivision improvements may begin only after the plans and profiles have been approved and the developer has purchased construction permits (if required) from the Engineering Division of TDOT. The fees for such permits shall be as prescribed by ordinance. Quality control during construction shall be maintained by three means, as follows:

1. The developer shall employ a qualified testing laboratory to perform compaction tests on street subbase and base before placement of the first layer of pavement. The results of these tests may initially be reported to the Engineering Division by convenient means, but a written report must follow.
2. The developer's engineer shall ensure that a qualified inspector, experienced in street and sewer construction, conducts an inspection not less frequently than once daily during construction of improvements. The inspector shall maintain a logbook of all inspections, which shall be furnished to the Engineering Division of TDOT for review upon completion of construction.
3. The developer's engineer shall notify the City Engineer before work begins on each of the following steps:
 - a. Cleaning and grubbing
 - b. Grading
 - c. Laying of Sanitary and Storm Sewer Pipe
 - d. Roadbed Processing
 - e. Under Curb Compaction Test*
 - f. Pouring Curb and Gutter
 - g. Sub-grade Compaction Test*
 - h. Placing Base Material
 - i. Base Compaction Test*
 - j. Placing the first layer of Asphalt
 - k. Placing the final layer of Asphalt
 - l. Air and Mandrel Test on Sanitary Sewer Lines*
 - m. Video inspection of Sanitary Sewer Lines

*These items shall require the attendance of representatives from both the developer's engineer and the City Engineer's office.

4. Upon completion of the sanitary sewer construction, the developer's engineer shall furnish record drawings depicting the locations of sanitary sewer stub outs (lateral lines) to all utilities which intend to install buried lines in the subdivision. The engineer will also mark the alignment of each stub out with paint on the curb or pavement. When the developer's engineer deems appropriate, normally upon completion of curb and gutter, he shall convene in the field a conference of utility company representatives to coordinate the installation of underground lines. Ordinarily, he will ask the City Water and Sewer Department (or other water utility) to install water mains before installation of gas, telephone, electric and cable. Upon completion of all developer installed improvements, a set of "RECORD DRAWINGS" shall be delivered to the City Engineer's office. These plans shall show all improvements as constructed, including the correct locations and profiles of

all sanitary and storm sewer lines and appurtenances thereto, including locations and depth of all sanitary sewer stubs. The developer's engineer shall ensure that the developer furnishes and places Electronic Locator Markers of a type approved by the City Engineer's office over all sanitary sewer stubs.

SECTION 6.7 FINAL PLAT PROCEDURES

1. **Submission of Plat.** The developer shall submit one (1) digital copy of the Final Plat along with a completed Final Plat checklist to the Office of Urban Development, Planning Division, Tuscaloosa County Engineering Department and, when applicable, the Tuscaloosa County Planning Department.

In addition to the digital copy (with all digital stamps removed) and checklist, submission to the Office of the City Engineer shall also include the following:

- a. Be made on forms available online or at the Office of the City Engineer.

Each Department shall have ten (10) business days from the submittal of the digital copy of the final plat to review the plat for compliance with the subdivision regulations. The Planning Director shall determine if the final plat is in compliance with the approved preliminary plat and if not, shall not approve the final plat until a revised preliminary plat has been approved by the Planning Commission.

2. **Approval by City Engineer.** The City Engineer shall not approve the Final Plat until the following has been provided to the Office of the City Engineer:

One (1) CAD record drawing, giving details of construction, location, and size of sanitary sewer, storm sewer, and water lines and their above ground components on a CD-ROM, flash drive, or other electronic format. The digital file(s) shall be accompanied by a transmittal letter which lists the files submitted, a description of the data in each file, a level/layer schematic of each design file, and a statement conveying rights to the City of Tuscaloosa for the data to be used for GIS purposes. Text, parcels, and roads must be grouped together on separate layers. A separate miscellaneous layer may be used for other information. All data submitted shall use NAD 1983 Alabama West Zone Coordinates in US Survey Feet (except in resubdivision or subdivision with no public improvements). Digital files must display by text, said state plan coordinates for all points as specified in Section 7.1(13).

In addition, the City Engineer shall not approve the Final Plat until the following conditions, if required, are met:

- a. All required improvements, including sidewalks or an approved sidewalk alternative system, have been installed and completed by the developer and maintenance bonds as required in paragraph (3) have been approved by the City Engineer for improvements to be accepted by the City and/ or the County Engineer for improvements to be accepted by the County. If, in the opinion of the City Engineer and the Planning Director, special circumstances necessitate the delay of the installation of the sidewalk until after the final plat is signed, a performance

bond shall be required.

- b. Developer-installed lift stations must be included in Phase I of a development.
- c. Final plats containing any lots abutting the Lake Tuscaloosa Acquisition Line shall:
 - i. Accurately depict the Lake Tuscaloosa Acquisition Line with sufficient dimensions to represent the true and actual Acquisition Line.
 - ii. Accurately depict a line 300 feet from the edge of Lake Tuscaloosa at normal pool elevation and label the line "ON-SITE DISPOSAL SETBACK."
 - iii. Contain the following notes:
 - a. NOTE: PRIOR TO THE DEVELOPMENT OF ANY LOT IN THIS SUBDIVISION THAT ABUTS THE LAKE TUSCALOOSA ACQUISITION LINE, THE DEVELOPER, OR PERSON IN CHARGE OR CONTROL THEREOF, SHALL SUBMIT A PLAN FOR APPROVAL BY THE CITY ENGINEER MEETING ALL PERTINENT LAND DEVELOPMENT PERMIT REQUIREMENTS FOR TREE REMOVAL, NATURAL VEGETATION, STORMWATER RUNOFF CONTROL, AND WATER QUALITY. THIS NOTE SHALL ALSO APPEAR IN THE DEED OF CONVEYANCE FOR ANY LOT IN THIS SUBDIVISION THAT ABUTS THE LAKE TUSCALOOSA ACQUISITION LINE.
 - b. NOTE: THE PROPERTY ON THE LAKE SIDE OF THE LAKE TUSCALOOSA ACQUISITION LINE BEING PREVIOUSLY RECORDED AS TRACT # XXX IS PROPERTY OF THE CITY OF TUSCALOOSA, AND MAY NOT BE BUILT UPON, DREDGED, FILLED, OR OTHERWISE ALTERED EXCEPT IN CONFORMITY WITH APPLICABLE ORDINANCES AND REGULATIONS OF THE CITY AND PURSUANT TO ALL REQUIRED PERMITS AND LICENSES.

3. Acceptance and Bonding Improvements:

- a. The Planning Director and City Engineer and/or County Engineer shall require completion of the public infrastructure improvements including but not limited to: streets, sanitary sewers, sidewalks, curb and gutter, and/or sewer lift stations, prior to signing the final plat for all residential subdivisions with single family lots. Subdivisions intended for multi-family lots (pursuant to Sec. 5.4) and nonresidential subdivisions (pursuant to Sec. 4.11) may follow the Land Development Permit regulations in Chapter 21, Article XII of the City Code.

Performance Bond

If, in the opinion of the City Engineer and the Planning Director, special circumstances necessitate the delay of the installation of the final wearing surface layer of a street or the required sidewalks for subdivisions intended for multi-family lots and nonresidential subdivisions in the corporate limits until after the final plat is signed, a **performance bond** shall be required. The performance bond shall not to exceed two (2) years in duration, and shall be required prior to the signing of the final plat. The performance bond shall include good and sufficient surety in an amount equal to 1.10 times the amount of the construction costs of the final wearing surface layer or sidewalk. The surety thereon must be approved by the City Attorney and shall be one of the following: a cash deposit, an irrevocable letter of

credit, or an insurance company doing business by an agent in the State of Alabama through an attorney-in-fact. The surety companies on bonds shall be rated A- or better by A. M. BEST and listed on the United States Treasury Department 570 list.

In the event the developer fails to perform as required by the bond, the City Attorney or his designee is authorized to file a lien equal to the amount of the bond against any lot or lots in the subdivision subject to the bond and owned by the developer executing the maintenance bond or performance bond in default. This lien shall be a certified copy of a resolution passed by the City Council and shall state the purpose and the amount of the lien and shall be recorded in the Office of Probate for Tuscaloosa County. The liens will not be satisfied until such time as the developer complies with the bond conditions or the surety pays the bond and if the lien remains unsatisfied for 90 days the City may collect on the lien as all debts are collected or liens enforced.

b. Maintenance Bond

In addition, the City Engineer or County Engineer where applicable shall also require before signing the final plat, a **maintenance bond** on a form provided by the City for public improvements (*excluding sidewalks within the right-of-way*) within the corporate limits plus all sanitary sewers accepted outside of the corporate limits pursuant to §16-77 of the Code of Tuscaloosa and/or on a form provided by the County for public improvements (*excluding sidewalks within the right-of-way*) outside the corporate limits. Maintenance bonds shall include good and sufficient surety in an amount equal to ten (10) percent of the construction costs of said public infrastructure.

The surety for the maintenance bond shall be for a period of at least fifteen (15) months from the date of acceptance of improvements by the City and/or County. The bond shall cover maintenance of the constructed public infrastructure improvements for no less than one year after acceptance by the City of the public infrastructure improvements. The surety thereon must be approved by the City Attorney for public improvements within the corporate limits plus all sanitary sewers accepted pursuant to 16-77 of the Code of Tuscaloosa and/or County Engineer for public improvements outside of the corporate limits and shall be one of the following: an irrevocable letter of credit; a cash deposit or an insurance company doing business by an agent in the State of Alabama through an attorney-in-fact.

- c. For **subdivisions not within the corporate limits of the City**, the only public infrastructure improvements that can be accepted by the City are water and sewer facilities that are to be a part of the City's system. No roads, drainage structures, or other improvements may be accepted by the City outside its corporate limits.
- d. **Lift Stations** present a special consideration in that there are mechanical inspections and routine maintenance that must be conducted during the period after the subdivision plat is approved by the City Engineer for construction and before the final wearing layer is placed on all streets within the subdivision. Since interim maintenance is critical to insuring lift stations accepted by the City are in good working order upon acceptance, the City will modify the above requirement such that any lift station constructed by private entities that is to be connected to the City's sanitary sewer collection system will be accepted by the City for ownership and maintenance immediately upon meeting the following separate

requirements:

- The lift station meets all City standards and construction requirements.
- The City lift station maintenance staff has inspected the lift station, provided a punch list of lift station deficiencies to the developer and the developer has satisfactorily completed all tasks required by the punch list.
- A recommendation from the City lift station maintenance staff is sent to the City Engineer.

All City requirements for the design and operation of such lift station shall be complied with in full prior to acceptance by the City including compliance with NFPA Rule 820 and full functioning supervisory control and data acquisition (SCADA) networked into the City's central SCADA system at the Hilliard Fletcher Wastewater Treatment Plant. The City Engineer will recommend (to the City Council) acceptance of the lift station by the City as these criteria are met. A maintenance bond, as outlined in Section 6.7(3)(b) shall be provided prior to acceptance.

- e. **Private streets.** If, in the opinion of the City Engineer and the Planning Director, special circumstances necessitate the delay of the installation of the final wearing surface layer for private streets in the corporate limits until after the final plat is signed, a performance bond shall be required. The performance bond shall not exceed two (2) years in duration, and shall be required prior to the signing of the final plat. The performance bond shall include good and sufficient surety in an amount equal to 1.10 times the cost of the private street improvement. The surety thereon must be approved by the City Attorney and shall be one of the following: a cash deposit, an irrevocable letter of credit, or an insurance company doing business by an agent in the State of Alabama through an attorney-in-fact. The surety companies on bonds shall be rated A- or better by A. M. BEST and listed on the United States Treasury Department 570 list. The final plat shall state the following:

The streets shall be private streets conditioned upon a final wearing surface layer being installed within two years from the recordation of the final plat. In the event the final wearing surface layer is not installed within two years from the recordation of the final plat, the private streets shall become public streets and the bond is forfeited to the City to install the final wearing surface layer.

4. **Building Permits.** No permit for construction of houses or housing units in a subdivision shall be issued until a final plat has been recorded in the Probate Office of Tuscaloosa County except for condominiums prepared in accordance with Section 4.8 of this regulation, townhomes, and duplexes integrated into single-family residential neighborhoods as part of a Planned Unit Development.
5. **Recording Final Plat.** The Final (18"x24") shall be filed for record in the office of the Probate Judge of Tuscaloosa County, along with restrictive covenants, if any. The Planning Director shall be furnished with one (1) digital copy showing the Probate Judge's recording stamp and the City Engineer shall be furnished with one (1) reproducible copy of the Final Plat showing the Probate Judge's recording stamp.

SECTION 6.8 FINAL ENGINEERING INSPECTION BEFORE EXPIRATION OF BOND

Not less than thirty (30) days before expiration of the maintenance period referred to in Subsection 6.7(3)(b) of these Regulations, the Office of the City Engineer shall inspect the improvements covered by the bond. If this inspection reveals deficiencies beyond those caused by normal wear and tear, the City Engineer shall notify the developer or contractor of his/her findings, and shall afford the developer or contractor reasonable opportunity to correct the deficiencies before taking steps to recover against the maintenance bond.

SECTION 6.9 OPTIONAL ALTERNATIVE PROCEDURE FOR INDUSTRIAL SUBDIVISIONS

Notwithstanding any other provision of Article VI to the contrary, the Planning Commission may, in the interest of industrial development and job creation, approve for recordation a one-lot final plat requiring developer-installed improvements prior to commencement of, or substantial completion of, construction on the said improvements, provided that the City Engineer shall not sign the final plat for recordation until the following has been accomplished:

- a. Plans and profiles of all required improvements have been submitted and approved, and construction permits have been issued; and
- b. A bond, as described in Section 6.7(3)(a) or 6.7(3)(b) above, has been filed with the City Engineer

SECTION 6.10 RESUBDIVISIONS

Resubdivisions Not Requiring Improvements. When the owner of a subdivision wishes to record a new plat in order to correct surveying errors or improve the utility of poorly shaped lots, the Planning Director and City Engineer may approve such a resubdivision for immediate recordation, provided that the following conditions are met:

- a. The developer has secured and presented to the Planning Director a written waiver of legal notice and hearings from all adjoining property owners.
- b. The lots meet the requirements of all applicable regulations with respect to lot area and width.
- c. All required improvements as required by the Subdivision Regulations are in place.
- d. The number of lots in the subdivision will not be increased as a result of the resubdivision by more than two (2) lots or five percent (5) of the total number of lots, whichever is greater.
- e. No public interest in a street, easement, or the like shall be impaired or placed in doubt as a result of the resurvey.

The Planning Director shall complete a Resubdivision Checklist, as set forth in Appendix C to these Regulations, before signing the plat for recordation.

ARTICLE VII - SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

SECTION 7.1 PRELIMINARY PLAT REQUIREMENTS

Each Preliminary Plat presented to the Planning Commission for approval shall contain the following information:

1. Date, north point, graphic scale, subdivision name, total acreage to be subdivided and total acreage under the control of the developer. The scale shall not be less than one hundred feet to the inch (1" = 100'), or, in the case of a metric plat, not less than one to one thousand (1:1,000 or 1cm=10m). No subdivision may bear a name identical to, or unacceptably similar to, the name of an existing subdivision.
2. Contours shall be shown at intervals of not more than five (5) feet. In areas where existing slope is less than three percent (3%) on one acre or more, the contour interval shall be two (2) feet or less. Contour elevations shall be labeled sufficiently to identify the direction of surface drainage. Contour interval shall be noted on the drawing.
3. Names and addresses of owners and of the designer of the plat, who shall be a land surveyor registered to practice in the State of Alabama.
4. Names and addresses of owners of record of all adjoining parcels of land as they appear on the current tax records.
5. Name and Plat Book and Page of all adjoining subdivisions.
6. Locations and widths of rights-of-way of proposed and existing streets, sidewalks, alleys, and easements. All intersecting street rights-of-way shall provide an appropriate radius based on street geometry. The minimum radius shall be 25 feet. Proposed locations of "stop," "yield," and other traffic control signs.

If the proposed subdivision abuts an existing street, the location of any intersecting streets on the other side of such abutting street shall be depicted.

In the event that a proposed subdivision is served by a private street, the subdivision designer shall include a statement showing the Deed Book and Page Number of deeds granting rights-of-way.

7. The names, locations, widths, and other dimensions of existing or proposed parks, playgrounds, open spaces or other public property.
8. The locations of existing and proposed property lines, existing buildings, driveways, on-site sewage disposal systems, water courses, railroads, bridges, culverts, and drainpipes on land to be subdivided and for an area at least 200' in width around the perimeter thereof.

The width of the perimeter may be reduced at the discretion of the Director of Planning and City Engineer.

9. Location and dimensions of existing sanitary sewer lines and, to the extent known at this stage, of proposed sanitary sewer lines. In the event the subdivision will be served by septic tanks or a developer-installed sewage lift station, the Preliminary Plat should so state. In the event that the subdivision contains lots abutting the Lake Tuscaloosa Acquisition Line or lots abutting Lake Nicol, the Preliminary Plat shall depict the On-Site Disposal Setback as defined in Section 5.9(5) of these Regulations.
10. Proposed lot lines, lot numbers, approximate dimensions, and acreage and square footage for each lot, along with a statement that all lots meet the minimum lot size requirement of the zoning classification and/or applicable most stringent subdivision regulation, City or County.
11. Building and parking lot outlines, where required pursuant to *Subsection 5.4(3) – lots intended for townhome, duplex, quadplex, or multifamily structures.*
12. Proposed front, rear, and side yard setbacks, either on the lots or in the notes.
13. Number of Section, Township, and Range, with approximate ties to all identifiable section corners within or close to the proposed subdivisions. If adjoining an existing recorded subdivision, an existing known subdivision corner may be substituted.
14. Vicinity map showing the general location of the subdivision in relation to existing and proposed major streets, schools, parks, and other subdivisions.
15. Existing zoning classification and overlay district (if applicable) of proposed subdivision. If not located within City limits, provide note stating that *property is located outside the City limits but within the City's Planning Jurisdiction.*
16. Street cross-section of existing streets and sidewalks within the existing Right-of-way.
17. Street cross-section, showing proposed widening, sidewalks, Right-of-way width along with proposed roadway buildup and statements concerning type of material to be used in construction.

Sidewalks are not required for the following: Along ALDOT roads where ALDOT has submitted a statement; In previously recorded subdivisions where sidewalks were not required; or in the PJ where the county engineer, city engineer, and planning director agree.

18. If any portion of the land included in, or immediately adjacent to, the proposed subdivision is located within the Floodway or the 100-year flood boundary of a stream or river, as depicted on the Flood Boundary and Floodway Map, or is located in a "Special Flood Hazard Area," as depicted on a Flood Hazard Boundary Map, then such Floodway, Boundary, or Flood Hazard Area shall be indicated on the Preliminary Plat as accurately as possible.

Provide the proposed minimum finish floor elevations for lots affected by a "Special Flood Hazard Area."

SECTION 7.2 PLANS AND PROFILES

Construction drawings of proposed improvements shall include plans and profiles of proposed streets, sanitary sewers, and drainage structures, and shall be prepared by a registered Professional Engineer. Street design shall conform to the provisions of Section 4.3 and 5.2 of these Regulations and such other specifications as may be promulgated by the TDOT. The plans and profiles of sanitary sewers shall include sufficient data to insure that the sewers have been designed in accordance with Section 5.9 of these Subdivision Regulations. The plans and profiles of drainage features shall contain sufficient data, including calculations of pipe diameters and runoff velocity in open gutters, to permit the TDOT to verify the design's conformity to the provisions of Section 5.7 of these Regulations.

SECTION 7.3 FINAL PLAT

The Final Plat shall be an original drawing on mylar and shall be tied to an accepted corner based on the U. S. Government Survey or provide two ties to the West Zone of the Alabama Coordinate System, as described in Alabama Code Section 35-2-1 (1975). The City Engineer may allow resubdivisions to be tied to the original subdivision. This Plat shall also show the following:

1. Title, graphic scale, north arrow, name and registration number of the subdivision designer, and the date, together with the quarter section(s) in which the subdivision is located.
2. Tract boundary lines, right-of-way lines of streets, easements, and other rights-of-way, and property lines of lots, with accurate dimensions, bearings, or deflection angles, radii, arcs, and central angles of all curves.
3. Right-of-way width of each street or other right-of-way.
4. The locations and dimensions of all easements, together with the statement required by Section 4.10 of these Regulations.
5. Number to identify each lot or building site.
6. The purpose for which sites, other than residential lots, are dedicated or reserved.
7. Minimum building setback lines on all lots, as required by Section 4.6 of these Regulations.
8. Reference to recorded subdivision plats of adjoining platted land, by plat book and page number.
9. Space for the approval of the City Engineer, the Secretary of the Planning Commission, and the authorized representative of the Health Department. If the subdivision is located outside the Corporate Limits of Tuscaloosa, then space shall be provided for approval of the County Engineer and the County Planner.
10. Certificates and acknowledgments for the designer and owner, as required in Section 35-2-51 of the Code of Alabama, 1975. The designer shall further execute the current Certificate of Standards of Practice for land surveying in Alabama.
11. If the plat depicts a PUD with private streets, a provision for the dedication of any or all of the private streets to the public in the event that the governing body of the City determines in the future that the same is required for

adequate public access to adjacent or other property or required for the public health, safety, and welfare. All such private streets shall be so identified on the plat drawing.

12. Final Plats shall be drawn to a scale of not less than one inch equals one hundred feet (1'-100') or, in the case of a metric plat, not less than one to one thousand (1:1,000 or 1cm=10m), provided that, after the plat has received final approval by the Planning Commission, the developer may file a reduced copy for record.
13. Final Plats shall document the location of the subdivision according to the West Zone of the Alabama Coordinate System as described in Alabama Code Section 35-2-1 (1975).
 - a. All new subdivisions containing ten (10) or more lots shall be required to place monuments as indicated below. All phases of one development shall be added together for purposes of determining the applicability of this section. Each phase of a subdivision containing ten (10) or more lots shall be subject to the placement of monuments as indicated below. All new subdivisions containing less than ten (10) lots shall provide coordinates for a minimum of two (2) lot corners.
 - b. Implementation of this section requires that at least two monuments be erected in the subdivision, referenced to the subdivision itself, at least 300 feet apart. Easements or other means shall be provided for permanent sight distance between the monuments, and public access to the monuments.
 - c. The monuments erected under this section shall be permanent concrete monuments or other monuments accepted by the City Engineer, set below the ground in an approved protective box, and identified by a minimum of three (3) permanent reference points.
 - d. The City Engineer shall keep a book listing all such monuments erected under this section. The location and coordinates of monuments shall be shown on the final plat and prior to recordation of the final plat there must be recorded in the book a location or site map of each such monument, the coordinates of each, and sufficient field and office records to establish the probable accuracy of the information supplied.
 - e. Control for monuments established under this section shall meet National Geodetic Survey third-order requirements: one part in 10,000 and an angular closure of not greater than 8 seconds per turn.
15. Final plats containing any lots abutting the Lake Tuscaloosa Acquisition Line shall depict the On-Site Disposal Setback line as defined in Section 5.9(5) of these regulations and contain the marginal notes from Section 6.7(2)(C)(iii).
16. Final plats containing any lots abutting Lake Nicol shall depict the On-Site Disposal Setback line as defined in Section 5.9(5) of these regulations.

ARTICLE VIII - AMENDMENTS AND LEGAL CONSIDERATIONS

SECTION 8.1 AMENDMENTS

The Planning Commission may amend these Regulations from time to time after publication and hearing, as prescribed by law.

SECTION 8.2 INTERPRETATION, CONFLICT, AND SEPARABILITY

1. **Interpretation.** In their interpretation and application, the provisions of these Regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.
2. **Conflict.** These Regulations are not intended to interfere with, abrogate, or annul any other ordinance, law, rule, or regulation. Where any provision of these Regulations imposes restrictions different from those imposed by any other ordinance, law, rule, or regulation, whichever provisions are more restrictive or impose higher standards shall control. These Regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these Regulations are more restrictive or impose higher standards than such easement, covenant, or other private agreement or restriction, the provisions of these Regulations shall govern. Where provisions of the easement, covenant, or other private agreement or restriction impose duties and obligations more restrictive, or higher standards than the requirements of these Regulations, then such private provisions shall be operative and supplemental to these Regulations, provided however that such private provisions do not conflict with public policy or the Constitution of the United States.
3. **Separability.** If any part or provision of these Regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgement shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgement shall have been rendered, and shall not affect or impair the validity of the remainder of these Regulations or the application thereof to other persons or circumstances. The Planning Commission hereby declares that it would have enacted the remainder of these Regulations even without any such part, provision, or application.

SECTION 8.3 SAVING PROVISION

These Regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the City under any section or provision existing at the time of adoption of these Regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation by lawful action of the City, except as shall be expressly provided for in these Regulations.

SECTION 8.4 REPEALER

Upon the adoption of these Regulations according to law, the Subdivision Regulations adopted by the Tuscaloosa Planning and Zoning Commission on August 25, 1972, as amended, are hereby repealed.

SECTION 8.5 EFFECTIVE DATE

These Regulations shall be effective and shall supersede all former Subdivision Regulations of the City of Tuscaloosa upon the date of their adoption, provided however that proposed subdivisions having received Preliminary Plat approval prior to the adoption of these Regulations shall be allowed to be platted and approved under the conditions imposed at the time of their preliminary approval for a period of nine (9) months after the adoption of these Regulations.

