## Appendix B – Subdivision Regulations

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**DRAFT – FOR DISCUSSION ONLY (1/11/19)**
Subdivision Regulations | Sec. 64-205 General Provisions

Appendix B Subdivision Regulations

Sec. 64-205 General Provisions

Purpose: These regulations establish development standards that apply to subdivision plat applications, as indicated in each section. These regulations:

- implement the Map for Mobile;
- implement the purposes established for the subdivision regulations;
- ensure that new development, redevelopment, and land uses mitigate their development impacts; and
- provide uniform methods for the application of the dimensional, site design, civic space, landscaping, and infrastructure standards established in this Section.

A. Applicability

These regulations apply to:

1. all zoning districts, and

2. unless otherwise provided, any application for:

(a) subdivision plat approval.

B. Design & Improvements, Generally

1. Required Improvements. Subdivisions subject to the City’s zoning jurisdiction shall construct the following improvements:

<table>
<thead>
<tr>
<th>Improvement</th>
<th>Subdivision Plats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monuments (Sec: 64-208A)</td>
<td>✓</td>
</tr>
<tr>
<td>Easements (64-55)</td>
<td>✓</td>
</tr>
<tr>
<td>Stormwater Management (64-57)</td>
<td>✓</td>
</tr>
<tr>
<td>Streets (Sec. 64-213)</td>
<td>✓</td>
</tr>
</tbody>
</table>

2. Standards. Street, utility, landscaping, parking, and other improvements shall be installed in each new subdivision in accordance with the standards and requirements of this Article.

3. Specifications. Improvements required by these regulations for stormwater management, streets, and utilities shall be made in accordance with the engineering specifications and under the supervision of the City Engineer, MAWSS, the County Health Officer, and other appropriate authorities.

C. Construction of Required Improvements

1. The applicant shall construct public improvements within the proposed subdivision as provided in this Article.

2. If the improvements are not constructed before issuance of the building permit, then the developer shall submit performance and maintenance bonds prior to the issuance of the building permit.
permit and shall install the public improvements prior to the issuance of the certificate of occupancy.

D. Modification

1. The Planning Commission or Director may modify any other provision of these regulations where specifically authorized.

2. A modification is permitted only if it is:

   (a) Consistent with Map for Mobile, and

   (b) Consistent with the public interest, and

   (c) Will not place an unnecessary burden on the City or surrounding neighborhoods.
Sec. 64-206 Adequate Public Facilities

A. Applicability
This section applies to any application for:

1. Preliminary subdivision plat approval

Table 64-206-1 Transportation Impact Study (TIS) Thresholds

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Thresholds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preliminary plat in RL district</td>
<td>90 dwelling units</td>
</tr>
<tr>
<td>Manufactured Housing Land Lease Community / Mobile Homes</td>
<td></td>
</tr>
<tr>
<td>Multi-Family Dwelling, Townhouse/Rowhouse Group Living uses</td>
<td>150 dwelling units or living units</td>
</tr>
<tr>
<td>Commercial / Mixed Use, generally</td>
<td>25,000 sf</td>
</tr>
<tr>
<td>Restaurant (including drive-in or drive-thru)</td>
<td>3,000 sf</td>
</tr>
<tr>
<td>Gasoline or diesel fuel sales / Convenience store (with gasoline sales)</td>
<td>7 fueling positions</td>
</tr>
<tr>
<td>Office</td>
<td>60,000 sf</td>
</tr>
<tr>
<td>Medical (includes dental)</td>
<td>29,000 sf</td>
</tr>
<tr>
<td>Education</td>
<td>30,000 sf or 250 students</td>
</tr>
<tr>
<td>Lodging / Short-Term Rental</td>
<td>150 rooms or RV/trailer spaces</td>
</tr>
<tr>
<td>Industrial / Production</td>
<td>90,000 sf</td>
</tr>
<tr>
<td>Any other use</td>
<td>At least 100 trips in the P.M. peak hour</td>
</tr>
</tbody>
</table>

⇒ Refer to § 64-27 (Use Table) and Article X for classification and definitions of uses

B. Parks, Recreation Areas, and School Sites

1. Platting of Areas Designated on Comprehensive Plan. If a subdivision embraces a park, a combination playground and elementary school site, a combination playfield and junior high school site, or a combination athletic field and senior high school site that is shown on the Comprehensive Plan, the park, recreation area, or school site shall be platted in the general location and of the size called for by the Comprehensive Plan.

2. Proposed Sites. Where a proposed park, recreation area or school site shown on the Comprehensive Plan is located in whole or in part in a subdivision, the Planning Commission may require the reservation and platting of the area within the subdivision if the Planning Commission deems the requirement to be reasonable.
Sec. 64-207 Access Management and Driveways

**Purpose:** Consistent with Map for Mobile, this section establishes techniques to control access to major streets, to improve movement of traffic, reduce crashes, and lessen vehicle conflicts through controlling entry and exit points along the street. This section encourages parcels that front a street on the Major Street Plan and that adjoin private property to share access with adjoining properties to minimize conflict points and to maximize the efficiency of streets on the Major Street Plan. This section is consistent with the Major Street Plan and State and regional transportation policy, including the South Alabama Regional Planning Commission (SARPC), 2040 Long Range Transportation Plan (§ 6.5.4) and ALDOT, Access Management Manual (February 2014)(the “ALDOT Manual”), and generally accepted planning standards such as the Transportation Research Board, Access Management Manual (National Research Council, Washington, DC, 2003)(the “TRB Manual”).

A. Applicability

1. This section applies to applications for subdivision plat approval.

2. An application for a subdivision plat that accesses or adjoins a Major Street, must include an access management plan that shows how the access points and the site’s circulation system (including internal streets, parking areas and driveways) conform to this section.

3. The number and location of access points are determined as part of the subdivision review process.

4. Proposed access points or median access cuts to streets under the jurisdiction of ALDOT must be approved by ALDOT prior to submission of the final subdivision plat application.

B. Access Principles

Because frequent driveways, median breaks and curb cuts can be an impediment to the proper and safe functioning of Major Streets, Traffic Engineering may require that access to the street be limited by any combination of the following means:

1. Cross-access easements, minimum driveway separations, shared driveways and frontage roads.

2. The subdivision of lots to back onto a primary arterial and front onto a parallel local street, with no access to individual lots provided from the primary arterial.

3. Designing and arranging driveways to avoid requiring vehicles to back into traffic on an arterial street.

4. A series of cul-de-sacs, U-shaped streets, or short loops entered from and designed generally at right angles to the parallel street, with the rear lines of their terminal lots backing onto the major arterial.

C. Number and Spacing of Access Points

1. Along Major Streets

   (a) Joint and Secondary Access. Any lot with frontage on a Major Street shall access:

   (1) an existing joint-use access easement or driveway, or

   (2) a lower-classified street (e.g., local street, driveway, or alley) if the access options in subsection (1) are not available or feasible to provide.
(b) **Single Access Point.** If the access points listed in subsection (a) above are not available, the lot is limited to one access point (including contiguous lots or parcels under common ownership) unless the applicant complies with subsection (c) below.

(c) **Additional Access Points.** Additional access points are permitted if the applicant demonstrates that:

1. the additional access driveways would improve the safety and operation of the street, or
2. allowing only one access conflicts with local safety regulations.

(d) **Arterial Streets.** Access points to arterial streets are not permitted unless the applicant demonstrates that there is no other reasonable access to the general street system, or that denying direct access would cause unacceptable traffic operation and safety problems to the overall traffic flow on the general street system.

(e) **Spacing of Access Points.** Minimum spacing between access points on or intersecting a Major Street is provided in Table 64-207-1. “Spacing” means the distance (in feet) between access points, measured from the closest edge of pavement of the first connection to the closest edge of pavement of the second connection along the edge of the traveled way.

(d) **Alternative Access.** A lot that cannot meet the requirements of this Section is allowed one driveway or access point if it:

1. is part of an approved plat that does not otherwise limit access, and
2. was approved by the City or County and filed for record before the effective date of this Section, and
3. does not have sufficient frontage to meet the access point spacing requirements in this section.

<table>
<thead>
<tr>
<th>Functional Class of Roadway</th>
<th>Undivided Roadway</th>
<th>Divided Roadway</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Full Median Opening</td>
<td>Right In / Out Only</td>
</tr>
<tr>
<td>Locations west of I-65 or south of I-10, and any RL, DC, CM or CW district</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal Arterial</td>
<td>2640</td>
<td>2640</td>
</tr>
<tr>
<td>Minor Arterial</td>
<td>660</td>
<td>1320</td>
</tr>
<tr>
<td>Collector</td>
<td>330</td>
<td></td>
</tr>
<tr>
<td>Local Street</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Locations East of I-65 and north of I-10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal Arterial</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Minor Arterial</td>
<td>300</td>
<td>300</td>
</tr>
<tr>
<td>Collector</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Local Street</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

2. **Limitation on Access Points Along Other Streets.** The following standards apply to vehicular access along a street other than a Major Street:
(a) For single-family detached dwellings and two-family dwellings, one direct driveway access point is allowed only if the lot frontage abuts the street’s right-of-way. If the street is on a corner lot of two non-arterial or non-collector streets and abuts the right-of-way of two intersecting streets, two direct driveway access points are allowed (one to each street).

(b) For all other uses, the number of vehicular access points along a street shall comply with applicable State or local access standards to protect the function, safety, and efficiency of travel on the street and any associated bikeways and sidewalks.

D. **Driveway Intersection Spacing Along State Roads**
   The minimum spacing between abutting driveway intersections along an Alabama state road—or between a driveway intersection along a State road and an adjacent street intersection—shall comply with the access management standards in the Alabama Access Management Manual, subject to Alabama Department of Transportation approval.

E. **Corner Lots**
   Where a through lot or corner lot fronts on roadways of different classifications, direct driveway access to the lot shall be provided only from the lower-classified fronting street, to the maximum extent practicable.

F. **Intersection Location and Offset**
   1. Access points to streets shall be located:
      (a) at least 120 feet from Major Street (functional classification) intersections; and
      (b) at least 50 feet from another driveway location; and
   2. If this standard is not possible, based upon the frontage of the property, the location shall be as far as practicable from the other driveway locations.

G. **Parking Approaches**
   Parking aisles shall be located at least 20 feet from the intersection of the driveway approach and the street.

H. **Design of Access Points**
   Driveways that access a Major Street, and that are within 400 feet of an intersection between two or more Major Streets are restricted to right turn movements.

I. **Shared Access**
   1. This section encourages shared access between adjoining lots or parcels.
   2. Easements allowing cross-access to and from lands served by a shared driveway, along with agreements defining maintenance responsibilities of land owners, shall be recorded before issuance of a building permit for the development proposing the shared driveway access. The easements shall stipulate that both owners shall share in the costs and responsibility of maintaining the driveway.
Sec. 64-208  Blocks, Lots & Yards

A. Applicability

1. Subsections B (Monuments), C (Blocks) and D (Establishing Lots by Platting) apply only to applications for subdivision plat approval.

2. Subsection E applies only to the City’s zoning jurisdiction.

B. Monuments

1. Lot corners shall be marked with iron pipes, steel reinforcement bar (rebar), or other durable material, at least ½ inch in diameter and 18 inches long.

2. The out-boundary corners of the subdivision, block corners, witness monuments, and intermediate points as required by the City Engineer shall be marked with concrete monuments 4 inches square and 30 inches long.

3. Typical boundary monuments or witness monuments, once set, shall be identified with a durable marker or cap bearing the Alabama License Number of the land surveyor or the company Certificate of Authorization Number, and be detectable with conventional instruments for finding ferrous or magnetic objects.

4. The provisions of this section are not intended to require the removal and/or replacement of existing, historical survey monuments.

C. Blocks

1. Size and Shape of Blocks

(a) The lengths, widths, and shapes of blocks shall be determined with consideration of the limitations and opportunities of topography, the provision of building sites suitable to the intended uses and the need for convenient access, circulation, control of and safety from street traffic.

(b) Block lengths shall not exceed the following:

\[ \text{Table 64-208-1 Maximum Block Lengths} \]

<table>
<thead>
<tr>
<th>Location, Zoning District or Development Type</th>
<th>Maximum Length (feet-block face)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Design Type / see Article III</td>
<td>1 600’</td>
</tr>
<tr>
<td>2 or development with &gt; 40% common open space</td>
<td>1,600’</td>
</tr>
<tr>
<td>3 or Downtown (“D”) Zoning District</td>
<td>800’</td>
</tr>
<tr>
<td>4, 5, 6</td>
<td>1,200’</td>
</tr>
</tbody>
</table>

2. Crosswalkways

(a) Pedestrian crosswalkways may be provided across blocks longer than 800 feet.

(b) Crosswalkways may also be provided where necessary for convenient access to schools, playgrounds, shopping centers and other community facilities.
(c) Crosswalkways shall be a minimum of 10 feet in width, and if provided, shall be included in any common area maintenance requirements associated with the property owners association.

3. Blocks on Major Streets. The long dimensions of blocks that are adjacent to a major street shall be parallel, or approximately parallel, to the major street.

D. Specifications for Platted Lots

1. Generally

(a) The size, width, depth, shape, and orientation of lots and the minimum building setback lines shall be compatible and appropriate to the location of the subdivision and the type of development and use contemplated.

(b) Every lot shall contain a suitable building site for the proposed development, which includes accommodations for water and sewer utilities, vehicle parking, pedestrian connectivity, landscaping, storm water detention, flood zone, natural resources protection, setbacks, easements, etc.

2. Minimum Dimensions

(a) All lots shall conform to the dimensional standards of the applicable zoning district.

<table>
<thead>
<tr>
<th>Type of service</th>
<th>Central Water</th>
<th>Central Sewer</th>
<th>Individual Well</th>
<th>Individual Sewage Disposal System</th>
<th>Minimum Lot Area (sf)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4,000 sf</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>15,000 sf</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>15,000 sf</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>40,000 sf</td>
</tr>
</tbody>
</table>

For purposes of this subsection, “central water” means a public or an approved private water supply system, and “central sewer” a public or an approved private sanitary sewerage system.

3. Lot Access Standards. Except for lots on private streets as allowed by Sec. 64-213, every lot shall abut a dedicated and maintained public street, or have access through a private street or dedicated private easement.

4. Minimum Front Yard Setback

(a) Within the City’s incorporated areas, a minimum front yard shall be provided on every lot. The front yard shall be consistent with the applicable minimum or maximum front yards of the applicable zoning district.

(b) The setback line shall be shown on the final plat.

(c) Where a lot abuts a future major street, the front yard setback shall be measured from the right-of-way line of the future major street as established by the Major Street Plan.

5. Side Lot Lines. Side lot lines of lots shall be approximately at right angles or radial to the street line.
6. Corner Lots

(a) **Width.** Corner lots for residential use shall have sufficient width to accommodate the required front yard on both streets.

(b) **Property Lines at Corners.** Where necessary by reason of curb radii, property lines at street intersection corners shall align with the minimum curb radius required by Sec. 64-213.

7. Double Frontage Lots

(a) Double frontage lots are permitted only where necessary to provide separation of residential development from major streets or to overcome specific disadvantages of topography and orientation.

(b) A buffer at least 10 feet wide and that does not allow access shall be provided along the lot lines abutting the major streets or disadvantageous use.

8. Flag (or “Panhandle”) Lots

(a) Flag (or “Panhandle”) lots are allowed only where:

1. the proposed subdivision is in a location where varied and irregularly-shaped lot designs are common and the informality of design is consistent with lots in the vicinity; or

2. unusual circumstances such as unique topography exist; or

3. separate uses exist on a single lot; or

4. there are natural or pre-existing man-made barriers that require flexibility in lot design; or

5. for a family division. A “family division” means the division of a lot or parcel into two (2) or more lots or parcels for the purpose of sale or gift to the spouse or a natural or legally defined offspring, spouse, sibling, grandchild, grandparent, or parent of any fee simple owner of the original lot or parcel. For purposes of this subsection, a “sale” or “gift” includes the conveyance of a trust or life estate.

(b) The Planning Commission shall not approve flag lots unless the applicant presents evidence showing that:

1. each flag lot is necessary to allow the site owner reasonable use of the site; or

2. to alleviate a situation that would otherwise cause extreme hardship; or

3. the flag lots are required to protect/avoid natural resources, such as a riparian corridor, wetlands, flood zones, etc.

(c) Where flag lots are permitted, the “pole” (or “handle” or “stem”) shall be at least 20’ in width for its entirety. The flag lot shall not be resubdivided unless the pole is converted to a street that meets the design standards of Sec. 64-213.

(d) The building site area of each panhandle or flag lot shall be exclusive of the “pole”.

(e) Multiple panhandle or flag lots are not allowed as an alternative to road construction.

E. Yards

1. Yard Types and Measurement Standards
(a) For the purposes of this section, the following classifications and measurement standards apply:

**Front Yard** A yard extending the full width of the building site across its front, with required depth measured at right angles to the front street line of the building site. Major street lines. Front yard depth is measured from the future street right-of-way line of a major street.

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

**Side Yard** A yard extending from the rear line of the front yard to the front line of the rear yard, with required width measured at right angles to the adjacent side lines of the building site. If no front and/or rear yard is provided, the front and/or rear lines of the building site shall be construed as front and/or rear boundaries of the side yard. In any district where side yards are not required by the district regulations, a side yard shall have the minimum width required by the currently adopted IRC or IBC, as applicable (☞ City Code Chapter 11, Article 1).

(b) **Corner Lots.** A corner lot is considered to have a front yard on each lot line abutting a street, and a side lot line abutting an interior lot. This regulation shall not reduce the buildable width to less than 30 feet or require a front or side yard of more than 20 feet.

2. **Encroachments**

(a) Except as provided below, yards shall be unoccupied and unobstructed from 3 feet above the general ground level of the building site upward.

(b) The features designated and as conditioned below may encroach into a required yard subject to height limitations and intersection visibility requirements (subsection 3 below) and building code separation requirements:
<table>
<thead>
<tr>
<th>Feature</th>
<th>Yards where encroachment is permitted</th>
<th>Maximum Encroachment</th>
<th>Minimum Setback from property line</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arbors (maximum footprint of 80 sf and maximum height of 12')</td>
<td>Any yard</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Basketball goal</td>
<td>Any yard</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Balconies (open) at second floor or higher levels, wing walls,</td>
<td>Any yard</td>
<td>5 feet</td>
<td>--</td>
</tr>
<tr>
<td>stoops, landings, and patios</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bird houses, dog houses</td>
<td>Any yard</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Ordinary projections of sills, belt courses, cornices, chimneys,</td>
<td>Any yard</td>
<td>2 feet</td>
<td>--</td>
</tr>
<tr>
<td>buttresses, eaves, spouts/gutters, brackets, pilasters, grill work,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>trellises and similar architectural features</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Canopies, Freestanding</td>
<td>Front</td>
<td>10 feet into yard</td>
<td>--</td>
</tr>
<tr>
<td>Canopies having a roof area up to 60 sf</td>
<td>Front/rear</td>
<td>6 feet into yard</td>
<td>--</td>
</tr>
<tr>
<td>Clothes line (up to 2 poles)</td>
<td>Rear/Side</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Decks, covered</td>
<td>Rear</td>
<td>30 inches</td>
<td>--</td>
</tr>
<tr>
<td>Decks, uncovered</td>
<td>Rear/Side</td>
<td>5 feet into yard</td>
<td>--</td>
</tr>
<tr>
<td>Driveways</td>
<td>Any Yard</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Equipment, ancillary (Residential or Commercial / Mixed Use districts)</td>
<td>Interior Side/Rear</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Equipment, ancillary (non-residential districts)</td>
<td>Interior Side/Rear</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Fences, walls, poles, posts and other customary yard accessories,</td>
<td>Any yard</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>ornaments and furniture</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Open fire escapes / enclosed outside stairways / handicap ramps</td>
<td>Any</td>
<td>3½ feet</td>
<td>--</td>
</tr>
<tr>
<td>required by the building code</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Flag Pole</td>
<td>Any yard</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Garages, attached or detached and loaded from an alley</td>
<td>Rear</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Gates</td>
<td>Any yard</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Pool equipment, generators, HVAC units</td>
<td>Side/Rear</td>
<td>No restriction</td>
<td>Per currently adopted ICC codes</td>
</tr>
<tr>
<td>Landscaping, lawns, berms, trees, shrubs</td>
<td>Any yard</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Light Poles</td>
<td>Any year</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Mailboxes</td>
<td>Any year</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Playground equipment, trampolines</td>
<td>Any yard</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Open pools, screened or enclosed pools, spas, and uncovered decks or</td>
<td>Rear/Side</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>patios, up to 20 feet from a dwelling unit on an abutting lot</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overhanging roof, pier, awnings, marques, and second-story balconies,</td>
<td>Any</td>
<td>Shall not extend</td>
<td>--</td>
</tr>
<tr>
<td>steps, structural overhangs or projections enclosing habitable living</td>
<td></td>
<td>within a planting</td>
<td></td>
</tr>
<tr>
<td>space, or similar architectural features</td>
<td></td>
<td>strip or tree well</td>
<td></td>
</tr>
<tr>
<td>Parking areas, subject to zoning district regulations and this Article</td>
<td>Any</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Porches, residential unenclosed and covered</td>
<td>Front/rear</td>
<td>6 feet into yard</td>
<td>--</td>
</tr>
<tr>
<td>Projecting overhangs on the ground floor not listed above</td>
<td>Any</td>
<td>No restriction</td>
<td>Per currently adopted ICC codes</td>
</tr>
<tr>
<td>Projecting windows such as bays, bows, oriels, or dormers</td>
<td>Any yard</td>
<td>5 feet</td>
<td>Per currently adopted ICC codes</td>
</tr>
<tr>
<td>Ramps for citizens with impairments</td>
<td>Any</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Retaining Walls</td>
<td>Any</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Sidewalks</td>
<td>Any</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Stormwater detention or retention facilities or ditches, unless the</td>
<td>Rear (NC-T, D), Any yard (all other</td>
<td>No restriction</td>
<td>--</td>
</tr>
<tr>
<td>Director finds that underground stormwater management facilities are</td>
<td>districts)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>not currently available</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vending Machines (including ice machines, video rental machines,</td>
<td>Side and Rear only</td>
<td>No restriction</td>
<td>(prohibited in a required buffer)</td>
</tr>
<tr>
<td>ATMs</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
3. **Visibility at Intersections.** On a corner lot in any district in which a front yard is required, no fence, wall, hedge, structure, dumpster or planting creating a material impediment to visibility between the heights of 3 feet and 8 feet above the street grade at the intersection shall be erected, placed, or maintained within the triangular area (the “sight triangle”) formed by the intersecting street lines and a straight line connecting the street lines at points equidistant from the point of intersection and passing through a point which point is the intersection of lines defining the front yards.

![Figure 64-54-2 Sight Triangle](image)

4. **Side Yard Exception for Small Lots**
Where side yards are required and a lot of record is less than 60 feet wide, the sum of the widths of the 2 side yards shall be at least one-third (1/3) the width of the lot, and neither side yard shall have a width of less than one-seventh (1/7) the lot width. However, each yard shall have a width of at least 5 feet.

5. **Double-Counting Yards Prohibited.** No part of a yard or other open space required for any structure by the applicable Zoning Regulations counts as a part of the yard or other open space required for another structure.
Sec. 64-209  Easements

A. Utility Easements

1. Easements provided for public utilities, and placed on rear property lines, shall be at least 15 feet wide and 7 1/2 feet on each side of the property lines of lots.

2. The width of easements shall be increased, or they shall be extended, where necessary, to provide space for utility pole bracing or other construction.

3. No new half easement for utilities shall be platted adjacent to an existing subdivision which has not provided the other half of the easement.

B. Drainage Easements

1. Easements for water courses, drainage ways or streams shall conform substantially with the lines of the water course. The easement shall expand in width or construction as needed to accommodate the water course.

2. Parallel streets or parkways may be required in connection with open drainage ways in front of lots.

C. Reserve Strips

There shall be no reserve strips controlling land dedicated or intended to be dedicated to street or other public use except where their control is placed in the appropriate governing body under conditions approved by the Planning Commission.

Sec. 64-210  Improvement Guarantees

A. Completion of Improvements

The Planning Commission shall not approve the Final Plat of any subdivision unless the improvements required by these regulations:

1. have been installed in accordance with the standards and specifications of the appropriate officials and agencies, and

2. their approval has been certified to the Planning Commission or a surety bond or lien has been furnished as required herein.

B. Surety Bond

In lieu of completing the improvements prior to the submission of the Final Plat for approval, the Subdivider may post a bond or certified check or other acceptable surety providing for and securing the City of Mobile or the County of Mobile, as appropriate, the actual construction and installation of the improvements within a specified period.

C. Lien

In lieu of the completion of improvements prior to the submission of the Final Plat for approval or the posting of a bond or certified check or other acceptable surety as provided herein, the Subdivider may furnish a lien on the property comprising the subdivision providing for and securing to the City of Mobile or the County of Mobile, as appropriate, the actual construction and installation of the improvements within a specified period.
Sec. 64-211 Natural Resource Protection

A. Applicability

This section applies to applications for subdivision plat approval.

B. Generally

1. Subdivision Plats. Subdivision plats shall, to the extent practicable:

   (a) preserve or minimize the disturbance of natural scenic features, such as streams, creeks, rivers, Mobile Bay, wetlands and undeveloped floodplains, and

   (b) protect natural scenic features or use them as amenities.

2. The geographic area defined by the city of Mobile may contain Federally-listed threatened or endangered species as well as protected non-game species. Development within the Planning Jurisdiction must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

3. Stormwater Management

   (a) Storm water detention facilities are required within any portions of the proposed subdivision within the watershed.

   (b) Detention criteria shall comply with the highest applicable standard adopted in Chapter 17 of the City Code.

   (c) A licensed Professional Engineer must certify that the design of the Subdivision and its storm water detention features are designed in accord with these requirements.

   (d) Any storm water detention facility must be shown in the plans and on the recorded subdivision plat as a common area not maintained by the City of Mobile, Mobile County or the State of Alabama.
Sec. 64-212  Open / Civic Space Standards

A. Applicability

1. This section applies to applications for subdivision plat approval.

2. The amount of open space required depends upon the zoning district in which the property is located, as set forth in Article II.

B. Qualifying Open / Civic Space

1. Generally. Where the zoning district or this section requires an open space allocation, the following areas count toward the total requirement at rate indicated by the multiplier in 64-212-1 below:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description / Standards</th>
<th>Multiplier</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking Lot</td>
<td>Parking lot landscaping consisting of green infrastructure consistent with the LID Manual, or a landscaped walkway with landscaping and streetscaping of at least 10 feet in width that connects sidewalks to the front building entrance or the store aisle (as defined in Error! Reference source not found.).</td>
<td>0.4</td>
</tr>
<tr>
<td>Stormwater management</td>
<td>Stormwater detention basins of at least 0.5 acre designed for recreational use or as a common amenity, and that: (1) is design so that it cannot be inundated and unusable for its designated recreational or access purposes, and shall be capable of draining within 24 hours during a 10-year storm event, and (2) constructed of natural materials with terracing, berms or contouring to naturalize and enhance the aesthetics of the basin and maximum slopes of 3:1.</td>
<td>0.5</td>
</tr>
<tr>
<td>Natural Area</td>
<td>Areas established for the protection of natural attributes of local, regional, and statewide significance, which may be used in a sustainable manner for scientific research, education, aesthetic enjoyment, and appropriate use not detrimental to the primary purpose (other than wetlands as provided above). These areas are resource rather than user-based, but may provide some passive recreational activities such as hiking, nature study, and picnicking. Natural Areas may include Riparian Buffers, Floodplains, or natural wetlands visible from walkways provided in and through the wetland.</td>
<td>0.75</td>
</tr>
<tr>
<td>Greenway</td>
<td>A series of connected natural areas (including areas protected by state or federal law) such as ravines, creeks, streams, woodlands, floodplains, or protected tree canopy that connect buildings or gathering spaces with trail systems, or that buffer the site from streets or neighboring areas.</td>
<td>1</td>
</tr>
<tr>
<td>Community Garden</td>
<td>A site operated and maintained by a homeowners association or the public to cultivate trees, herbs, fruits, vegetables, flowers, or other ornamental foliage for personal use, consumption, donation or off-site sale of items grown on the site</td>
<td>1</td>
</tr>
<tr>
<td>Parks</td>
<td>Open space areas improved with playground equipment or other active open space improvements. These may be surrounded by street frontages and building frontages, but this is not required.</td>
<td>1</td>
</tr>
<tr>
<td>Recreation areas</td>
<td>Hard surfaced recreation areas such as tennis courts.</td>
<td>1.2</td>
</tr>
<tr>
<td>School sites</td>
<td>School sites, library sites, outside hard surface recreational areas excluding the area devoted to buildings.</td>
<td>0.75</td>
</tr>
<tr>
<td>Historic Buildings</td>
<td>An historic property (as defined in City Code Sec. 44-71) may be located in a common open space and open to the public.</td>
<td>1.1</td>
</tr>
<tr>
<td>Plaza</td>
<td>An open area with seating that is adjacent to, or part of, a building. Plazas function as gathering places and may incorporate a variety of non-permanent activities such as vendors and display stands. A plaza requires a minimum depth and width of 10 feet and a minimum total area of 300 square feet.</td>
<td>1.1</td>
</tr>
<tr>
<td>Square</td>
<td>Areas that are improved with a combination of lawn, landscaping and seating areas, and that are accessible to the public or the project’s tenants or</td>
<td>1.1</td>
</tr>
</tbody>
</table>
### Subdivision Regulations | Sec. 64-212 Open / Civic Space Standards

<table>
<thead>
<tr>
<th>Category</th>
<th>Description / Standards</th>
<th>Multiplier</th>
</tr>
</thead>
</table>
| customers. A Square shall be:  
  - bounded by streets on at least one side and pedestrian walkways on at least 2 sides, or  
  - not bounded by streets, but accessible to the public |
| Courtyard | A courtyard is a contiguous open area, open to the public, that –  
  - is surrounded on at least two sides by building walls with entryways. | 1 |
| Green | A common open space available for unstructured recreation, its landscaping consisting of grassy areas, trees, shrubs, and other landscaping. | 1 |

#### Example:

*A 20-acre subdivision is platted with 100 residential lots. Subsection 2 requires 700 sf of open space per dwelling unit or 70,000 sf (100 x 700). The subdivider provides a 1.5 acre park (65,340 sf), which has a multiplier of 1. The subdivision has 6,300 sf within a riparian buffer. 75% of this area, or 4,725 square feet, are counted toward the open space requirement. The subdivision is credited with 70,065 sf of open space (65,340 sf for park + 4,725 sf for riparian buffer).*

#### 2. Prohibited Elements. Open space or civic space shall not include:

- **(a)** building sites or areas for dwelling units, utility or storage purposes, vehicular parking, carports or garages, driveways, utilities with above ground improvements or easements, or streets (either public or private);

- **(b)** any noncontiguous green area (such as a lawn, forested area, or similar natural or landscaped area) of less than 100 square feet;

- **(c)** paved streams or creeks;

- **(d)** structures (unless a part of a common open / civic space such as gazebos);

- **(e)** areas reserved for the exclusive use and benefit of an individual tenant or owner; or

- **(f)** areas within required yards, except as allowed in Table 64-212-1 above.

#### C. Ownership and Maintenance of Common Open Space

1. **Applicability**

   - **(a)** This subsection applies to the Common Open Space types as designated in Table 64-212-1.

   - **(b)** Site Improvements or Civic Space as designated in Table 64-212-1 shall be shown on a recorded subdivision plat, and enforceable as a condition of development approval.
2. **Generally.** Unless otherwise open to the public, common open shall be permanently set aside for the sole benefit, use, and enjoyment of present and future occupants of the development through covenant, deed restriction, common open space easement, or similar legal instrument.

3. **Maintenance Organization Option.** The applicant shall provide for and establish an organization for ownership and maintenance of the common open/civic space for the benefit of residences, occupants and owners of the development. The organization shall not be dissolved and shall not dispose of the common open space, by sale or otherwise, except to an organization conceived and established to own and maintain the common open space for the benefit of the development.
Sec. 64-213 Streets

A. Street Classifications

The Major Street Plan establishes street classifications. The following table relates the functional classification systems to the street design standards in this section:

Table 64-213-1 Street Classifications

<table>
<thead>
<tr>
<th>Design Type</th>
<th>Interstate</th>
<th>Principal Arterial</th>
<th>Minor Arterial</th>
<th>Collector</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conventional</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major Arterials</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minor Arterials</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Collector</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service Roads</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Street (Type A)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Street (Type B)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Street (Type C)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

B. Rights-Of-Way

1. Streets and Crosswalkways. The rights-of-way for existing and new streets, including that part of major streets shown on the Major Street Plan, which is embraced within the subdivision, and the rights-of-way for new crosswalkways shall be platted to the minimum widths called for by these regulations and dedicated for public use.

2. Major Streets.

(a) Wherever a subdivision embraces a major street, as shown on the Major Street Plan component of the Comprehensive Plan, such major street shall be platted in the general location and of the width called for by the Major Street Plan, and, to the extent that the right-of-way for such major street is embraced within such subdivision, shall be dedicated for public use.

(b) The rights-of-way for existing and for new major streets shown on the Major Street Plan which are embraced in whole or in part by the subdivision shall, to the extent of that part which is embraced by the subdivision, be platted to the minimum widths called for by these minimum regulations or by the Major Street Plan and dedicated.

C. Street Layout

1. Generally. The street layout shall be devised for the most advantageous development of the entire neighborhood or neighborhoods in which the land to be subdivided is located. Existing streets that abut the subdivision shall be continued, and the continuations shall be at least as wide as the existing streets and in alignment with them. The street layout shall also provide for the
future projection into unsubdivided lands adjoining of a sufficient number of streets to provide convenient circulation.

2. Connectivity

(a) Provision for Future Subdivision. If a tract is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged to allow the opening of future streets and logical further streets and logical future subdivision.

(b) Half-Width Streets. No new half-width street shall be platted. Where a tract of land to be subdivided abuts upon an existing half-width street, the other half of the street shall be platted.

3. Intersections

(a) Street intersections shall be at right angles or nearly so. Where, for topographic or other reasons, an intersection cannot be at right angles, the intersection shall be so designed as to ensure safety.

(b) There shall be a minimum number of intersections of minor streets with major streets.

(c) Street jogs with centerline offsets less than 125 feet shall be avoided.

4. Closed-End Streets

(a) Cul-de-sacs shall not be longer than 600 feet and shall be provided at the closed end with a turnaround.

(b) The minimum turnaround right-of-way diameter for a cul-de-sac shall be:

   (1) 120 feet with no center median, or

   (2) 140 feet with a 20-foot diameter center median. A center median may be planted with trees, shrubs, and living groundcover, in conformance with varieties and planting area specifications contained in the Plant List.

(c) Minor Streets (Type 2 or Compact) may use the following closed-end street types:

   (1) Streets are no longer than 150 feet long may incorporate T- or Y-shaped turnarounds with a maximum width of 60 feet and minimum paved section of 20 feet.

   (2) Up to 5 dwelling units may access a shared driveway with a maximum length of 50 feet and a minimum paved width of 18 feet.

(d) Where the closed-end street is expected to be continued in the future into unsubdivided land, the turnaround may be a temporary one.


(a) Where a subdivision has frontage on a major or collector street, as shown on the Major Street Plan, a marginal access street may be required if a need for such marginal access street is determined by the Planning Commission. Within the right-of-way of the marginal access street, a separation strip at least 10 feet wide shall be provided. In any event, to the extent that the right-of-way for such marginal access street and separation strip shall be embraced within the subdivision, such right-of-way shall be dedicated for public use.

(b) The rights-of-way for secondary streets for which marginal access streets are required to the extent that such rights-of-way or secondary street are embraced in whole or in part by the subdivision shall be platted and dedicated for public use.
D. Construction
Streets shall be built to the applicable City or ALDOT engineering standards.

E. Sidewalks and Crosswalks
1. Sidewalks shall be provided on both sides of streets of a subdivision simultaneously with construction of buildings.
2. Sidewalks along or contiguous to common areas or “non-lotted” areas within a proposed subdivision shall be installed prior to recording a final plat.

F. Private Streets
1. Applicability. All private streets within subdivisions of land shall adhere to the requirements of these Regulations. If the proposed subdivision is deemed to contain unusual difficulties or innovative design, or is a family subdivision, private streets may be allowed subject to the following criteria and standards.
2. Criteria
   (a) Privately maintained streets are subject to the connectivity requirements (subsection C.2 above) and to site-specific review to ensure the adequate circulation of traffic and so that the purposes of this Section are achieved. Other streets, whether minor, marginal access, collector or arterial, shall be for public maintenance and shall be public thoroughfares.
   (b) Areas and frontages for lots shall be determined by the requirements of Sec. 64-208, without regard to whether or not the street is privately maintained.
   (c) Subdivisions in which Private Streets are allowed shall not be adjacent to landlocked tracts of property where a street stub is required.
   (d) All Private Streets shall have direct access to a standard public street.
   (e) Private Streets shall not be approved if the roadway is presently needed, or is likely to be needed for extension to adjacent property or to be utilized for public road purposes in the normal development of the area.
3. Specifications
   (a) Adequate facilities to control surface drainage and to prevent excessive runoff onto adjacent property shall be installed. Adequate measures shall be provided to prevent runoff and siltation onto adjacent areas during and after construction. Developers shall conform to all Federal, State and Local laws and regulations affecting stormwater control. The design of stormwater drainage facilities for every subdivision shall be such that post development runoff and velocity shall be equal to or less than that of predevelopment. The design engineer shall provide the appropriate regulating body with design calculations and the storm frequency upon which his design is based. The Planning Commission may, for good cause, require design based upon a greater storm frequency.
   (b) Where sufficient evidence of unusual difficulties is presented to the Commission, curb and gutter requirements may be waived if the developer provides an engineered drainage plan acceptable to the City or County Engineer as appropriate. In that case, ribbon curb are required adjacent to pavement edges to prevent pavement deterioration.
   (c) Private streets constructed with two lanes shall have a minimum right-of-way of 50 feet and a minimum pavement width of 18 feet with two 2’ paved wings 150 pounds per square yard of 416 mix over an 8” granular soil base compacted in two 4” thick layers (minimum County
standards for a residential street). For single lanes separated by a median, which shall be landscaped, each lane shall have a minimum pavement width of 10 feet.

(d) There shall be designated on the plat utility easements acceptable to the appropriate provider of utility services within the subdivision.

(e) There will be no public right-of-way.

(f) The applicant shall present a legal document to run as a covenant with the land, providing for continuing maintenance of the street by an owners’ association or other entity, granting right of ingress and egress for emergency and utility maintenance vehicles, and saving harmless the City from damages to any owner within the association arising or which may arise out of the existence of such private street. The document shall be approved by the City Attorney as to form and legality and shall be properly executed and recorded simultaneously with the plat in the Probate Records of Mobile County, Alabama.

(g) Each and every owner of property abutting upon and with legal access to the proposed private street shall be a party to that document and agreement.

(h) The Plat of Record shall contain a prominent notation to the effect that streets are privately maintained and not dedicated to the public.

(i) A sign shall be posted and maintained at the entrance to the Private Street(s) with the street name and identifying it as a Private Street. Signage shall be made to City standards. Street names must be approved by the City Engineer.

(j) A note on the Final Plat and clearly stated in the legal document referenced above that if the Private Street(s) is not constructed and maintained to the appropriate city or county standard, and is ultimately dedicated for public use and maintenance, 100% of the cost of the improvements required to bring the street up to the prevailing standard shall be assessed to the property owners at the time the Private Street(s) is dedicated. The assessment will run with the land to any subsequent property owners.

(k) A letter bearing the seal of a registered land surveyor or civil engineer certifying all the above Criteria and Specifications have been complied with must be submitted with the Final Plat. The original letter to be recorded with the Final Plat and a copy of the recorded letter to remain on file in the Office of Urban Development.
Sec. 64-214  Filing Applications

A. General Requirements

1. Applications for Preliminary Plans (Subdivision) filed under this Chapter must include the information required by Article XII (Submittal Requirements). All applications shall be made on forms prepared by the Director.

2. The Council may establish fees for all applications required in this Chapter by resolution, excluding Subdivision applications, which may be established by the Planning Commission.

B. Completeness Review

1. The City of Mobile will not process incomplete applications.

2. An application is not complete until all required items are submitted (see Article XII).

3. When applications are filed, the Director will review them for completeness.

4. The time period to process an application does not commence until the Director determines that the application is properly submitted and the applicant has corrected any deficiencies in the application.

5. Review for completeness of application forms is solely to determine whether preliminary information required for submission with the application is sufficient to allow further processing. It does not constitute a decision as to whether an application complies with this Chapter.

6. The Director will determine whether the application is complete. If the application is not complete, the Director will specify those parts of the application that are incomplete and will indicate how they can be made complete, including a list and description of the information needed to complete the application. The Director and the decision making agency are not obligated to further review the application until the required information is corrected.

7. The Director or the approving authority may provide submission deadlines for materials required in support of any application provided for in Article XII. Compliance with those deadlines is required to have the application placed on an agenda to be heard by the approving authority.
Sec. 64-215  Notice Provisions

A.  Generally

1.  State law establishes various requirements for public notice. Unless otherwise provided, the notice established in this Article is as provided in Table below.

2.  This Chapter does not prohibit the Director from providing additional notice not required by this Article or state law.

Table 64-74-1 Type and Description of Notice

<table>
<thead>
<tr>
<th>Type of notice</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Publication</td>
<td>The Director will publish in a newspaper of general circulation throughout the City.</td>
</tr>
<tr>
<td>Mail</td>
<td>The Director will mail the notices. Regular mail is sufficient, unless certified mail is required by a specific process or state law.</td>
</tr>
<tr>
<td>Signs</td>
<td>1. The applicant will provide and place weatherproof signs as required by this Code or state law.</td>
</tr>
<tr>
<td></td>
<td>2. All signs must be posted in visible locations.</td>
</tr>
<tr>
<td></td>
<td>3. The sign shall conform to specifications published by the Director.</td>
</tr>
<tr>
<td></td>
<td>4. The applicant shall, at its sole cost and expense, remove the sign(s) within 7 working days following the public hearing, unless the decision is appealed. If an appeal is filed and considered, the applicant shall remove the sign(s) within 7 working days after a final decision on appeal.</td>
</tr>
<tr>
<td>Electronic Transmission</td>
<td>1. The City may communicate with the applicant or persons requesting notice by electronic transmission.</td>
</tr>
<tr>
<td></td>
<td>2. Electronic transmission may include email, or communication through social media or online notification procedures established by the Director.</td>
</tr>
</tbody>
</table>

A.  Required Information

Notice shall include the following information, unless the process includes a different requirement:

1.  A synopsis of the proposed ordinance or application,

2.  Time, date, and place of the public hearing or meeting;

3.  The type of land use or development decision that is being considered;

4.  If a public hearing is required, a statement that at the time and place of the hearing all persons who desire will have an opportunity to be heard in opposition to or in favor of the ordinance or application;

5.  A telephone point of contact within the Planning Department; and

6.  The Planning Department’s website address (URL).

B.  Failure to Provide Notice

The failure of the City of Mobile to provide any notice not otherwise required under State law does not affect the validity of any action undertaken pursuant to this Chapter, and no person may challenge an action for lack of notice where the City has complied with the applicable State law governing notice.
Sec. 64-216  **Public Hearings**

A public hearing gives interested parties an opportunity to be heard. The specific processes for providing testimony and conducting the hearing are established by the agency that conducts the hearing.

Sec. 64-217  **Subdivision Plats-Generally**

A. **General Procedure**

The procedure for review and approval of a subdivision by the Planning Commission consists of three consecutive steps as follows:

<table>
<thead>
<tr>
<th>Step</th>
<th>Description</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Preliminary Plan</td>
<td>Preparation and filing for review and tentative approval of a Preliminary Plan. The Preliminary Plan provides the general design parameters for preparing a Final Plat.</td>
<td>☯ Sec. 64-218 F.</td>
</tr>
<tr>
<td>2 Engineering Plans</td>
<td>Review and approval of the construction of improvements.</td>
<td>☯ Sec. 64-219 G.</td>
</tr>
<tr>
<td>3 Final Plat</td>
<td>The Final Plat provides an accurate record of street and property lines and other elements being established on the land and the conditions of their use.</td>
<td>☯ Sec. 64-220 H.</td>
</tr>
</tbody>
</table>

☞ Refer to Article XII for submittal requirements for Preliminary Plans, Engineering Plans, and Final Plats.

B. **Administration**

1. The procedure established in this Sec. 64-218 to Sec. 64-221 coordinate the submission, review, and action on proposed subdivisions or resubdivisions. These sections recognize that the development process requires review and approval of several different officials and agencies such as: the City Engineers, the Mobile County Health Department, the Mobile Area Water and Sewer System (MAWSS), other utility providers, and in some instances, the Alabama Department of Transportation (ALDOT), the Mobile County School Board, the U. S. Army Corps of Engineers, and others concerned with the improvements and other aspects of land subdivision.

2. The Director will coordinate the subdivision approval process. The applicant is encouraged to consult directly with officials and agencies having jurisdiction, but the reports, recommendations, approvals and disapprovals of such officials and agencies are made to the Director. The Director will coordinate those reports and recommendations so that information is furnished to the Planning Commission and the applicant.

3. All applications shall be made on forms furnished by the Director.

4. A subdivision or resubdivision may not be used for making a lot or yard nonconforming. The conditions shown on a subdivision plat may not reduce or diminish any lot area so that the yards or open spaces are smaller than prescribed by these requirements or the final plat or plan.

5. To convey, transfer, or sell any land by reference to or exhibition of or by other use of a plat of a subdivision before the plat has been approved as provided in Article VI is considered to be a subdivision violation.
6. If the land subdivision is connected to a rezoning, conditional use permit, or other review required by the Zoning Regulations, the applicant shall:

(a) File the zoning application concurrent with the subdivision application, and the applications will be considered concurrently wherever possible. For example, a preliminary plan may be filed concurrent with an application for rezoning or a conditional use permit; or

(b) Obtain the zoning approvals before filing a subdivision application.
Sec. 64-218 Preliminary Plan

A. Applicability
Preliminary Plan approval is required before a final plat application is submitted. A preliminary Plan is not considered a "plat" for purposes of recording.

B. Initiation
1. The applicant shall file the Preliminary Plan application with the Director.
2. The application shall be filed by the deadline schedule established by the Director.

⇔ Refer to Article XII for submittal requirements

C. Completeness
See § Sec. 64-214.

D. Notice
The following notice is required for a preliminary Plan:

<table>
<thead>
<tr>
<th>Notice</th>
<th>When</th>
<th>Where / To Whom / Additional Requirements</th>
</tr>
</thead>
</table>
| Mail     | Minimum of 5 days | • The applicant and to the person whose name and address appears upon the plan as the owner of the land.  
| (registered or certified) | | • Owners of land immediately adjoining the platted land |

⇔ Refer to Code of Alabama § 11-52-32

E. Decision
1. Referral. The Director shall submit the application to the Planning Commission for review, and shall refer the application for review and report to the City Engineer, the Mobile Area Water and Sewer System, the Mobile County Health Department, and other appropriate officials.

2. Applications for Subdivision Plats. The Planning Commission shall review and approve, approve with conditions or deny applications for subdivision plat approval. [ ⇔ Art. XII, § 64-194 H.]

   (a) The Planning Commission shall tentatively approve or disapprove a plat within 30 days after the submission of the application to it; otherwise, the plat shall be deemed to have been approved; provided, however, that the applicant for the Planning Commission’s approval may waive this requirement and consent to an extension of such period.

   (b) The Director shall provide a written copy of the Planning Commission’s decision to the applicant.

   (c) If the application is tentatively approved, the Planning Commission may state the specific changes, if any, required to be made in the Preliminary Plan.

   (d) If the application is disapproved, the Planning Commission shall state the grounds of disapproval.
F. Approval Criteria

1. Generally. The Planning Commission will approve the preliminary Plan if:
   
   (a) The application complies with all applicable requirements of this Chapter, and
   
   (b) The application is consistent with the Comprehensive Plan and the particular requirements and conditions affecting installation of improvements.

2. Modifications
   
   (a) Any modification shall be the minimum modification that will make possible the reasonable subdivision of the land.

   (b) The Planning Commission may modify the application of the Subdivision Regulations if:

      (1) the strict application of any of the Subdivision Regulations of this Chapter:

          a. would result in peculiar and practical difficulties or exceptional and undue hardship,

          b. the modification would relieve the difficulty or hardship, and

          c. the difficulty or hardship is inherent in the exceptional topographic or other extraordinary or exceptional characteristics of the tract proposed to be subdivided and not the result of the applicant’s actions; or

      (2) The modification is necessary to:

          a. Avoid any damage to or removal of any public tree, heritage tree, or heritage live oak tree, or

          b. Avoid nonconformance with the Riparian Buffer standards as designated in Section 64–59, or

          c. Increase the amount of common open space or civic space (as defined in Section 64–60) above the minimum requirements. The placement or amount of parking lot landscaping or stormwater management facilities is not grounds for a modification, unless those features would fully qualify as common open space or civic space as defined in Section 64-60.

      (3) Except as provided above, no modification shall be made that:

          a. Conflicts with the intent and purposes of this Chapter, or

          b. That varies the Zoning Regulations of this Chapter. If the subdivision is subject to the City’s zoning jurisdiction, the applicant may file a variance request from the Board of Adjustment before filing an application for final plat approval.

          [ see Sec. 64-114 (Variances of Zoning Regulations) ]

G. Appeals

The applicant or any party with standing may seek judicial review of the final decision in Circuit Court in accordance with Alabama law.

H. Scope of Approval

1. Tentative approval of a Preliminary Plan does not constitute acceptance of the "plat" of the proposed subdivision, but only provides a guide to preparation of the Final Plat.
2. Tentative approval of a Preliminary Plan is effective for 2 years. The Planning Commission may grant an additional extension for up to 1 year if requested by the applicant.

3. If a Final Plat is not submitted within two years after the date of Tentative Approval, or before the expiration of any approved extension, the Preliminary Plan approval is null and void. The applicant may file a new application for Preliminary Plan approval.

4. If a Final Plat of part of the subdivision is timely submitted and approved:

   (a) The Preliminary Plan approval is automatically extended for an additional 1 year from the date of the Final Plat approval for that part of the subdivision.

   (b) The same automatic extension applies to subsequent Final Plat applications for part of the subdivision. However, after the initial Preliminary Plan effective period (see subsection 2 above), the Preliminary Plan is subject to new or changed conditions. A corrected Preliminary Plan with all conditions fulfilled shall be submitted to the Director prior to the construction or installation of any improvements.
Sec. 64-219  Engineering Plans

A. Applicability

1. Engineering Plans (including drawings and specifications) must be approved before improvements shown in a Preliminary Plan are constructed or installed.

2. The Engineering Plans may include only the portion of the approved Preliminary Plan which the applicant proposes to develop at the time.

B. Initiation

1. Engineering Plans must be submitted to the City after approval of the Preliminary Plan and prior to the construction or installation of any of the improvements.

2. The applicant shall prepare and submit to the City Engineer or to other officials or agencies, as appropriate, the necessary copies of the Engineering Plans.

3. The applicant shall consult with the City Engineer and with other officials and agencies concerned with construction or installation of improvements, as appropriate.

C. Completeness

See § Sec. 64-214.

D. Notice

Not applicable.

E. Decision

1. The City Engineer and other officials and agencies concerned shall notify the applicant of the approval or disapproval of the Engineering Plans, and of the need to seek Land Disturbance or other permits, as appropriate.

2. The reviewing agencies may notify the applicant of any specific changes required in order to comply with their regulations.

3. If the Engineering Plans are disapproved, the reviewing agency shall provide the applicant any grounds for disapproval.

F. Approval Criteria

The Engineering Plans shall comply with all applicable requirements of this Chapter, with other applicable standards and regulations of the City of Mobile and with the regulations of other agencies concerned.

G. Subsequent Applications

Not applicable.

H. Appeals

Not applicable.
Sec. 64-220 Final Plat

A. Applicability

1. Final plat approval is required before a plat is recorded.
2. Final plat is filed after the Preliminary Plan is approved.
3. The Final Plat shall be based upon the Preliminary Plan, together with any required changes.
4. The Final Plat may include only the portion, or phase, of the approved Preliminary Plan which the applicant proposes to develop at the time.

B. Initiation

The applicant shall submit the Final Plat to the Director.

☞ Refer to Article XII for submittal requirements: Table XII-1 in Sec 64-194, and Sec 64-194.H. Final Plats

C. Completeness

See § Sec. 64-214.

D. Notice

Public notice is not required for Final Plats.

E. Decision

1. Referral. The Director may refer the Final Plat for review and report to the City Engineer, Traffic Engineering, Mobile Area Water and Sewer System (MAWSS) or other utility provider, the Mobile County Health Department, and other appropriate officials.

2. Action on Final Plat

   (a) The Director shall act to approve or deny the Final Plat within 30 days of its submission, with approval expressed through receipt of signatures of all required officials.

   (b) If the Final Plat is approved, the Director shall enter the approval upon the Final Plat by the signature of the Secretary of the Planning Commission.

   (c) If the Final Plat is disapproved, the Director shall communicate the denial decision to the applicant in writing, with the grounds for disapproval stated.

F. Approval Criteria

Final approval of the plat will be given upon:

1. Fulfillment of all conditions attached to, and conformance with the Preliminary Plan, and
2. Certification of the proper installation of the improvements and compliance with the requirements of Article IV of the UDC.
G. Appeals
   The applicant or any party with standing may seek judicial review of the final decision in Circuit Court in accordance with Alabama law.

H. Scope of Approval

1. A final plat does not authorize construction, except for the installation of improvements as provided below, and in conformance with conditions of a timely issued Land Disturbance permit.

2. The final plat approval shall include an offer of dedication of any streets, utility improvements, stormwater management facilities, or other public lands, as may be required or appropriate.

3. No Building Permit shall be issued or granted for the development or use of the lot, parcel, or site of the proposed development until the final plat is approved. After the final plat is recorded, a Building Permit may be issued for development on the lot.

I. Recordkeeping

1. Recording of Plat
   (a) The Final Plat shall be recorded in the Office of the Judge of Probate of Mobile County within 12 months after the date of approval.

   (b) The Planning Commission may approve an application for an extension of time to record the final plat upon a written request of the applicant during the initial 12 month period.

   (c) If the Final Plat is not recorded within 12 months of the date of Planning Commission approval, it becomes null and void.

2. Copies of Final Plat. The applicant shall file seven (7) copies of the recorded final plat with the Director.
Subdivision Regulations | Sec. 64-221 Minor Plats

Sec. 64-221 Minor Plats

**Purpose:** This procedure simplifies the preparation and expedites the processing of the plats of small resubdivisions.

A. Applicability

1. A minor plat is a subdivision:
   
   (a) Which results in the subdivision of land from one or more legal lots of record into not more than six lots, or a reduction of the number of lots in an existing subdivision;
   
   (b) Which shall not require any public improvements, expenditure of public resources for construction of associated improvements, or the dedication of a public right-of-way;
   
   (c) Which includes an aggregate of less than or equal to 4 acres;
   
   (d) In which every created lot abuts and has legal access to an existing dedicated and constructed public street; and
   
   (e) The plan for the minor subdivision shall not conflict with the comprehensive plan, official zoning map, any zoning ordinance, or any other subdivision regulations.

2. This subsection does not require a municipal planning commission to authorize approval of a minor subdivision without first holding a public hearing. \(\text{Ref} \, \text{Code of Alabama § 11-52-31(b)}\)

B. Initiation

The applicant shall file an application for Final Plat approval with the Director. Engineering plans would be required to evaluate potential stormwater liability, and to ensure stormwater management is appropriately addressed.

\(\text{Ref} \, \text{Article XII for submittal requirements}\)

C. Completeness

See § Sec. 64-214.

D. Notice

The following notice is required for a Minor Plat:

<table>
<thead>
<tr>
<th>Notice</th>
<th>When</th>
<th>Where / To Whom / Additional Requirements</th>
</tr>
</thead>
</table>
| Mail (registered or certified) | Minimum of 5 days | • The applicant and to the person whose name and address appears upon the plan as the owner of the land.  
• Owners of land immediately adjoining the platted land |

\(\text{Ref} \, \text{Code of Alabama § 11-52-32}\)

E. Decision

1. **Referral.** The Director shall refer the application for review and report to the City Engineer, Traffic Engineer, Mobile Area Water and Sewer System (MAWSS) or other utility provider, the Mobile County Health Department, and other appropriate officials.
2. **Action on Minor Plat**
   
   (a) The Director shall approve, approve with conditions, or deny the Minor Plat within 30 days of submittal of the application.

   (b) The Director shall provide a written copy of the decision to the applicant and notified property owners.

   (c) If the application is disapproved, the Director shall state the grounds of disapproval.

F. **Approval Criteria**
   
   The Director will approve the Minor Plat if:

   1. The application complies with all applicable requirements of this Chapter, and

   2. The application is consistent with the Comprehensive Plan and the particular requirements and conditions affecting installation of improvements.

G. **Subsequent Applications**
   
   Not applicable.

H. **Appeals**
   
   The applicant or any party with standing may seek judicial review of the final decision in Circuit Court in accordance with Alabama law.

I. **Scope of Approval**
   
   1. A minor plat does not authorize construction, except for the installation of improvements as provided below, and in conformance with conditions of a timely issued Land Disturbance permit.

   2. The minor plat approval shall include an offer of dedication of any streets, utility improvements, stormwater management facilities, or other public lands, as may be required or appropriate.

   3. No Building Permit shall be issued or granted for the development or use of the lot, parcel, or site of the proposed development until the minor plat is approved. After the minor plat is recorded, a Building Permit may be issued for development on the lot.

J. **Recordkeeping**

   1. **Recording of Plat**

      (a) The Minor Plat shall be recorded in the Office of the Judge of Probate of Mobile County within 12 months after the date of approval.

      (b) The Director may approve an application for an extension of time to record the final plat upon a written request of the applicant during the initial 12 month period.

      (c) If the Minor Plat is not recorded within 12 months of the date of Director approval, it becomes null and void.

   2. **Copies of Minor Plat.** The applicant shall file seven (7) copies of the Minor Plat as recorded in the Office of the Judge of Probate of Mobile County with the Director.
Sec. 64-222 Application Checklists

A. Generally

1. Table 64-220-1 provides the information required for preliminary plans (subdivision), engineering plans, and final plats.

2. If Table 64-220-1 requires the same information for two separate applications, the information is required only once for one of the applications. If the information is revised and the applications are approved in sequence, the revised information is required for the successive application.

Example: An application for a rezoning with a concept plan requires a copy of agreements and covenants. The rezoning and concept plan may be submitted together, with one copy of the agreements and covenants.

Table 64-220-1 Application Materials

<table>
<thead>
<tr>
<th>Material / Information</th>
<th>Preliminary Plan</th>
<th>Final Plat</th>
<th>Engineering Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Applicant. The applicant’s name, address, and contact information (phone number and email).</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Ownership. Applicant’s interest and ownership in the property subject to the application, signature of all property owners, and evidence (such as deed or tax assessment) that the applicant clearly has right of possession to the land and any structures on the land. If the applicant is not the owner, submit a letter of authorization.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>3 Professionals. Names and addresses of engineer other professionals who prepared the plan or application.</td>
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</tr>
<tr>
<td>4 Name of the proposed subdivision or development. For plats, include the title or name under which the proposed subdivision is to be recorded, with name and address of the Owner and the Subdivider</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>5 Legal description of the property and parcel number, including section, township, and range.</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>6 Statement of Neighborhood Meeting (see Art. V)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Proposed zoning and use.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Notations giving scale, (true) north arrow, and date. If applicable, include datum, benchmarks, date of survey and name of the registered Professional Engineer or Land Surveyor.</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>9 Area of property (in sf or acres)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Number of lots</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Certificate of Survey. Certification by the registered Professional Engineer or Land Surveyor that the plat represents a survey made by him, that the monuments shown on the survey actually exist as located, and that all dimensional and other data are correct.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12 Location Map. A diagram showing the location of the proposed subdivision, use or development.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 Current tract designation according to the records of the Office of the Judge of Probate of Mobile County.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14 Notice. A list of the names and mailing addresses of the owners of all property within the required public notification area from the site boundaries the site. The distance is measured in all directions from each boundary line. Names and addresses shall be from Mobile County tax rolls. The Director may prescribe verification, labelling, and formatting requirements.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Material / Information

- **required**

#### Boundaries

| 15 | Survey. Up-to-date certified survey by a registered land surveyor or engineer showing the property boundaries, easements and all improvements. |
| 16 | **Survey Data-Preliminary.** The boundary lines of the subdivision with length and bearings of lines; section and corporation lines; contours at intervals of 2 feet, based on City of Mobile Standard Datum; where contours will not provide adequate information for drainage determinations, spot elevations in sufficient number to show drainage conditions. |
| 17 | **Survey Data-Final.** Primary control points approved by the City Engineer or County Engineer, as appropriate, or descriptions and ties to such control points, to which all dimensions, angles, bearings and similar data on the plat shall be referred; the boundary lines of the subdivision, right-of-way lines of streets, easements, and other rights-of-way, and property lines of residential lots and other sites, with accurate dimensions, bearings or deflection angles, radii, arcs, and central angles of all curves; the location and description of monuments, according to state law; and statement of the closure error. |

#### Legal

| 18 | **Easements.** The location, width and purpose of existing and proposed easements. |
| 19 | **Agreements and covenants.** A statement of the provisions of any agreements or covenants proposed to govern the use, maintenance and continued protection of the development and its common open space. |
| 20 | **Protective Covenants,** if any, as they are to be recorded. If the subdivision contains common open space or other amenity for the use of the residents of the subdivision only, protective covenants shall provide for a home owners association or other means of maintaining the common open space or other amenity. |

#### Existing Conditions

| 21 | **Statement of Improvements** |
| 22 | **Certificate of Owner.** Notarized certification by the land owner of the adoption of the plat and the dedication of streets and other public areas. |

#### Structures

| 23 | **Adjoining Land.** The approximate direction and gradient of the around slope; the character and location of buildings, railroads, power lines, towers, and other nearby non-residential land uses or adverse influences; and names of recorded subdivision plats of adjoining platted land by record name, date, and number and the names and addresses of all record owners of adjoining unsubdivided land, as those names appear upon the plats in the Mobile County Tax Assessors Office and such addresses appear in the directory of the City of Mobile or on the tax records of Mobile County. |
| 24 | **Natural Features.** The locations of water courses (including riparian corridors and required buffers), marshes, wooded areas, buildings or structures and other significant features on the tract. |
| 25 | **Streets and easements** bounding and intersecting the designated area. |
| 27 | **Zoning Classifications** for the site and adjacent lots or parcels. |

#### Site Development

| 28 | **Flood Zone** |
| 29 | **Trees.** Any 24-inch diameter or larger trees. |

| 30 | **Development Plan.** A development plan that includes the entire tract of land and any development phases (including a time schedule for development (beginning and completion of development and, if planned in stages, schedule shall indicate the successive stages and the |
**Material / Information**

- **required**

<table>
<thead>
<tr>
<th></th>
<th>Preliminary Plan</th>
<th>Final Plat</th>
<th>Engineering Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>31</td>
<td><strong>Yards/Setbacks</strong> of proposed structures.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td><strong>Site Features.</strong> Map showing the area to be occupied and its approximate dimensions; the general layout of buildings and other improvements; the vehicular circulation system, including parking and loading areas; the pedestrian circulation system; the areas to be conveyed, dedicated or reserved as common open spaces, public parks, recreational areas, school sites and similar public and semi-public uses; the general landscape plan showing proposed planting and other landscape features; and the proposed perimeter treatment of the site.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td><strong>Non-Residential Sites.</strong> Sites to be reserved or dedicated for parks, recreation areas, schools, or other public uses; sites, if any, for multi-family dwellings, shopping centers, churches, industry or other non- public uses exclusive of single-family dwellings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td><strong>Lots and Blocks-Preliminary.</strong> Lot lines, lot numbers, tabulations stating gross and net acreage of the subdivision, acreage of existing and proposed public areas within the tract, number of residential lots, typical lot size, and lineal feet of proposed streets.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td><strong>Lots and Blocks-Final.</strong> Identification of each block and of each lot.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td><strong>Building Setback Line.</strong> Minimum building setback line on all lots and other sites.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Infrastructure**

<table>
<thead>
<tr>
<th></th>
<th>Preliminary Plan</th>
<th>Final Plat</th>
<th>Engineering Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>37</td>
<td><strong>Proposed Public Improvements.</strong> Where information is available, highways or other major public improvements planned by public authorities for future construction on or adjacent to the tract.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td><strong>Sanitary Facilities</strong> provided (Ex.: City water and individual septic tanks)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td><strong>Streets-Preliminary.</strong> The name, right-of-way width, and location of streets and other public ways on and adjacent to the tract; the type, width, and elevation of surfacing; and legally established center line elevations; walks, curbs, gutters, culverts, and similar features; the name, right-of-way width, and location of proposed streets, with their approximate grades and gradients, and similar data for alleys, if any.</td>
<td></td>
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</tr>
<tr>
<td>40</td>
<td><strong>Streets.</strong> The name and rights-of-way width of each street or other public way.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>41</td>
<td><strong>Streets-Detailed.</strong> Profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision; typical cross sections of the proposed grading, roadways and sidewalks; locations, species and sizes of existing trees within street rights-of-way.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>42</td>
<td><strong>Subsurface Conditions Report.</strong> Location and results of soil percolation tests if individual sewage disposal systems are proposed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>43</td>
<td><strong>Utilities-Preliminary.</strong> existing and proposed utility systems, including water supply, sanitary sewerage, storm drainage, and electric, gas and telephone lines. (Detailed engineering plans are not required at this stage.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>44</td>
<td><strong>Utilities-Final.</strong> The location and dimensions of any utility rights-of-way or easements.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>45</td>
<td><strong>Utilities-Detailed.</strong> The location, sizes, and invert elevations of existing and proposed sanitary sewerage and storm water drainage lines; the location and sizes of existing and proposed water lines; any other data on utilities that may be necessary to complete the installations.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>46</td>
<td><strong>Dedication of Public Facilities.</strong> Include any instruments of dedication with signature blocks.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**B. Preliminary Plans**

1. **Generally.** A Preliminary Plan application shall include the information required by Table 64-220-1.
2. **General Specifications.** The Preliminary Plan shall show accurately and in sufficient detail for construction of the subdivision and its improvements the design of the proposed subdivision in relation to existing conditions and its surroundings. It shall be drawn to a standard engineering scale and of sufficient size to accommodate proper review of the required information. Where necessary, the plan may be on several sheets accompanied by an index sheet showing the entire subdivision.

C. **Engineering Plans**

1. **Generally.** An Engineering Plan shall include the information required by Table 64-220-1.

2. **General Specifications.** The Engineering Plans shall show accurately and in sufficient detail, for their construction or installation, the design of the subdivision improvements.

D. **Final Plats**

1. **Generally.** A final plat application shall include the information required by Table 64-220-1.

2. **General Specifications.** The Final Plat shall show accurately the subdivision as established on the ground and in relation to its surroundings. It shall be drawn to a standard engineering scale and of sufficient size to accommodate proper review for the required information. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions, the Final Plat may be submitted for approval progressively in sections satisfactory to the Planning Commission.

3. **Statement of Improvements.** The final plat shall include a statement signed by the City Engineer or County Engineer, as appropriate, that the Subdivider has complied with one of the following alternatives:

   (a) All improvements have been installed in accord with the requirements of these regulations and with the action of the Planning Commission in giving tentative approval of the Preliminary Plan.

   (b) A bond or certified check or other acceptable surety has been posted, which is available to the City of Mobile or the County of Mobile, as appropriate, and in sufficient amount to assure such completion of all required improvements.

   (c) A lien on the property comprising the subdivision has been furnished by the City of Mobile or the County of Mobile as appropriate, in sufficient amount to assure such completion of all required improvements.

E. **Minor Plats**

1. **Generally.** The Final Plat of a minor plat shall conform to the requirements for other Final Plats.

2. **Information to be Shown.** The Final Plat of a minor plat shall contain the applicable information required for other Final Plats.

F. **Minor Lot Adjustment**

A minor lot adjustment shall include the following information:

1. A copy of the approved final plat or recorded plat,

2. A detailed description of the purposes and circumstances that warrant change of the approved final plat or recorded plat,

3. A map identifying all lots, easements or improvements affected by the proposed change, and
Subdivision Regulations | Sec. 64-223 Fees

4. A final plat incorporating the proposed changes suitable for recording.

Sec. 64-223 Fees

A. Zoning Regulations
   Fees for approvals required by the Zoning Regulations (including rezonings, text amendments, conditional use permits, concept plans, site plans, variances, sign permits, and appeals) are established by resolution of the City Council.

B. Subdivision Regulations
   Fees for approvals required by the Subdivision Regulations (including preliminary plans, engineering plans, and final plats) are established by resolution of the Mobile City Planning Commission.

Sec. 64-224 Penalties

A. Generally
   A violation of this Chapter shall be punished by:

1. a fine of at least than one dollar ($1.00) or more than one hundred dollars ($100.00), or
2. imprisonment in the jail or a hard labor for a period of not exceeding six (6) months, or
3. such fine and imprisonment, at the discretion of the court trying the case, or
4. where a specific violation is listed there, as provided in Chapter 1, Article II, City Code.

B. Ticketing
   Each offense is subject to Section 1-31 et seq. of the City Code regarding administration of municipal offense tickets.

C. Continuing Violations
   Each day any violation or any provision of this Chapter continues is a separate offense.

Sec. 64-225 Enforcement Procedures
The Director shall serve written orders requiring compliance (“Compliance Orders”) with these regulations personally or by certified or registered mail. Such orders may include an Injunction For Subdivision, a Stop Work Order for Zoning Regulation, a Notice of Violation, and / or a Municipal Offense Ticket.