

SHELBY COUNTY PLANNING COMMISSION

SUBDIVISION REGULATIONS of SHELBY COUNTY, ALABAMA

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ARTICLE 1. GENERAL PROVISIONS

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1.01 AUTHORITY

Under authority of Act No. 82-693, Acts of the Legislature, State of Alabama, 1982 as amended, which Act is hereby made a part of these regulations, the Shelby County Planning Commission at its meeting on **February 5, 2007** adopted by resolution the following revised regulations. The Shelby County Commission at its meeting on **February 12, 2007** adopted by resolution the following revised regulations, a copy of which has been certified to the Probate Judge of Shelby County, Alabama.

1.02 JURISDICTION

From and after the date of adoption, these regulations shall govern each and every subdivision of land in all areas of the county as now or hereafter established outside the boundaries of municipal corporations.

1.03 PURPOSE

These regulations have the following purposes. To:

- A. Implement the Shelby County Comprehensive Plan and any other plan or program officially adopted under the guidance of the Comprehensive Plan.
- B. Allow for development in the County to be coordinated across areas and over time, that promotes plans for physical, social, and economic growth as will best promote the public health, safety, morals, convenience, prosperity, and general welfare.
- C. Create development patterns with an orderly system of blocks and lots for efficient development and redevelopment of the County, that are more resilient to long-term cycles of development and redevelopment within the County.
- D. Prevent premature subdivisions that predetermine long-term development patterns or lack appropriate infrastructure, both of which may result in inefficient use of land and resources that later require excessive expenditures of public funds to correct.
- E. Establish standards for the connection of streets, pedestrian facilities, utilities and other systems within individual subdivisions of land, between adjacent land areas, in relation to existing and planned facilities, and in coordination with the overall plan of the County, that allows for efficient movement of vehicles, pedestrians, other modes of transportation, and goods and services.
- F. Create context-based options for street designs that support multiple users and multiple modes of transportation within the rights-of-way, and through which the design of streets may transition along their length to better support anticipated and adjacent land uses.
- G. Maintain a record-keeping system for the division, official recording, and conveyance of land that is in compliance with these regulations.
- H. Ensure that all development blocks and lots are served by necessary infrastructure services, including utilities, public safety, and community facilities, but recognize that necessary service levels may differ based on the context, character, and intensity of development.

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- I. Encourage more efficient development by analyzing adjacencies and identifying off-site opportunities for infrastructure or facility systems that operate independent of lot and subdivision boundaries.
- J. Ensure adequate and convenient open spaces for pedestrian, bicycle, and vehicle traffic, for utilities, for access of fire-fighting apparatus, and for recreation, light and air.
- K. Promote good civic design and arrangement, including development that relates to public facilities, recreation areas, open spaces, natural resources, sensitive lands, and flood prone areas.
- L. Promote wise expenditure of public funds.
- M. Ensure adequate provision of public utilities and other public requirements.

1.04 SEPARABILITY AND SEVERABILITY

The provisions of this Act are severable. Should any article, section, sub-section or provision of these regulations be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not effect the validity or constitutionality of these regulations as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

1.05 AMENDMENTS

The Planning Commission may from time to time adopt amendments that will tend to increase the effectiveness of these regulations or expedite the approval of plats of subdivisions of land that conform to these regulations or the Comprehensive Plan. These regulations and amendments thereto may be changed or amended by the Planning Commission after a public hearing by giving due notice as required by law, and approval by the Shelby County Commission.

1.06 EXEMPTIONS

The following are exempt from these regulations:

- A. Subdivisions resulting from court ordered, in testamentary or intestate provisions are exempt from these regulations; and,
- B. Divisions of land where all resulting parcels are 20 acres or more and no roadway, drainage or other improvements are needed, and where all parcels are to be used for agriculture or single-dwelling residential purposes only.

1.07 LOTS OF RECORD

Lots of record, located in subdivisions that were recorded in the Office of the Judge of Probate prior to March 8, 1971, the date of the implementation of Subdivision Regulations in Shelby County, shall, upon application for any development approval be reviewed on their own merits by the Manager of Development Services and the County Engineer. An agreement shall be executed between the County and the developer to describe the responsibilities of each. Any party aggrieved by the interpretation of the Manager of Development Services and the County Engineer may appeal this decision to the Shelby County Planning Commission.

Lots of record that were recorded in the Office of the Judge of Probate on or after March 8, 1971, the date of the implementation of Subdivision Regulations in Shelby County, shall be subject to the procedures and policies herein.

1.08 PENALTY

The County Attorney shall initiate any appropriate action or procedure to prevent such unlawful subdivision of land and to prevent the occupancy of such subdivision of land under the authority conferred by Section 13 Act No. 82-693.

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1.09 DEFINITIONS

The following words or phrases shall have the specific meaning given below when interpreting and administering these regulations:

AASHTO

American Association of State Highway and Transportation Officials.

Access Street

(See Street Functional Classification)

Administrative Subdivisions

A minor subdivision, family subdivision, resurvey or resubdivision of land that is not within a recorded major subdivision, into no more than five parcels including remnant parcels and involves no roadway, drainage or other public improvements. Each resulting parcel in a proposed minor subdivision must abut a paved public road (exception includes family subdivisions). This case type requires the administrative review of a final plat. Any proposed minor subdivision may be referred by the Manager to the Shelby County Planning Commission for review and approval *(Amended Res. No 21-08-23-04)*.

Agriculture

The use of land for crop production or raising of livestock including generally accepted outdoor farm animals (i.e. cows, goats, horses, pigs, barnyard fowl, etc.) not to include cats, dogs and other house pets.

ALDOT

Alabama Department of Transportation

“Already Developed”

Land on which development has already occurred, but due to present or expected market forces, there exists the strong likelihood that current development will be converted to more intensive uses in the near future.

Alternative Compliance

The process by which, after the Land Suitability Determination is made, an applicant may demonstrate that features of a proposed development will mitigate certain negative suitability ratings thereby resulting in a higher suitability determination.

Applicant

Any legally authorized person or group of persons who has officially submitted a complete application subject to these regulations.

Arterial Street

(See Street Functional Classification)

Attached Structure

A structure that is situated on its own recorded lot and is attached by common wall(s) to at least one other similar structure.

Best Management Practices

Any activities, prohibitions, practices, procedures, programs, or other measures designed to prevent or reduce the discharge of pollutants directly or indirectly into waters of the United States. Shall include but are not limited to those measures specified in the Alabama storm water best management practice handbooks for municipal, industrial/commercial, and construction activity and those measures identified by County agencies.

Block

A lot, parcel, or group of lots or parcels bounded entirely by the centerline of public rights-of-way, except any access alleys internal to the block, or by public property, or by natural features that prevent future development as specified in these regulations.

Cahaba River

The main stem or highest order stream into which all other streams located within the Cahaba River Watershed Basin flow.

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Centralized sewer system

A sanitary sewer collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

Clearing

The removal of trees and brush from the land, not including the ordinary mowing of grass or the maintenance of previously cleared land.

Collector Street

(See Street Functional Classification)

Comprehensive Plan

The official general development plan for the County adopted by the Planning Commission, including any official specific development plan, program, or policy adopted by the County under the guidance of the general development plan.

Communities of Place

A dynamic, diverse, compact, and efficient center that has evolved and been maintained at a human scale, with an easily accessible central Core Area of commercial and community services, residential units, and recognizable natural and built landmarks and boundaries that provide a sense of place and orientation.

Concept Plan

A plan that demonstrates overall and general development concepts prior to preparation of a master plan. The Concept Plan shall be developed in concurrence with the Department of Development Services, and a subcommittee of members of the Shelby County Planning Commission.

Condominium

Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

Condominium Subdivision

A division of land on the basis of condominium ownership, requiring submission of a final plat for recording which depicts the size, location, area, horizontal and vertical boundaries, and volume of each condominium unit contained in the condominium subdivision, as well as the nature, location and size of common areas.

Conservation Area

Any parcel or undeveloped land conserved in its natural state for perpetuity through conservation easements or other legal means.

Conservation Easement

A nonpossessory interest of a holder in real property imposing limitations or affirmative obligations, the purposes of which include retaining or protecting natural, scenic, or open-space values of real property, assuring its availability for agricultural, silvicultural, forest, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, paleontological, or cultural aspects of real property.

Conservation Subdivision

A grouping or clustering of buildings on small lots, with the largest part of the site remaining in open land or conservation areas.

Coosa River

The mainstem or highest order stream into which all other streams located in the Coosa River Basin flow.

Core Area

The mixed-use activity center or "downtown" of each community.

Curb Cut

The opening along a curb line at which point vehicles may enter or leave a roadway.

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Dedication

The appropriation of land or an easement by gift, donation, or condition of development by the land owner for the use of the public and accepted for such use by or on behalf of the public.

Development Approvals

Approvals for the development of land including, but not limited to, building permits, building inspections, Certificates of Completion, site plan approvals, subdivision approvals, and zoning approvals.

Development Pattern

The arrangement of streets, blocks, lots, and open spaces that impacts the use of private or public lands, provision of public services, and the efficiency of development that may be occurring at different times or among different landowners and developers in the same area. These regulations recognize the following specific development patterns which are further described and specified in these regulations: Conventional; Conservation; and Form-based, including a core area, focus area, transition area, and rural area.

Dwelling Unit

A building or portion of a building designed for the principle residence of a single housekeeping unit.

Easement

The right to use property owned by another for specific purposes.

Engineer

A professional engineer licensed by the State of Alabama Board of Registration for Professional Engineers and Surveyors to practice engineering in the State of Alabama.

Exception

The approval of an alternative means of meeting the intent of specific subsections of these Regulations. Exceptions are granted by staff after written application and justification from the applicant. Exceptions are authorized in the Streets Networks, Block and Lot Standards in Article 3, 4 and 5 and may also be allowed in the Engineering and Technical Standards in the appendices.

Family Subdivision

A subdivision of land into no more than five parcels, including remnant parcels, for the purpose of dividing land among the following designated legally related family members: spouse, siblings, children, grandchildren, parents, grandparents, or step-related individuals of the same status. Application for a family subdivision must include an affidavit acknowledging that subdivided lots may only be transferred, sold or leased to the above referenced family members. This case type requires the administrative review of a final plat (*Amended Res. No 21-08-23-04*).

Final Development Plan – (Preliminary Plat) – Professionally prepared documents including the full engineering drawings necessary to construct all required improvements for the subject division of land. Where there are no improvements required, the preliminary plat shall demonstrate the general layout of the proposed division of land.

First Order Stream – (1st Order Stream)

A stream that carries water flow year-round in a typical (non-drought) year and are channels which have no tributaries feeding into them.

Final Plat

The record map delineating the layout of lots, streets, and utilities when land is subdivided; the legal record-keeping document that is recorded in the Office of the Judge of Probate.

Focus Area

An intensely developed area adjacent to and supporting the Core Area.

Functional Classification

(See *Street Functional Classification*).

Grading

Any act by which soil is cleared, stripped, stockpiled, excavated, scarified, or filled or any combination thereof.

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Green Infrastructure

Open spaces characteristic of the County's traditional rural and scenic landscape such as heritage woodlands, agriculture and agriculture related activities, view sheds and rural roadways, steep slopes and ridge tops, buffered floodplains as well as other lands of environmental significance.

Horticulture

The use of land for the growing of fruits, vegetables, flowers, or ornamental plants.

Infrastructure Improvements

Infrastructure improvements may include, but are not limited to, street construction, drainage structures, utility lines, turn lanes, traffic signals, or any other improvement that may impact the public, as determined by the County Engineer.

Internal Access Street

A street internal to a site or parcel that is larger than a typical block, which street mimics the design standards and design elements of public streets and divides the site into development blocks to better serve the purpose and intent of these regulations.

ISO Rating

In each fire district, Insurance Services Office (ISO) analyzes relevant data and assigns a Public Protection Classification (ISO RATING) — a number from 1 to 10. Class 1 represents exemplary fire protection, and Class 10 indicates that the area's fire-suppression program does not meet ISO's minimum criteria.

Land Disturbance

Activities including but not limited to grading, scraping, excavating or filling of land, clearing of vegetation, and any construction, rebuilding, or significant alteration of a structure.

Land Suitability

A rating of a parcel of land used to determine a range of development options, the development pattern, and design characteristics that are appropriate considering site conditions, the condition and context of surrounding sites, and any immediate or long-range plans for development in the general area.

Land Trust

A private, non-profit conservation organization formed to protect natural resources, such as productive farm and forest land, natural areas, historic structures, and recreational areas. Land Trusts purchase and accept donations of conservation easements.

Link

A portion of a street defined by two nodes.

Local Street

(See Street Functional Classification)

Lot

A parcel of land proposed to be platted and available for sale according to these regulations.

Lot Type

The design specifications for lots is based upon the type and intended function of the lot, the proposed development pattern and context of the block in which lots are proposed to be platted, and the general context of the subdivision.

Lot Lines

The legal perimeter or boundary of a lot:

- Front* The line of a lot abutting the right-of-way and toward which the design of the site and buildings on the lot are primarily oriented.
- Rear* The line which is opposite, most distant, and more or less parallel to the front lot line. Where no such line exists due to the irregular shape, the rear lot line shall be interpreted as furthest point on the lot at which an imaginary line at least as wide as the minimum lot frontage and which is parallel to the front lot line can occur within the boundaries of the lot.
- Side* Any lot line that is not a front or rear lot line.

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Lot Standards

The minimum planning requirements for proposed lots. These regulations establish lot standards with respect to:

- | | |
|-----------------|--|
| <i>Lot Area</i> | The measurement of the surface bounded by the lot lines. |
| <i>Frontage</i> | <i>The linear dimension of the lot line fronting on a public right-of-way.</i> |
| <i>Setbacks</i> | <i>The line that is associated with a lot line that establishes the minimum distance from which any structure shall be permitted. Where a setback is stated as a range with a minimum and maximum, it shall be interpreted as a "build-to" line within which a building line for structures on the lot shall be established.</i> |
| <i>Access</i> | A means of vehicular entrance onto the lot from a public street, private street or other access street. (driveways, drive aisles, internal access streets, alleys, and lanes) |

Major Subdivision

Any proposed subdivision or resubdivision that is not an exempt subdivision or a minor subdivision, involving more than five lots, or requiring infrastructure improvements. All major subdivisions shall be subject to review and approval by the Shelby County Planning Commission in accordance with the procedures contained herein (*Amended Res. No 21-08-23-04*).

Master Plan (Conventional and Conservation Subdivisions)

A plan depicting the proposed development of property including the physical and functional interrelationships between uses and facilities that are proposed to be phased over a period of time.

Master Plan (Form Based Developments)

A plan that establishes the general form of the proposed development and directs the preparation of the Regulating Plan. The plan shall be developed with considerable community input/involvement and demonstrate compliance with the goals and objectives of the Comprehensive Plan.

Minor Subdivision

A subdivision, resurvey or resubdivision of land that is not within a recorded major subdivision into no more than five parcels, including remnant parcels, and involves no roadway, drainage or other public improvements. Each resulting parcel in a proposed minor subdivision must abut a paved public road (exceptions include family subdivision and rural subdivision). This case type requires the administrative review of a final plat. Any proposed minor subdivision may be referred by the Manager to the Shelby County Planning Commission for review and approval (*Amended Res. No 21-08-23-04*).

Node

The intersection of two or more streets, or a cul-de-sac. A stub to adjacent property shall not count as a node.

Non-Administrative Subdivisions

A major subdivision involving more than five lots, or requiring infrastructure improvements, or a resubdivision that is not an exempt subdivision or a minor subdivision. All major subdivisions shall be subject to review and approval by the Shelby County Planning Commission in accordance with the procedures contained herein (*Amended Res. No 21-08-23-04*).

On-site sewer system

A septic tank or similar installation on an individual lot that uses an aerobic bacteriological process or equally satisfactory process for the elimination of raw sewage, subject to the approval of the Alabama Department of Public Health.

On-site water system

A well or other similar installation on an individual lot which provides a water supply to any structures or uses upon the lot, subject to the approval the Alabama Department of Public Health.

Open Space

An area of a site, lot, block, or development that is set aside from development of structures other than structures accessory and essential to the function of the open space, and which area is designed to serve a specific function associated with the development of sites, lots or blocks. These regulations recognize the following categories of open space which are further described and specified in these regulations: Formal; Natural; and Remnant.

Parcel Split

The division of one 20 acre, or greater, parcel into two platted lots, both 10 acres or greater.

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Parent Parcel

A parcel of land as it existed on the 1982 Shelby County tax maps.

Plan Implementation District

The zoning district established to allow flexibility and creativity in the design of Form-Based Developments.

Plat

A map or plan, prepared by a surveyor licensed in the state of Alabama, which proposes a subdivision. These Regulations recognize the following types of plats which are further described and specified in these regulations: Administrative; Major Subdivisions; Development Plans; and Exemptions.

Plat Correction

A resurvey that is based upon actual construction of attached structures; the survey plat shall be consistent with an approved plan or a recorded final plat and results in no additional units, lots, or tracts than on the approved plan or plat.

Pre-application Conference

A meeting between a potential applicant and Development Services staff used to discuss the subject property, development ideas, and the review process.

Preliminary Plat – (Final Development Plan)

Professionally prepared documents including the full engineering drawings necessary to construct all required improvements for the subject division of land. Where there are no improvements required, the preliminary plat shall demonstrate the general layout of the proposed division of land.

Public or Community Facilities

Facilities and infrastructure necessary to serve the broader general welfare of the public or specific development or community, such as schools, library, community recreation centers, parks and open space, fire, police, emergency management facilities.

Regulating Plan

A plan that provides standards for the disposition of each property or lot and how each relates to its adjacent properties and streets.

Reservation

The setting aside of land or an easement for the future acquisition by the public, whether by dedication, purchase or other legal means, for future use of the public.

Resubdivision

The further division of legally subdivided lots within a recorded major or minor subdivision that results in additional lots created and/or may include the addition of land or recorded lot(s) that was not previously a part of the original boundary and may result in a change in the boundary of the original subdivision. Two types of resubdivision are identified below (*Amended Res. No 21-08-23-04*):

- Major Resubdivision – The further division of a legally subdivided lot(s) in a major subdivision that results in additional lots created and/or may include the addition of land that was not previously a part of the original boundary and/or affects or creates more than five lots total. All major resubdivisions require review and approval by the Shelby County Planning Commission.
- Minor Resubdivision – The further division of a legally subdivided lot(s) in a minor or family subdivision that results in additional lots created and/or may include the addition of land that was not previously a part of the original boundary if the remnant parcel exceeds 20 acres, and/or affects or creates no more than five lots total. Minor resubdivisions require the administrative review of a final plat and do not require review and approval by the Shelby County Planning Commission.

Resurvey

The reconfiguration or consolidation of legally subdivided lots within a recorded family, major or minor subdivision that does not result in any additional lots and does not include any land that was not part of the originally recorded lots (*Amended Res. No 21-08-23-04*).

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Riparian Buffer

A tract of land on either side of the Cahaba and Coosa Rivers and all 1st, 2nd and 3rd Order Streams in Shelby County. The Riparian Buffer is measured by a line extending for a fixed linear surface distance of fifty feet from the stream bank for 1st, 2nd and 3rd Order Streams and seventy-five (feet for the Cahaba River and Coosa River.

Rural Area

Areas outside of municipalities and suburbanized areas that enjoy established rural characteristics.

Rural Subdivision

The subdivision of land into five lots or less that are not required to front on a paved public road, and require no internal infrastructure improvements. Each lot in a rural subdivision must total at least 10 acres. A proposed rural subdivision located within a beat that has no zoning must score as Tier II or Tier III in the Land Suitability Criteria (see §2.02). Rural subdivisions must meet the minimum access management requirements, as determined by the Shelby County Engineer, and require final plat approval by the Planning Commission. (*Amended Res. No. 09-02-09-06*)

Second Order Stream (2nd Order Stream)

A stream that carries water flow year-round in a typical (non-drought) year and are channels fed by at least two 1st Order Streams.

Shelby County Commission

The chief legislative body of Shelby County, Alabama.

Silviculture

The care and cultivation of forest trees, including site preparation, planting, pruning, thinning and harvesting.

Stream or River

A course of running water usually flowing in a particular direction in a definite channel and discharging into some other course of running water or body of water. Includes all of the following:

- a) Any perennial stream or river or portion thereof; and
- b) Any intermittent stream or river or portion thereof; and
- c) Any lake, impoundment, or similar standing body of water that does not lie entirely within a single parcel of land; and
- d) Any other stream as may be identified by Shelby County.

Stream Bank

The uppermost limit of the active stream channel, usually marked by a break in slope, as determined by an Alabama Licensed Surveyor or Professional Engineer.

Street Functional Classification

A category identifying the general purpose and continuity of the street in relation to the county-wide street network. (See *Street Design Type*). These regulations recognize the following functional classifications which are further described and specified in these regulations: Arterial; Collector; Local; and Access.

Street or Right-of-way

The area of land dedicated or deeded to the public for common usage by the public for travel, and associated design elements that establish the character of the area for public use.

Street Classifications

Arterial A street of considerable continuity that provides accessibility to other portions of the County or the region, but also provides connections and access to points along its route. Arterial streets are characterized by few interruptions, except at major community destinations.

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- Collector** *A street of moderate continuity that provides direct and continuous access between adjacent neighborhoods or districts. Collector streets are occasionally interrupted or diverted by neighborhood destinations or important natural features.*
- Local** *A street of limited continuity that provides access to abutting property over short distances. Local streets are interrupted frequently by neighborhood destinations, topographical obstacles or natural features, off-sets in the street grid, or limited applications of dead-end streets.*
- Access** *A street of little continuity designed solely for access to lots or interior of blocks, and not designed for through traffic.*

Street Design Elements

The different elements generally present in all rights of way necessary to serve the functional classification of the street, support adjacent land uses, and appropriately accommodate the multiple users and uses of the right-of-way, but whose specific design varies based on the proposed development pattern and context of the subdivision. These regulations recognize the following street design elements which are further described and specified in these regulations: Vehicle Lanes; Street Border; Buffer Area; Pedestrian Area; Median; and Bicycle Facilities.

Street Design Type

The specific design of the cross-section of the right-of-way as it relates to the immediate adjacent land uses and the appropriate accommodation of the multiple users and uses for the right-of-way. (See *Street Design Elements*) These regulations recognize the following street design types which are further described and specified in these regulations: Standard Arterial; Standard Collector; Standard Local; Rural Parkway; Rural Drive; Neighborhood Street; Pedestrian Street; Main Street; Boulevard; Access Alley; and Access Lane.

Subdivision

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

Submittal Conference

A meeting between an applicant and staff to review the presence of all required documents and maps.

Third Order Stream (3rd Order Stream)

A stream that carries water flow year round in a typical (non-drought) year.

Transit Facility

The property, equipment, and improvements, whether public or privately owned, that are used, constructed, maintained, controlled, or operated to provide mass transportation for passengers or to provide for the movement of people.

Transition Area

The expansion area around the Focus area in which the scale and intensity of the community blends into surrounding rural areas or reserved for future growth and development consistent with the development patterns and intensity of the adjacent Focus Area.

Utilities

Facilities and infrastructure necessary to serve the development of specific lots, including sanitary sewer, water supply, storm water, electric, cable, fiber optic, phone, and gas.

Viewshed

A visually sensitive area that is visible from a defined observation point.

Waiver

A waiver allows an applicant to forego compliance with a specific regulation contained herein. The granting of a waiver must be recommended by the County Engineer and the Development Services Manager and approved by the Planning Commission. Requests for waivers shall be submitted in writing, clearly stating the justification. Waivers will not be considered if deemed to be in conflict with the goals and policies of the Comprehensive Plan.

Shelby County Subdivision Regulations

1.10 ADMINISTRATION AND INTERPRETATION

A. General Administration.

1. **Administration.** The Department of Development Services shall administer all provisions of these regulations in consultation with the County Engineer. It shall be the Department's responsibility to accept applications on behalf of the Planning Commission and according to these regulations, and to keep records of all proceedings under these regulations.
2. **Enforcement.** It shall be the duty of the Manager of Development Services to enforce these regulations in consultation with the County Engineer.
3. **Duties.** All departments, officials and employees of the County charged with the duty or authorized to issue permits, utility connections, licenses or certificates shall conform to the provisions of these regulations. No permit, utility connection, license or certificate for any use, building or purpose shall be issued if it conflicts with the provisions of these regulations, and any such issuance shall be null and void.

B. General Interpretation.

1. **Rules of Construction.** Unless the context clearly indicates otherwise, the following rules of construction shall apply to these regulations:
 - a. All words shall have the customary dictionary meaning, unless specifically defined in these regulations.
 - b. The present tense includes the future tense and the future tense includes the present tense.
 - c. The singular includes the plural and the plural includes the singular.
 - d. Lists of examples prefaced by "including the following," "such as," or other similar preface shall not be construed as exclusive and shall not preclude an interpretation of the list including other similar and non-mentioned examples.
 - e. A reference to an administrative official shall refer to that official or his or her designee.
2. **Graphics and Commentary Notes.** Graphics and commentary notes used in these regulations are to aid interpretation of the text, unless otherwise specifically stated. In the event of a conflict or ambiguity between a graphic or commentary note and the text, the text shall control.
3. **Computations of Time.** Unless specifically stated in individual sections, wherever these regulations state a time period, it shall be interpreted as follows:
 - a. The day of the act, event, or other means which commences the time period shall not be counted.
 - b. The last day of the time period shall be included in the time period, unless it is a Saturday, Sunday, or legal County holiday, in which case the next working day shall end the time period.
 - c. Whenever the time period is expressed to require a formal submittal to the County, the time period shall end at 4:00 P.M. on the last day of the time period.
 - d. Any time period expressed in years shall include a full calendar year from the act, event or other means which commences the time period.
4. **Resources, Guides, and Industry Standards**
 - a. Resources, guides, and industry standards, recognized as authority in the planning and design of communities may be used as a supplement to interpreting these regulations. Any use of such resources guides, and industry standards shall be subject to the approval of the Manager of Development Services upon a determination that the content is consistent with the Comprehensive Plan, and the purpose and intent of these regulations.
 - b. These materials shall only be used to aid in the interpretation and application of these regulations, and shall not be used to modify, contradict, or in any way change the standards and requirements of these regulations.
 - c. Any resource, guide, or industry standard approved by the Manager of Development Services shall be listed in Appendix C and at least one copy shall be kept on file with the Manager of Development Services.

Shelby County Subdivision Regulations

- C. Official Interpretation.** The Manager of Development Services shall make all interpretations under these regulations necessary to administer and implement the regulations.
1. **Authority.** The Manager, in consultation with the County Engineer and County Attorney, may make an Official Interpretation and Applicability Statement in instances where it is determined that the plain language of the regulations, when applied to a specific circumstance, could lead to two or more reasonable interpretations which result in substantively different outcomes.
 2. **Process.** An Official Interpretation and Applicability Statement shall:
 - a. Be made in writing and filed with the Planning Commission by placing it on the agenda of a regularly scheduled meeting;
 - b. Be effective immediately following Planning Commission approval, unless a longer period is stated in the interpretation or unless the Planning Commission tables the Interpretation and Applicability Statement and calls a public hearing to amend the regulations which are subject to the interpretation;
 - c. Be incorporated into this ordinance in Appendix B and upon its effective date control all future situations similar to the specific circumstance;
 - d. Be effective until:
 - (1) It is replaced by a different Official Interpretation and Applicability Statement;
 - (2) It is overruled by an appeal according to these regulations; or
 - (3) It is amended, altered, or repealed by a text amendment to the section of the regulations that the interpretation addressed.
 3. **Criteria.** In making an Official Implementation and Applicability Statement, the Manager, and County Engineer where appropriate, shall use the following criteria:
 - a. Sound professional planning practice standards and principles;
 - b. The Comprehensive Plan and any other official plans or programs developed under the guidance of the Comprehensive Plan;
 - c. The purposes and intent statements of these regulations with priority given to any specific intent statements associated with the section or chapter in which the interpretation issue arose; and
 - d. Any resources, guides, or industry standards cited in these regulations or consistent with the Comprehensive Plan goals, or purpose and intent statements of these regulations.
- D. Waivers and Exceptions.** The Shelby County Planning Commission is the only authority allowed to grant waivers. Exceptions, on the other hand, require approval by the Department of Development Services and/or the County Engineer. Requests for waivers or exceptions must be submitted in writing to the Department of Development Services and/or the County Engineer, as appropriate. The granting of a waiver or exception must not violate the intent of these regulations.

Shelby County Subdivision Regulations

ARTICLE 2. DEVELOPMENT PATTERNS AND LAND SUITABILITY

| | |
|------|---------------------------|
| 2.01 | DEVELOPMENT PATTERNS |
| 2.02 | LAND SUITABILITY CRITERIA |
| 2.03 | IMPLEMENTATION FRAMEWORK |

2.01 DEVELOPMENT PATTERNS

A. **Intent.** In achieving the purposes of these regulations stated in Section 1.03, this Article, Development Patterns and Land Suitability has the following specific intent:

1. To establish planning guidelines and a framework that links these regulations with overall planned goals of the County's Comprehensive Plan.
2. To enable a different intensity of development, and to establish supporting development patterns and facilities, based on the suitability of the land for a particular subdivision.
3. To place all proposed subdivisions of land in a context that relates to its surrounding areas and to the regional context.
4. To provide a basis for efficient and coordinated private and public development decisions, as well as a strategic system to prioritize private and public investment in more efficient development patterns.
5. To recognize that different development patterns and land development intensity will require different community design characteristics, and thus development design solutions, appropriate to the context of each proposed division of land, must be enabled.
6. To direct the anticipated growth to lands most suitable to accommodate the growth.

B. **Development Patterns.** All subdivisions must implement one of three possible development patterns:

1. **Conventional Development** represents a common land development pattern where the entire tract or parcel is generally divided into private lots where individual homeowners privately own most of the land. Most residential development that has emerged in the suburban United States since World War II can be described as conventional development. The following subdivision types follow the conventional subdivision process as **detailed in Article 3, Administrative and Conventional Subdivision Standards** (Amended Res. No 21-08-23-04).
 - a. **Administrative Subdivisions** include minor subdivisions, family subdivisions, resurveys or resubdivisions of land that is not within a recorded major subdivision into no more than five parcels, including remnant parcels, and involves no roadway, drainage or other public improvements. Each resulting parcel in a proposed minor subdivision must abut a paved public road (exceptions include family subdivision and rural subdivision). This case type requires the administrative review of a final plat. Any proposed minor subdivision may be referred by the Manager to the Shelby County Planning Commission for review and approval (Amended Res. No 21-08-23-04).

The following Administrative Subdivisions are reviewed at the staff level for full compliance with the Subdivision Regulations and do not require a Public Hearing before the Planning Commission (Amended Res. No 21-08-23-04):

- Minor Subdivision
- Family Subdivision
- Resurvey
- Plat Correction
- Minor Resubdivision

- b. **Non-Administrative Subdivisions** include a major subdivision of more than five lots, or requiring infrastructure improvements or a resubdivision that is not an exempt subdivision or a minor subdivision. All major subdivisions shall be subject to review and approval by the Shelby County Planning Commission in accordance with the procedures contained herein (Amended Res. No 21-08-23-04).

Shelby County Subdivision Regulations

The following Non-Administrative Subdivisions are reviewed at the staff level for full compliance with the Subdivision Regulations and **require** a Public Hearing before the Planning Commission (*Amended Res. No 21-08-23-04*):

- Major Subdivision
- Rural Subdivision
- Major Resubdivision
- Condominium

| |
|---|
| <p>Commentary:</p> <ol style="list-style-type: none"> a. Subdivision types may not be combined to create or layer multiple subdivision types. b. You may not stack, combine or convert subdivision types; for example, a lot in a major or minor subdivision may not become a family subdivision and for large acreage tracts or contiguous parcels, after the first five-lot division, the Planning Commission must review all subsequent subdivision requests and a master plan may be required. c. All proposed lots shall front a paved public road (exceptions include family and rural subdivisions). d. All access must adhere to Shelby County Access Resolution (04-07-26-08) where applicable, as managed and directed by the Shelby County Engineer. e. The County Engineer may require upgrades to substandard roads for any proposed development. |
|---|

2. **Conservation Development** provides incentives for the preservation of key natural resources through development patterns that preserve and enhance rural character; review and approval follows the Conventional Subdivision process. **See Article 4, Conservation Subdivision Standards.** Depending on the scale of the proposed project, the plat types identified in **Table 2-3** below may be required.

| TABLE 2-3 | | |
|-----------------------|------------------|---|
| CONSERVATION PLATS | MASTER PLAN | A plan whose total units are based upon the Housing Density Determination of Article 4.04.D, depicting the proposed development of property including the physical and functional interrelationships between uses and facilities that are proposed to be phased over a period of time. |
| | PRELIMINARY PLAT | The general layout for a proposed division of land that is not an Administrative Plat. The preliminary plat is used to evaluate proposed development and supporting infrastructure and facilities, in order to determine if all County regulations may be met and if the design is suitable for the land. |
| | FINAL PLAT | The record map delineating the layout of lots, streets, and utilities when land is subdivided. The final plat is the legal record-keeping document that is recorded in the Office of the Judge of Probate. |

3. **Form-based Development** implements the “Communities of Place” concept of the Shelby County Comprehensive Plan, with more intensely developed “Cores” and “Focus Areas”, and less-intensely developed “Transition Areas” and “Rural Areas.”

The review process for a form-based development is organized so that the applicant receives staff and Planning Commission input and approvals throughout the process. Plan types identified in **Table 2-4** below, may be required for form-based developments. **See Article 5, Form-based Subdivision Standards.**

Shelby County Subdivision Regulations

| TABLE 2-4 | | |
|-------------------------------|--------------------------|--|
| FORM-BASED DEVELOPMENT | CONCEPT PLAN | A Plan that demonstrates overall and general development concepts prior to preparation of a master plan. The formulation of this concept plan will demonstrate the feasibility of a Form-Based Development consistent with the intent of the regulations of Article 5 and the Comprehensive Plan. The Concept Plan shall be developed in concurrence with a working group that includes the Department of Development Services (DDS) staff and members of the Shelby County Planning Commission. |
| | MASTER PLAN (FORM BASED) | A plan that establishes the general form of the proposed development and directs the preparation of the Regulating Plan. The plan shall be developed with considerable community input/involvement and demonstrate compliance with the goals and objectives of the Comprehensive Plan. |
| | REGULATING PLAN | The regulatory plan implementing the approved master plan, that provides the standards of development for land use, infrastructure, community form, and building design. |
| | FINAL DEVELOPMENT PLAN | A plan for the development of one or more lots in compliance with the approved regulating plan. |
| | FINAL PLAT | The record map delineating the layout of lots, streets, and utilities when land is subdivided; it shall be consistent with the final development plan. The final plat is the legal record-keeping document that is recorded in the Office of the Judge of Probate. |

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2.02 LAND SUITABILITY CRITERIA

The regulations establish three distinct tiers of land suitability to determine the most appropriate development intensity for the land. The Department of Development Services will assess the proposed suitability tier in conjunction with the applicant. The suitability determination is subject to the concurrence of the Planning Commission.

A. Land Suitability Criteria Evaluation.

Each proposed subdivision must involve a proposed land suitability tier based on the suitability criteria specified in **Table 2-5**. Properties within one-quarter mile of the Coosa River automatically qualify for Tier I scoring based on the recreational and environmental characteristics of the river, the predominant pattern of residential development in the area, and the Coosa River's function as a regional vacation destination.

| TABLE 2-5: LAND SUITABILITY CRITERIA | | | |
|---|-----------------|----------------|-----------------|
| | 2 Points | 1 Point | 0 Points |
| Regional Transportation | | | |
| <p>What is the site's relationship to a regional transportation network (either a potential regionally-connected transit facility or access to an arterial street network)?</p> <p>Immediate – Direct access to dedicated arterial street, and access to an additional dedicated arterial street within 1,000 feet; or identified future transit facility in the Comprehensive Plan, or a regional or local thoroughfare plan endorsed by the County;</p> <p>Secondary – Direct access to a dedicated arterial street; or access to a dedicated arterial street via a dedicated collector street of greater than 1,000 feet but less than one mile;</p> <p>Remote - Access to a dedicated arterial street via a dedicated collector or local street exceeds one mile;</p> | Immediate | Secondary | Remote |
| Local Transportation / Alternative Mobility | | | |
| <p>What is the site's relationship between the following mutually supportive use categories (measured along the most direct pedestrian and/or bicycle facility meeting the standards of these regulations):</p> <p>Primary Supportive Use Categories</p> <ul style="list-style-type: none"> ◦ Everyday retail (dime store, pharmacy, grocery, etc.) ◦ Everyday service (dry clean, post office, restaurant, etc.) ◦ Entertainment ◦ Office/employment ◦ Schools <p>Secondary Supportive Use Categories</p> <ul style="list-style-type: none"> ◦ Worship ◦ Civic / recreational ◦ Neighborhoods at 3+ du/acre gross density. <p>Walkable – At least 4 different categories within ½ mile, <u>2 of which must be Primary Supportive Uses</u> and within ¼ mile.</p> <p>Accessible = At least 4 different categories within 1 mile, <u>2 of which must be Primary Supportive Uses</u> and within ½ mile;</p> <p><i>All others are considered Remote.</i></p> | Walkable | Accessible | Remote |
| Natural Features | | | |
| <p>What percent of the site is impacted by critical Green Infrastructure? For purposes of this section, critical Green Infrastructure shall be:</p> <ul style="list-style-type: none"> ◦ Steep slopes in excess of 25 percent; ◦ Prime Agricultural (Includes Woodlands and pasture lands); ◦ Wetlands and streams, including required buffer zones, or flood plains, whichever is greater; ◦ Any impaired waters identified by the most recent ADEM 303(d) list; ◦ Habitat for any federally or state listed imperiled plant or animal species; ◦ Any other sensitive or critical natural feature identified for protection by a specific policy adopted by the County Commission. | Less than 15% | 15% to 60% | More than 60% |

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| | 2 Points | 1 Point | 0 Points |
|---|-----------|-----------|----------|
| Service Infrastructure | | | |
| <p>What is the characterization of the development site's access to a centralized public, quasi-public, or private sewer system?</p> <p>Immediate – Access to an existing system of service mains</p> <p>Secondary – Requires planned extension of service mains less than 1,000 feet;</p> <p>Remote – Requires planned extension of service mains more than 1,000 feet or requires on-site system.</p> | Immediate | Secondary | Remote |
| <p>What is the characterization of the development site's access to a centralized public, quasi-public, or private water system?</p> <p>Immediate – Access to an existing system of service mains with sufficient capacity;</p> <p>Secondary – Requires planned extension of service mains less than 1,000 feet, requires expansion of capacity of existing mains;</p> <p>Remote – Requires planned extension of service mains more than 1,000 feet.</p> | Immediate | Secondary | Remote |
| Public Facilities | | | |
| <p>What is the characterization of the site's access to public facilities such as schools, community institutions (library, churches, or other public or quasi-public facilities), and public safety facilities?</p> <p>Immediate – Primary schools within ½ mile; AND Community institutions within 2 miles; AND ISO ratings of 4 or less.</p> <p>Secondary – One or more of the "Immediate" criteria are not met, BUT ISO rating of 6 or less.</p> <p>Remote – Schools and community facilities are greater than 5 miles, OR ISO ratings of 7 or higher.</p> | Immediate | Secondary | Remote |
| Surrounding Development Patterns | | | |
| <p>What is the characterization of the development site in relation to surrounding development?</p> <p>Infill - having more than 75% of its boundary adjacent to land that is already developed.</p> <p>Adjacent – expansion of developed area having more than 25% of its boundary adjacent to land that is already developed.</p> <p>Remote - having less than 25% of its boundary adjacent to land that is already developed.</p> | Infill | Adjacent | Remote |

Commentary – These suitability criteria are established to recognize the inherent carrying capacity of land in conformance with the Comprehensive Plan, and to establish a baseline for development under all Development Patterns, under which development incentives for voluntary implementation of the Communities of Place concept in the comprehensive plan can be established. Further, the suitability tiers represent immediate development capacity and a determination may change over time as development of land and facilities impacting the determination occur.

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B. Suitability Determination.

Following the evaluation of the suitability criteria in **Table 2-5**, the Department of Development Services will make the determination of land suitability, based on **Table 2-6** below. In response, the applicant may submit other data, studies, etc., to justify an alternative determination. For example, developments may qualify for alternative compliance to the suitability criteria if the applicant can successfully demonstrate that the proposed project will mitigate the low suitability scores by providing supportive uses (retail, services, employment, schools, recreational, etc.); a sufficient transportation network; sewer and water services; public facilities within the development; or where the Comprehensive Plan otherwise clearly supports a different determination. Written justification for alternative compliance must be submitted to the Department of Development Services prior to submission of development plans.

| TABLE 2-6: SUITABILITY DETERMINATION | |
|---|------------------------|
| LAND SUITABILITY TIERS | CRITERIA RATING |
| TIER I | ▪ 10 – 14 Points |
| TIER II | ▪ 5 – 9 Points |
| TIER III | ▪ Less than 5 Points |

C. Appeal of Suitability Determination.

Should the applicant and the Department of Development Services fail to reach consensus on land suitability, the Shelby County Planning Commission shall make the final determination. The appeal must only consider the suitability determination and not the merits of any proposed development. Subsequent to the Planning Commission determination, the applicant may advance an application.

Any party aggrieved by any final judgment or decision of the Planning Commission may, within 15 days, request a review of the record by a five (5) member Planning Review Board appointed by the Shelby County Commission. In the case of such appeal, the Planning Commission must provide a transcript of the original proceedings in the case to the Planning Review Board for consideration. This review board is empowered to require that the Planning Commission reconsider its earlier decision. If such reconsideration is ordered, the Planning Commission must reassess the previous record, as well as any additional material, which the Planning Commission considers relevant.

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2.03 IMPLEMENTATION FRAMEWORK.

Based on the development patterns and land suitability criteria, these regulations establish the long-range development implementation strategy in **Table 2-7**, Implementation Framework and Development Intensity. Please note, in zoned areas, the *Zoning Regulations of Shelby County, Alabama*, will regulate the required lot sizes.

| TABLE 2-7: IMPLEMENTATION FRAMEWORK AND DEVELOPMENT INTENSITY | | | |
|---|---|---|---|
| | CONVENTIONAL SUBDIVISION | CONSERVATION SUBDIVISION | FORM-BASED SUBDIVISION |
| TIER I <u>(INCLUDING PROPERTIES WITHIN ¼ MI OF THE COOSA RIVER)</u> <u>(RESOLUTION 19-8-26-04)</u> | <ul style="list-style-type: none"> • Residential subdivisions with a minimum ¼ acre lot size. • Supporting non-residential development • Sewers may be permitted in a public right-of-way. | <ul style="list-style-type: none"> • Clustered residential subdivisions calculated at 4 lots per acre, (gross calculation). • Supporting non-residential development. • Sewers may be permitted in a public right-of-way. | <ul style="list-style-type: none"> • Core Areas and Focus Areas of the “Communities of Place” concept of the Comprehensive Plan. <ul style="list-style-type: none"> – Mixed-use Cores – Focus Areas of supporting neighborhoods • Sewers are permitted in a public right-of-way. |
| TIER II | <ul style="list-style-type: none"> • Residential subdivisions with a minimum 1.5 acre lot size. • Supporting non-residential development at a rural scale • Sewers may be permitted in a public right-of-way, depending on surrounding development patterns. | <ul style="list-style-type: none"> • Clustered residential subdivisions calculated at 1 lot per acre, (gross calculation). • Supporting non-residential development at a rural scale • Sewers may be permitted in a public right-of-way. | <ul style="list-style-type: none"> • Transition Areas of the “Communities of Place” concept of the Comprehensive Plan. <ul style="list-style-type: none"> – Rural Conservation residential subdivisions – Deferred growth areas as future extensions of Focus Area Neighborhoods. • Sewers are permitted in a public right-of-way. |
| TIER III | <ul style="list-style-type: none"> • Residential subdivisions with larger than 5 acre lots • Sewers may be permitted in a public right-of-way, depending on surrounding development patterns. | <ul style="list-style-type: none"> • Clustered residential subdivisions calculated at a density of 1 lot per 2 acres, (gross calculation). • Sewers may be permitted in a public right-of-way. | <ul style="list-style-type: none"> • Rural Areas of the “Communities of Place” concept of the Comprehensive Plan. • Sewers are permitted in a public right-of-way. |

Commentary – Density in a form-based development is entirely dependent on the scale of the project. Typical densities range from 8-16 dwelling units in the Core to 4-8 dwelling units in the Focus Area. Article 5, Form-Based Subdivision Supplemental Standards provides detailed guidance on appropriate densities for this pattern of development.

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ARTICLE 3. ADMINISTRATIVE AND CONVENTIONAL SUBDIVISION STANDARDS

- 3.01 CONVENTIONAL SUBDIVISION INTENT AND APPLICABILITY
 - 3.02 CONVENTIONAL SUBDIVISION PROCEDURES
 - 3.03 STREET DESIGNS
 - 3.04 STREET NETWORKS, BLOCKS, LOTS
 - 3.05 OPEN SPACE
-

3.01 CONVENTIONAL SUBDIVISIONS INTENT AND APPLICABILITY

A. Intent. It is the intent of the Conventional Subdivision Standards to:

1. Provide context-based design standards, appropriate to this specific development pattern, in addition to the General Planning and Design standards for all subdivisions in Article 6.
2. Allow some appropriate level of conventional subdivision development patterns as an option on all property, except where existing regulations, specific plans, or existing development patterns for adjacent areas would indicate otherwise.
3. Establish Conventional Subdivisions as a base upon which to build incentives for development more in conformance with the Comprehensive Plan and the “Communities of Place” future development strategy in the Plan.
4. Recognize and encourage conventional subdivisions in their appropriate place of the “Communities of Place” framework, as a limited transition from compact, walkable cores to rural and preserved “edge” areas.
5. Ensure that when Conventional Subdivisions do occur they have planning and design standards comparable to all subdivisions in the County to ensure the overall quality of growth, within a logical and planned framework.

B. Applicability

A Conventional Subdivision represents development practices prevalent in the County prior to adoption of the 2004 Comprehensive Plan, *A Path to the Future*. These standards recognize that these development patterns will continue. It is not the preferred development pattern, since it does not fully represent implementation of the Plan’s strategy. Different intensities of conventional subdivision development patterns may be warranted based upon the site context.

3.02 CONVENTIONAL SUBDIVISION PROCEDURES

A. Administrative Subdivisions *see Article 2.01(B)(1)(a)*

1. Submittal Conference. A Submittal Conference is required prior to acceptance of any application for an administrative subdivision. This conference will be to review the presence of all documents and maps required pursuant to the submittal requirements of **Appendix A**. It is suggested that applicants schedule an appointment to ensure staff availability.
2. Official Application and Fee. An applicant for an Administrative Subdivision must submit five copies of the maps and documents meeting the requirements of Appendix A and a complete application to the Department of Development Services with the official filing fee in the County’s approved schedule of fees. (*Amended Res. No. 09-02-09-06*)
3. Notice. Upon acceptance of a complete application, the Department of Development Services must send notice by first class mail to the owner(s) of record of all abutting property. The notice shall state the purpose of the review, indicate that the plat is on file for public review at the Department of Development Services offices during normal business hours. Failure of any owner to receive notice shall not invalidate the application.
4. Administrative Review. The Department of Development Services shall review all complete applications for an Administrative Subdivision according to the following criteria:
 - a. The proposed land division is in accordance with the general development characteristics and policies of the Comprehensive Plan, and any other plan or program of the County adopted under the general guidance of the Comprehensive Plan;

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- b. The proposed land division is consistent with the general development patterns of the area, so that it will not unduly or adversely affect current and future planned development opportunities on adjacent land;
 - c. All parcels, including any proposed development, are in conformance with any zoning regulations applicable to the subject property;
 - d. The application is in conformance with the subdivision regulations;
 - e. All proposed lots will have adequate water and wastewater facilities. Shelby County makes no representation that any lot eligible for approval by the Alabama Department of Public Health for a septic tank will be approved;
 - f. Minor Subdivisions must front a paved and dedicated public right-of-way; frontage requirements may be waived for a Family Subdivision;
 - g. The application is in conformance with any approved development plans, and in the case of a Plat Correction, the previously approved and recorded Final Plat; and
 - h. The application satisfies all eligibility standards for the specific type of Administrative Subdivision.
5. Required Revisions. Upon completion of the Administrative review, the Manager will notify the applicant of all deficiencies. The applicant must resubmit revised maps and documents within 90 days for additional review. If the applicant fails to submit the revised documents with 90 days, the case will be void and the applicant must reapply for subdivision approval and pay the required fees.
6. Decision. Within 30 days of the date of application the Manager shall notify the applicant in writing of one of the following actions:
- a. The application is approved in compliance with these regulations. The Manager and County Engineer shall affix their signatures and the date.
 - b. The application is not approved. The Manager shall state specifically what deficiencies exist.
7. Appeal. If the Manager does not approve the application, the applicant may appeal the decision to the Shelby County Planning Commission by submitting a written request for appeal to the Planning Commission within 30 days of the Manager's notification. An appeal to the Planning Commission shall be treated as an application for a Preliminary Plat according to these regulations.
8. Recording. Any approved Administrative Subdivision shall be recorded in the Office of the Judge of Probate of Shelby County by the Department of Development Services, prior to being effective or the issuance of any building permits. (*Amended Res. No. 09-02-09-06*)

B. Non-Administrative Subdivisions see Article 2.01(B)(1)(b)

1. Pre-Application Conference. A pre-application conference is required for all Non-Administrative Subdivisions. Additionally, a Submittal Conference is required prior to acceptance of any application for a major subdivision. The purpose of this conference will be to review the presence of all documents and maps required pursuant to the submittal requirements of Appendix A. An appointment shall be made to ensure staff availability. (*Amended Res. No. 09-02-09-06*)
2. Master Plan. (*Resolution # 23-07-10-05*)
 - a. Master Plan Required.

A Master Plan shall be required for any of the following conditions:

 - 1) Any subdivision that will result in multiple phases through more than one final plat;
 - 2) Any subdivision that encompasses 40 acres or more and/or 100 lots or more;
 - 3) Any development that includes more than one land use or different zoning districts under any applicable zoning regulations;

The Master Plan must meet the submittal requirements described in Appendix A and must be reviewed and approved by the Planning Commission. Any amendments, modifications, changes or deletions to an approved Master Plan will require submission of an amended Master Plan for review and approval by the Planning Commission, except a resurvey that results in a reduction of the overall number of lots and does not alter the approved street layout.
 - b. Master Plan Exception.

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Any subdivision that encompasses 40 acres or more, results in only one phase, and creates 30 lots or less may not require a Master Plan, as determined by the Director and County Engineer.

c. Master Plan Amendments.

- 1) A request to amend an approved master plan, including common areas, may only be submitted by the developer or the Homeowners Association Board.
- 2) A request by an individual property owner to amend an approved master plan will not be accepted for review.
- 3) A master plan may only be voided by the Planning Commission at the request of the original applicant/developer or current owner as long as no construction has commenced and no preliminary plats have been submitted for review.

d. Master Plan Approval Expiration.

- 1) Master Plan approval remains effective until expiration or amendment as provided herein.
- 2) If the master plan is idle or dormant for a duration of two calendar years or greater without the continuation of development activity or submittal of a written request to the Planning Commission for time extension, then the master plan approval shall expire and be of no further effect. Please note the following:
 - Development activity, for the purpose of this section, is being defined as submitting preliminary plats and/or submitting final plat.
 - Time extensions may be granted by the Planning Commission for a maximum of two years.
- 3) Prior to the master plan being allowed to progress after the expiration, the developer shall restart the approval process in accordance with Article 3. Section 3.02 (B). Under this condition, the new master plan must conform to the policies and regulations in effect at the time of resubmittal.

3. Preliminary Plat. **(Not required for Rural Subdivisions - See Appendix A.)**

- a. *Official Application and Fee.* Application for a Non-Administrative Subdivision shall require the submission of seven (7) copies of the maps and all other documents pursuant to Appendix A and a completed application to the Department of Development Services with the official filing fee identified in the County's approved schedule of fees. Only complete applications shall be accepted and scheduled for a hearing by the Shelby County Planning Commission. (Amended Res. No. 09-02-09-06)
- b. *Notice.* Upon scheduling of the Planning Commission hearing and at least 14 days prior to said hearing, notice shall be sent by certified mail to the owner(s) of record of all abutting property by the Department of Development Services. The notice shall state the purpose of the review, indicate that the preliminary plat is on file for public review at the Department of Development Services offices during normal business hours, and that the public shall have a right to be heard at the Planning Commission review hearing, and indicate the date, time and location of the hearing. Failure of any owner to receive notice shall not invalidate the application.
- c. *Administrative Review.* The Department of Development Services will distribute the maps and other documents to the Planning Commission, the Highway Department, the Department of Environmental Services, Water and Sewer Services, the appropriate Fire District, the Board of Education and retain one copy in the Department's office for distribution to staff. The Department of Development Services shall review all complete applications for a Preliminary Plat according to the following criteria:
 - (1) The proposed land division is in accordance with the general development characteristics and policies of the Comprehensive Plan, and any other plan or program of the County adopted under the general guidance of the Comprehensive Plan; and

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- (2) The proposed land division is consistent with the general development patterns of the area, so that it will not unduly or adversely affect current and future planned development opportunities on adjacent land; and
 - (3) All parcels, including any proposed development, are in conformance with any zoning regulations applicable to the subject property; and
 - (4) The application is in conformance with the subdivision regulations; and
 - (5) All proposed lots will have adequate water and wastewater facilities. Shelby County makes no representation that any lot eligible for approval by the Alabama Department of Public Health for a septic tank will be approved; and
 - (6) The application is in conformance with any approved development plans.
- d. *Official Report.* Prior to the hearing, the Department of Development Services shall compile the comments of all reviewing agencies as a formal report on the application to the Planning Commission prior to the Planning Commission hearing, with one copy provided to the applicant. The report shall analyze the application with respect to the planning and design standards, specific subdivision standards, and the technical standards of these regulations, and policies and procedures of the Planning Commission. The report may make a recommendation to the Planning Commission regarding their decision.
- e. *Additional Studies.* After review further studies or technical reports, such as traffic, drainage calculations, flood hazards, soil suitability for on site septic, or wetland delineation, necessary for the Planning Commission to assess the application may be required. Any request shall establish a reasonable deadline for submission of this information.
- f. *Planning Commission Review.* The Planning Commission shall hear a formal presentation by both the Department of Development Services and the Applicant. The Planning Commission shall accept public testimony from all persons who desire to be heard in favor of or in opposition to specific compliance of the application with these regulations. The Planning Commission shall deliberate the application according to the following criteria:
- (1) The proposed land division is in accordance with the general development characteristics and policies of the Comprehensive Plan, and any other plan or program of the County adopted under the general guidance of the Comprehensive Plan;
 - (2) The proposed Land Suitability Tier associated with the parcel is accurate and acceptable based on the Criteria in these regulations;
 - (3) The proposed division is in accordance with the general development patterns and character of the vicinity in which it is located;
 - (4) Any phasing of the subdivision and the schedule for development of final plats is clearly indicated and demonstrates a logical and well-planned development pattern.
 - (5) The proposed land division is not contrary to the public health, safety, and welfare;
 - (6) All parcels, including any proposed development, are in conformance with any zoning regulations applicable to or proposed for the subject property;
 - (7) Any impacts, modifications, conditions or mitigation identified or recommended in specific studies or technical reports associated with the application;
 - (8) The proposed plat is designed in compliance with regard to all other governmental regulations, (e.g. zoning, flood plains, etc.), which may impact development of the land and the applicant has secured all necessary approvals from other public agencies.
- g. *Decision.* At the hearing, the Planning Commission shall take one of the following actions:
- (1) Approve the application for a Preliminary Plat.
 - (2) Approve the application for a Preliminary Plat with conditions. The approval shall specifically state the conditions of the Planning Commission approval, which shall then become a requirement of the Final Plat. Any waivers or modifications requested by the applicant at the time of application shall be specifically stated as conditions;
 - (3) The application may be continued to another regularly scheduled Planning Commission meeting. A continuance shall only be made on the grounds for the need of additional information or the need for further technical studies which bring into question the ability of the

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- application to meet all requirements of these regulations. The continuance shall specifically state what additional information is required of the applicant at the continued hearing. No Preliminary Plat shall be continued more than twice;
- (4) A case may be Tabled when an applicant fails to appear to present a case or when a complete resubmission of an alternative design of the subdivision is necessary, suggested or required by the Planning Commission.
 - (5) Deny the application, specifically stating the grounds for denial.
- h. *Appeal.* If the Planning Commission does not approve the application, the applicant may appeal the decision to the Planning Review Board or to the court of appropriate jurisdiction. The purpose of the Review Board is to determine if there is sufficient reason to request that the Planning Commission reconsider its earlier decision.
- i. *Effect of Approval.* Approval of a Preliminary Plat shall not be deemed as final acceptance of any plan, improvements, or development proposals. This approval is authorization to proceed with the staking of streets and lots in preparation for improvements. Upon approval, the applicant shall provide the following before commencing any construction:
- (1) No grading or clearing may commence prior to the approval of the preliminary plat. In the event that an applicant violates this provision, no development approvals will be issued until all site violations have been remedied. Development approvals include, but are not limited to, building permits, building inspections, Certificates of Occupancy, site plan approvals, subdivision approvals, and zoning approvals.
 - (2) Required Improvements. The applicant shall design all required improvements pursuant to the standards contained within these regulations.
 - (3) Final Engineering. Detailed construction plans, engineering calculations, and estimates shall be prepared, by an engineer licensed to practice engineering in the State of Alabama, in accordance with the approved preliminary plat, the required improvements and specifications in the standards contained within these regulations. These plans shall be presented to the County Engineer for review, supported by analysis, and engineering calculations. Construction plans shall be approved by the County Engineer in writing.
 - (4) No construction of any improvements, clearing, or grading may commence prior to the approval by the County Engineer of all engineering and detailed construction plans. Applicant must notify the County Engineer at least forty-eight (48) hours in advance of commencement of construction or to request an inspection of such work.
 - (5) Construction shall not commence on any improvement until engineering drawings have been approved by the County Engineer. Construction must be performed in a workmanlike manner, in conformance with approved engineering drawings, to the usual construction tolerances. Failure to comply may prevent recording of the final plat and the transfer of lots.
- j. *Deviations from the Preliminary Plat.* Any deviations proposed from the approved Preliminary Plat shall be submitted in writing and may only be approved according to the following criteria:
- (1) They are minor deviations that do not impact the number or relationship of lots within the plat, the streets and public facilities within the plat, or any property outside of the plat including its future development potential.
 - (2) Any deviation is the minimum deviation necessary to fulfill the development concept approved in the approved Preliminary Plat,
 - (3) The need for the deviations is due to physical circumstances that could not have been reasonably discovered at the time of the Preliminary Plat;
 - (4) The deviations result in no material change in the development concept approved in the Preliminary Plat;
 - (5) The Final Plat shall be in conformance with all other criteria for approval and all other provisions of these regulations.
- k. *Expiration of Preliminary Plat Approval.* Approval of the Preliminary Plat shall be effective for a period of two years following the date of the Resolution of the Shelby County Planning Commission

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approval. Upon expiration of Preliminary Plat approval, Final Plat approval may not be given until a new Preliminary Plat has been submitted and approved. However, the Planning Commission may grant an extension up to one additional year if it determines that re-review of a lapsed Preliminary Plat is not necessary.

4. Final Plat.

- a. *Official Application and Fee.* Application for approval of a Final Plat shall require the submission of four (4) copies of the Final Plat and a complete application pursuant to the requirements of **Appendix A** to the Department of Development Services with the official filing fee identified in the County's approved schedule of fees.
- b. *Administrative Review.* The Department of Development Services, in coordination with the County Engineer, Water and Sewer Services, and the Department of Environmental Services shall review all complete applications for a Final Plat according to the following criteria:
 - (1) The proposed land division is consistent with an approved preliminary plat, including the satisfaction of any specific conditions for approval of a Preliminary Plat.
 - (2) The proposed land division is in accordance with the general development characteristics and policies of the Comprehensive Plan, and any other plan or program of the County adopted under the general guidance of the Comprehensive Plan;
 - (3) The proposed land division is consistent with the general development patterns of the area, so that it will not unduly and adversely affect current and future planned development opportunities on adjacent land;
 - (4) All parcels are in conformance with any zoning regulations applicable to the subject property;
 - (5) The application is in conformance with the subdivision regulations.
 - (6) Executed sufficient financial guarantee (bond) of public improvements and construction and acceptance of drainage improvements.
- c. *Decision.* Within 30 days of the date of application the Manager shall notify the applicant in writing of one of the following actions:
 - a. The application is approved in compliance with these regulations. The Manager and County Engineer shall affix their signatures and the date.
 - b. The application is not approved. The Manager shall state specifically what deficiencies exist.
- d. *Required Signatures.* Prior to submitting the record map, the applicant shall have secured the signatures of the surveyor, the owners, the mortgagor, and the local fire district chief. Following approval of the Final Plat, and subject to compliance with the Final Engineering requirements, performance bonds, or maintenance agreements, the Final Plat shall be circulated for the signatures of the County Engineer and the Planning Commission.
- e. *Recording.* Any approved Final Plat shall have all required signatures and be recorded in the Office of the Probate Judge of Shelby County, Alabama by the Department of Development Services prior to being effective.

3.03 STREET DESIGNS

- A. *Example Street Cross-sections.* The following are example street cross-sections. The cross-sections and standards illustrate planning and urban design concepts, and may be the basis for engineering and construction documents. The County Engineer in consultation with the Manager of the Department of Development Services may require additions or alterations to existing design elements based upon traffic and transportation analysis, and subject to the appropriate context and applicability of each street type.

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| NEIGHBORHOOD STREET - CONVENTIONAL | |
|---|--|
| EXAMPLE PLAN AND CROSS-SECTION | |
| MINIMUM ROW WIDTH | 60' (LOCAL) (Shown above) 62' (COLLECTOR) |
| TRAVEL LANES | 2 |
| TRAVEL LANE WIDTH | 11' (LOCAL) 12' (COLLECTOR) |
| SHOULDER | 2' landscape strip, 5' sidewalk, and 1' additional graded shoulder |
| BUFFER AREA | 2' Landscape Strip |
| PEDESTRIAN AREA* | 5' sidewalk |
| BICYCLE AREA | None (combined with vehicle flow) |
| UTILITY LOCATION | 10' U/A outside of sidewalk |
| ACCESS LIMITATION | See Lot Access standards in Article 3, 4 or 5. |
| TYPICAL FRONT YARD ** | <ul style="list-style-type: none"> • 10' – 40' lawn/setback (LOCAL) • 25' Natural Vegetation Buffer; or 40' – 100; lawn/setback (COLLECTOR) |
| APPLICABILITY | This street design is applicable for any conventional, conservation or form based application of local or collector streets. Application as a collector will require larger lot sizes. |

* See Table 6-2 for Pedestrian Facility Requirements. Where Table 6-2 requires no sidewalks, or a sidewalk on only one side, the minimum width for the pedestrian facility shall be added to the Buffer Area.

** Typical Front Yard refers only to the typical and appropriate design of the transition between the right-of-way and the private lots. Further restrictions on building location and site design may be included in other applicable zoning or subdivision regulations.

RURAL DRIVE

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| | |
|-----------------------------------|---|
| EXAMPLE PLAN AND CROSS-SECTION | |
| MINIMUM ROW WIDTH | 60' |
| TRAVEL LANES | 2 |
| TRAVEL LANE WIDTH | 9', for very low flow conditions; otherwise, greater widths may be required. |
| SHOULDER | 4' shoulder minimum |
| BUFFER AREA | 14' landscape/utility area |
| PEDESTRIAN AREA | <ul style="list-style-type: none"> • None – if alternative integrated trail system available to neighborhood; or • 4' path on one side |
| UTILITY LOCATION | 10' u/a inside r-o-w |
| ACCESS LIMITATION | See Lot Access standards in Article 3, 4, or 5. |
| TYPICAL FRONT YARD* | 25' Natural Vegetation Buffer |
| APPLICABILITY | This special street section is applicable in any development pattern or in any rural (Tier III) area of the county. It provides primary access to residential uses within the neighborhood. It may function as a collector or local street. |

* Typical Front Yard refers only to the typical and appropriate design of the transition between the right-of-way and the private lots. Further restrictions on building location and site design may be included in other applicable zoning or subdivision regulations.

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| RURAL PARKWAY | |
|---|--|
| <p>EXAMPLE PLAN AND CROSS-SECTION</p> <p>(TWO LANE WITH MEDIAN SHOWN)</p> | |
| MINIMUM ROW WIDTH | 90' – two-lane; Multi-lane – consult with County Engineer |
| TRAVEL LANES | 2 – 4 |
| TRAVEL LANE WIDTH | 12' |
| SHOULDER | 4' shoulder minimum |
| BUFFER AREA | 14' landscape strip and utility area |
| PEDESTRIAN AREA | <ul style="list-style-type: none"> None – if alternative integrated trail system available to neighborhood; otherwise, additional r-o-w may be required to provide multi-use trail or path. |
| BICYCLE FACILITY | None (combined with vehicle flow) |
| MEDIAN | 30' center median |
| UTILITY LOCATION | In buffer area |
| ACCESS LIMITATION | See Lot Access standards in Article 3, 4, or 5. |
| TYPICAL FRONT YARD* | 25' Natural Vegetation Buffer |
| APPLICABILITY | This special street section is applicable in any development pattern or in any rural (Tier III) area of the county. It provides primary access within a neighborhood or rural area as well as connections to adjacent areas. This street type is not intended for direct access. It may function as an arterial or collector street. |

* Typical Front Yard refers only to the typical and appropriate design of the transition between the right-of-way and the private lots. Further restrictions on building location and site design may be included in other applicable zoning or subdivision regulations.

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| ACCESS EASEMENT | |
|---|--|
| <p>EXAMPLE PLAN AND CROSS-SECTION</p> <p>(TWO WAY RESIDENTIAL SHOWN)</p> | |
| MINIMUM EASEMENT WIDTH | 22' (residential) 22' (commercial or mixed use) |
| TRAVEL LANES | 1 Yield lane |
| TRAVEL LANE WIDTH | 14' one-way, paved (residential) 18' two-way paved with valley gutters (commercial or mixed use) |
| SHOULDER | none |
| BUFFER AREA | 4' landscape or grassed strip |
| UTILITY LOCATION | <ul style="list-style-type: none"> • In access easement |
| ACCESS LIMITATION | none |
| APPLICABILITY | This special classification street provides rear or mid-block access to residential or non-residential uses on a block, particularly where conditions prohibit individual front-loaded access to each lot, or where non-residential areas require access to rear parking areas, loading areas, or internal service courts. |

* Typical Front Yard refers only to the typical and appropriate design of the transition between the right-of-way and the private lots. Further restrictions on building location and site design may be included in other applicable zoning or subdivision regulations.

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3.04 STREET NETWORKS, BLOCKS, AND LOTS

The following specific standards shall supplement the General Planning and Design standards in Article 6 for Street Networks, Blocks, and Lots for Conventional Subdivisions.

A. Street Networks.

1. **General Street Layout.** In the absence of a master street plan and subject to topography and anticipated future land uses, street layouts shall generally follow the location guidelines in Commentary Table 3-1: General Street Layout.

| COMMENTARY TABLE 3-1: GENERAL STREET LAYOUT | | | |
|---|------------------------------------|------------------------------------|-------------------------|
| FUNCTIONAL CLASSIFICATION | LAND SUITABILITY | | |
| | Tier I | Tier II | Tier III |
| ARTERIAL | Approximately every ¾ to 1 ¼ miles | Approximately every 1 to 2 miles | Only major County Roads |
| COLLECTOR | Approximately every 3/8 to ¾ miles | Approximately every ½ to 1 mile | As necessary |
| LOCAL | Approximately every 300' to 1,000' | Approximately every 660' to 1,320' | As necessary |

2. **Access Connectivity - Residential.** The Shelby County Comprehensive Plan clearly embraces the concept of connectivity of developments. The Shelby County Planning Commission, based upon the recommendations of the Department of Development Services and the County Engineer, may require that street connectivity be provided pursuant to the theme of the following commentary table (Table 3-2). All developments will be reviewed relative to potential street connectivity, the nature of the surrounding properties and the merits of the individual development.

| COMMENTARY TABLE 3-2: ACCESS CONNECTIVITY (RESIDENTIAL) | |
|---|---|
| NUMBER OF DWELLING UNITS | CONNECTIONS TO TRANSPORTATION SYSTEM |
| LESS THAN 200 | One connection to a major roadway |
| MORE THAN 200 | Multiple connections to transportation system may be required |

3. **Access Connectivity – Non Residential.** Access management is reviewed on a case by case basis. Generally, nonresidential developments will require two (2) accesses. However, the Department of Development Services and the County Engineer may restrict access for developments less than 5,000 square feet and may require additional access for developments more than 100,000 square feet. Such developments will be reviewed relative to access, existing and potential transportation characteristics, configuration of the surrounding properties and the merits of the individual development.
4. **Stubbed Streets.** A network of residential streets is at the core of the framework of a transportation system. In this regard, the Planning Commission wishes to ensure the appropriate provision of street stub connections to developable adjoining properties and may require such features. Stubbed streets will be available for connectivity when adjoining properties are developed. Development plans will be reviewed relative to this future connectivity, based upon the recommendations of the Department of Development Services and the County Engineer.

In general stubs shall be required according to the following:

- a. Any Collector or Arterial streets platted as part of a Conventional Subdivision shall be continued to the boundaries of the tract to be subdivided.
- b. Local streets should be stubbed to avoid long dead-end streets and complete the overall general network in subsection 1, above.
- c. All streets shall connect with any streets already platted to its boundary on adjacent property.
- d. Stub streets shall not exceed 200 feet without providing a turnaround which conforms to the cul-de-sac standards below.

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- e. All street stubs shall provide a sign at the end indicating that the street will be a future through street at the time the adjacent property is subdivided.
- 5. Cul-de-sacs.** Cul-de-sacs shall be limited as follows:
- a. Cul-de-sacs shall not exceed 1,000 feet measured from the nearest intersecting street with direct access to regional transportation network.
 - b. Circles shall terminate with a property line radius of at least fifty-five (55) feet and an outside gutter radius of at least forty (40) feet. Circles to accommodate school buses or other large vehicles may be required and shall terminate with a property line radius of at least sixty-six (66) feet and outside gutter radius of at least fifty (50) feet.
 - c. Where a center island is desired, design should be submitted and approved by the County Engineer.
- 6. Exceptions.** Exceptions to the Street Network standards may be approved based on the following criteria:
- a. An alternative to the Street Network standards in this section would better preserve prominent topographical or natural features.
 - b. Predominant transportation patterns or other obstructions would make connectivity according to these standards inappropriate based on sound planning principles.
 - c. All feasible alternatives that provide better connectivity and minimize cul-de-sacs and cul-de-sac lengths have been explored.
 - d. Wherever exceptions to the Street Network standards are granted, the Planning Commission may require alternative means of connections for pedestrians or bicycles at more frequent intervals than is provided by the proposed street network.
 - e. Wherever exceptions to the Street Network standards are granted, the Planning Commission may further limit the development intensity in the specific area impacted, beyond the base tier established by the land suitability for the entire parcel, in order to implement sound planning practices and promote the public health, safety, and welfare.
 - f. Any alternative layout that does not impair the ability of potential future development on adjacent property.
 - g. Any such exception that does not undermine the goals and policies of the Comprehensive Plan.
- B. Block Standards.** The Shelby County Comprehensive Plan recognizes that the traditional block arrangement is a more efficient, concentrated form of development that builds community character. The Shelby County Planning Commission, based upon the recommendations of the Department of Development Services and the County Engineer, may require traditional block standards depending on traffic demand, need for pedestrian mobility, topographic and other natural conditions, and the existing street systems of existing developments, among other factors.

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Commentary

All blocks should be platted to have sufficient width to provide for two tiers of lots. Single tier blocks, blocks with double frontage lots, or blocks where lots back up to any classification of street may not be permitted.

1. Residential Blocks.

- a. Lots may back up to an open space meeting the design standards in Article 6, Section 6.03. if the design character and function of adjacent streets dictate that platted lots should not front on the street. The most appropriate design for this open space is typically a Greenway, Natural Preserve, or designated buffer.
- b. Blocks that border on the parcel boundary, and where the second tier of lots will be platted at that boundary in a future phase or plat, should not exceed 1000 feet long. Stubbed side streets should be provided at least every 1000 feet to avoid excessively large blocks resulting from future subdivisions.

2. Non-Residential Blocks.

Where non-residential subdivisions would create any lot or parcel greater than 5 acres

- C. **Lot Standards.** In addition to any lot standards specified in the General Planning and Design standards of Article 6, or as specified in the *Shelby County Zoning Regulations*, individual lot standards are as follows:

| TABLE 3-4: RESIDENTIAL LOT STANDARDS | |
|--------------------------------------|------------------------------------|
| LAND SUITABILITY | MINIMUM LOT SIZE PER DWELLING UNIT |
| TIER I | ¼ acre |
| TIER II | 1.5 acres |
| TIER III | 5 acres |

| TABLE 3-5: NON-RESIDENTIAL LOT STANDARDS | |
|--|------------------|
| LAND SUITABILITY | MINIMUM LOT SIZE |
| TIER I | ¼ acre |
| TIER II | ½ acre |
| TIER III | 1 acre |

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- D. Lot Access Limitations.** In addition to any lot access limitations based on the specific Street Design Types in the General Planning and Design standards of Article 6, or as specified in the *Shelby County Zoning Regulations*, the Department of Development Services and the County Engineer may limit individual residential lot access and may additionally utilize AASHTO standards identified in *A Policy on Geometric Design of Highways and Streets, 5th Edition*, American Association of State Highway and Transportation Officials (AASHTO, "Green Book").
- 1. Corner Lots in Residential Subdivisions.** Corner lots shall contain 25 percent more lot area than interior lots for the purpose of guaranteeing sufficient lot width for safe access. Furthermore, corner lots shall access from the minor street near the property line most distant from the intersection.
 - 2. Non-residential Access.** Access to non-residential properties will require individual approval by the County Engineer.
- E. Failure to Comply.** Construction shall not commence on any improvement until engineering drawings have been approved by the County Engineer. Construction must be performed in a workmanlike manner, in conformance with approved engineering drawings, to the usual construction tolerances. Failure to comply may prevent recording of the final plat and the transfer of lots.

3.05 OPEN SPACE

- A.** Neighborhood recreational spaces required at 200 square feet per dwelling unit, for all conventional subdivisions containing 20,000 sq. ft. lots and smaller. Eighty percent (80%) of all dwelling units in the subdivision must be located within approximately ¼ of a mile of usable open space, measured by the most direct dedicated public or private pedestrian connection. Nearby public parks, with appropriate pedestrian connections, will be recognized as usable open space.

ARTICLE 4. CONSERVATION SUBDIVISION STANDARDS

- 4.01 CONSERVATION SUBDIVISION INTENT AND APPLICABILITY
 - 4.02 CONSERVATION SUBDIVISION PROCEDURES
 - 4.03 OPEN SPACE
 - 4.04 STREET DESIGNS
 - 4.05 STREET NETWORKS, BLOCKS, LOTS
-

4.01 CONSERVATION SUBDIVISION INTENT AND APPLICABILITY

A. Intent

A Conservation Subdivision, not a part of a form based development, provides incentives for the preservation of key natural resources in public or private protection and ensures development patterns that preserve and enhance the natural features and open spaces on the land.

B. Applicability

The Conservation Subdivision option is available in all qualifying areas of the County, pursuant to Article 2. The applicant must comply with all other applicable regulations, unless superseded by the provisions of this Article. A Conservation Subdivision shall include a minimum of 20 acres, or as otherwise determined by the Planning Commission.

4.02 CONSERVATION SUBDIVISION PROCEDURES

A Conservation Subdivision shall follow the procedures of a conventional subdivision.

A. Pre-Application and Submittal Conferences Required

A pre-application conference is **required** for all Conservation Subdivisions. Additionally, a Submittal Conference is **required** prior to acceptance of any application for a Conservation Subdivision. The purpose of this conference will be to review the presence of all documents and maps required pursuant to the submittal requirements of Appendix A, as well as determine the housing density pursuant to Article 4.04 D. Applicant must contact staff to make an appointment to ensure staff availability.

B. Concept Plan. A Concept Plan shall be used to demonstrate overall and general development concepts prior to preparation of a proposal for a Conservation Subdivision. The Concept Plan shall be based upon the housing densities identified in Article 4.04.D. Housing Density Determination. Upon achieving consensus with the Department of Development Services that the Concept Plan advances the goals and objectives of the Comprehensive Plan and meets all applicable requirements herein, the applicant may proceed with the preparation of a Master Plan.

C. Master Plan Required

A Master Plan shall be required for any conservation subdivision.

D. Preliminary Plat.

1. *Official Application and Fee.* Application for a Conventional Plat shall require the submission of seven (7) copies of the maps and all other documents pursuant to **Appendix A** and a completed application to the Department of Development Services with the official filing fee identified in the County's approved schedule of fees. Only complete applications shall be accepted and scheduled for a hearing by the Shelby County Planning Commission.
2. *Notice.* Upon scheduling of the Planning Commission hearing and at least 14 days prior to said hearing, notice shall be sent by certified mail to the owner(s) of record of all abutting property by the Department of Development Services. The notice shall state the purpose of the review, indicate that the preliminary plat is on file for public review at the Department of Development Services offices during normal business hours, and that the public shall have a right to be heard at the Planning Commission review hearing, and indicate the date, time and location of the hearing. Failure of any owner to receive notice shall not invalidate the application.

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3. **Administrative Review.** The Department of Development Services will distribute the maps and other documents to the Planning Commission, the Highway Department, the Department of Environmental Services, Water and Sewer Services, the appropriate Fire District, the Board of Education and retain one copy in the Department's office for distribution to staff. The Department of Development Services shall review all complete applications for a Preliminary Plat according to the following criteria:
 - (a) The proposed land division is in accordance with the general development characteristics and policies of the Comprehensive Plan, and any other plan or program of the County adopted under the general guidance of the Comprehensive Plan; and
 - (b) The proposed land division is consistent with the general development patterns of the area, so that it will not unduly or adversely affect current and future planned development opportunities on adjacent land; and
 - (c) All parcels, including any proposed development, are in conformance with any zoning regulations applicable to the subject property; and
 - (d) The application is in conformance with the subdivision regulations; and
 - (e) All proposed lots will have adequate water and wastewater facilities. Shelby County makes no representation that any lot eligible for approval by the Alabama Department of Public Health for a septic tank will be approved; and
 - (f) The application is in conformance with any approved development plans.

4. **Official Report.** Prior to the hearing, the Department of Development Services shall compile the comments of all reviewing agencies as a formal report on the application to the Planning Commission prior to the Planning Commission hearing, with one copy provided to the applicant. The report shall analyze the application with respect to the planning and design standards, specific subdivision standards, and the technical standards of these regulations, and policies and procedures of the Planning Commission. The report may make a recommendation to the Planning Commission regarding their decision.

5. **Additional Studies.** After review further studies or technical reports, such as traffic, drainage calculations, flood hazards, soil suitability for on site septic, or wetland delineation, necessary for the Planning Commission to assess the application may be required. Any request shall establish a reasonable deadline for submission of this information.

6. **Planning Commission Review.** The Planning Commission shall hear a formal presentation by both the Department of Development Services and the Applicant. The Planning Commission shall accept public testimony from all persons who desire to be heard in favor of or in opposition to specific compliance of the application with these regulations. The Planning Commission shall deliberate the application according to the following criteria:
 - (a) The proposed land division is in accordance with the general development characteristics and policies of the Comprehensive Plan, and any other plan or program of the County adopted under the general guidance of the Comprehensive Plan;
 - (b) The proposed Land Suitability Tier associated with the parcel is accurate and acceptable based on the criteria in these regulations;
 - (c) The proposed division is in accordance with the general development patterns and character of the vicinity in which it is located;
 - (d) Any phasing of the subdivision and the schedule for development of final plats is clearly indicated and demonstrates a logical and well-planned development pattern.
 - (e) The proposed land division is not contrary to the public health, safety, and welfare;
 - (f) All parcels, including any proposed development, are in conformance with any zoning regulations applicable to or proposed for the subject property;
 - (g) Any impacts, modifications, conditions or mitigation identified or recommended in specific studies or technical reports associated with the application;
 - (h) The plat is designed in compliance with regard to all other governmental regulations, (e.g. zoning, flood plains, etc.), which may impact development of the land and the applicant has secured all necessary approvals from other public agencies.

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7. *Decision.* At the hearing, the Planning Commission shall take one of the following actions:
 - (a) Approve the application for a Preliminary Plat.
 - (b) Approve the application for a Preliminary Plat with conditions. The approval shall specifically state the conditions of the Planning Commission approval, which shall then become a requirement of the Final Plat. Any waivers or modifications requested by the applicant at the time of application shall be specifically stated as conditions;
 - (c) The application may be continued to another regularly scheduled Planning Commission meeting. A continuance shall only be made on the grounds for the need of additional information or the need for further technical studies which bring into question the ability of the application to meet all requirements of these regulations. The continuance shall specifically state what additional information is required of the applicant at the continued hearing. No Preliminary Plat shall be continued more than twice;
 - (e) A case may be Tabled when an applicant fails to appear to present a case or when a complete resubmission of an alternative design of the subdivision is necessary, suggested or required by the Planning Commission.
 - (f) Deny the application, specifically stating the grounds for denial.

8. *Appeal.* If the Planning Commission does not approve the application, the applicant may appeal the decision to the Planning Review Board or to the court of appropriate jurisdiction. The purpose of the Review Board is to determine if there is sufficient reason to request that the Planning Commission reconsider its earlier decision.

9. *Effect of Approval.* Approval of a Preliminary Plat shall not be deemed final acceptance of any plan, improvements, or development proposals. This approval is authorization to proceed with the staking of streets and lots in preparation for improvements. Upon approval, the applicant shall provide the following before commencing any construction:
 - (a) No grading or clearing may commence prior to the approval of the preliminary plat. In the event that an applicant violates this provision, no development approvals will be issued until all site violations have been remedied. Development approvals include, but are not limited to, building permits, building inspections, Certificates of Occupancy, site plan approvals, subdivision approvals, and zoning approvals.
 - (b) Required Improvements. The applicant shall design all required improvements pursuant to the standards contained within these regulations.
 - (c) Final Engineering. Detailed construction plans, engineering calculations, and estimates shall be prepared, by an engineer licensed to practice engineering in the State of Alabama, in accordance with the approved preliminary plat, the required improvements and specifications in the standards contained within these regulations. These plans shall be presented to the County Engineer for review, supported by analysis, and engineering calculations. Construction plans shall be approved by the County Engineer in writing.
 - (d) No construction of any improvements, clearing, or grading may commence prior to the approval by the County Engineer of all engineering and detailed construction plans. Applicant must notify the County Engineer at least 48 hours in advance of commencement of construction or to request an inspection of such work.
 - (e) Construction shall not commence on any improvement until engineering drawings have been approved by the County Engineer. Construction must be performed in a workmanlike manner, in conformance with approved engineering drawings, to the usual construction tolerances. Failure to comply may prevent recording of the final plat and the transfer of lots.

10. *Deviations from the Preliminary Plat.* Any deviations proposed from the approved Preliminary Plat shall be submitted in writing and may only be approved according to the following criteria:
 - (a) They are minor deviations that do not impact the number or relationship of lots within the plat, the streets and public facilities within the plat, or any property outside of the plat including its future development potential.
 - (b) Any deviation is the minimum deviation necessary to fulfill the development concept approved in the approved Preliminary Plat,
 - (c) The need for the deviations is due to physical circumstances that could not have been reasonably discovered at the time of the Preliminary Plat;

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- (d) The deviations result in no material change in the development concept approved in the Preliminary Plat;
- (e) The Final Plat shall be in conformance with all other criteria for approval and all other provisions of these regulations.

11. *Expiration of Preliminary Plat Approval.* Approval of the Preliminary Plat shall be effective for a period of two years following the date of the Resolution of the Shelby County Planning Commission approval. Upon expiration of Preliminary Plat approval, Final Plat approval may not be given until a new Preliminary Plat has been submitted and approved. However, the Planning Commission may grant an extension up to one additional year if it determines that re-review of a lapsed Preliminary Plat is not necessary.

E. Final Plat.

1. *Official Application and Fee.* Application for approval of a Final Plat shall require the submission of four (4) copies of the Final Plat and a complete application pursuant to the requirements of **Appendix A** to the Department of Development Services with the official filing fee identified in the County's approved schedule of fees.
2. *Administrative Review.* The Department of Development Services, in coordination with the County Engineer, Water and Sewer Services, and the Department of Environmental Services shall review all complete applications for a Final Plat according to the following criteria:
 - (a) The proposed land division is consistent with an approved preliminary plat, including the satisfaction of any specific conditions for approval of a Preliminary Plat.
 - (b) The proposed land division is in accordance with the general development characteristics and policies of the Comprehensive Plan, and any other plan or program of the County adopted under the general guidance of the Comprehensive Plan;
 - (c) The proposed land division is consistent with the general development patterns of the area, so that it will not unduly and adversely affect current and future planned development opportunities on adjacent land;
 - (d) All parcels are in conformance with any zoning regulations applicable to the subject property;
 - (e) The application is in conformance with the subdivision regulations.
 - (f) Executed sufficient financial guarantee (bond) of public improvements and construction and acceptance of drainage improvements.
3. *Decision.* Within 30 days of the date of application the Manager shall notify the applicant in writing of one of the following actions:
 - (a) The application is approved in compliance with these regulations. The Manager and County Engineer shall affix their signatures and the date.
 - (b) The application is not approved. The Manager shall state specifically what deficiencies exist.
4. *Required Signatures.* Prior to submitting the record map, the applicant shall have secured the signatures of the surveyor, the owners, the mortgagor, and the local fire district chief. Following approval of the Final Plat, and subject to compliance with the Final Engineering requirements, performance bonds, or maintenance agreements, the Final Plat shall be circulated for the signatures of the County Engineer and the Planning Commission.
5. *Recording.* Any approved Final Plat shall have all required signatures and be recorded in the Office of the Probate Judge of Shelby County, Alabama, by the Department of Development Services prior to being effective.

D. Density Calculations

The density of any proposed Conservation Subdivision shall require that the applicant validate the number of lots in one of two methods. The calculation shall either be based upon the area of the subject property and the minimum required lot size of the applicable zoning category or the submission of a Yield Plan. Lot calculations must be reviewed and approved prior to making application for the review of a preliminary plat.

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4.03 STREET DESIGNS

- A. **Example Street Cross-sections.** The following are example street cross-sections. The cross-sections and standards illustrate planning and urban design concepts, and upon approval by the County Engineer may be the basis for engineering and construction documents. The County Engineer reserves the right to alter the design elements or require additional design elements based on traffic and transportation analysis, and subject to the appropriate context and applicability of each street type.

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| NEIGHBORHOOD STREET | |
|--------------------------------|--|
| EXAMPLE PLAN AND CROSS-SECTION | |
| MINIMUM ROW WIDTH | 60' (LOCAL) (Shown above) 62' (COLLECTOR) |
| TRAVEL LANES | 2 |
| TRAVEL LANE WIDTH | 11' (LOCAL) 12' (COLLECTOR) |
| SHOULDER | 2' landscape strip, 5' sidewalk, and 1' additional graded shoulder |
| BUFFER AREA | 2' Landscape Strip |
| PEDESTRIAN AREA* | 5' sidewalk |
| BICYCLE AREA | None (combined with vehicle flow) |
| UTILITY LOCATION | 10' U/A outside of sidewalk |
| ACCESS LIMITATION | See Lot Access standards in Article 3, 4 or 5. |
| TYPICAL FRONT YARD** | <ul style="list-style-type: none"> • 10' – 40' lawn/setback (LOCAL) • 25' Natural Vegetation Buffer; or 40' – 100; lawn/setback (COLLECTOR) |
| APPLICABILITY | This street design is applicable for any conventional, conservation or form based application of local or collector streets. Application as a collector will require larger lot sizes. |

* See Table 6-2 for Pedestrian Facility Requirements. Where Table 6-2 requires no sidewalks, or a sidewalk on only one side, the minimum width for the pedestrian facility shall be added to the Buffer Area.

** Typical Front Yard refers only to the typical and appropriate design of the transition between the right-of-way and the private lots. Further restrictions on building location and site design may be included in other applicable zoning or subdivision regulations.

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| RURAL DRIVE | |
|--------------------------------|---|
| EXAMPLE PLAN AND CROSS-SECTION | |
| MINIMUM ROW WIDTH | 60' |
| TRAVEL LANES | 2 |
| TRAVEL LANE WIDTH | 9', for very low flow conditions; otherwise, greater widths may be required. |
| SHOULDER | 4' shoulder minimum |
| BUFFER AREA | 14' landscape/utility area |
| PEDESTRIAN AREA | <ul style="list-style-type: none"> • None – if alternative integrated trail system available to neighborhood; or • 4' path on one side |
| UTILITY LOCATION | 10' u/a inside r-o-w |
| ACCESS LIMITATION | See Lot Access standards in Article 3, 4, or 5. |
| TYPICAL FRONT YARD* | 25' Natural Vegetation Buffer |
| APPLICABILITY | This special street section is applicable in any Conservation development pattern or in any rural (Tier III) area of the county. It provides primary access residential uses within the neighborhood. It may function as a collector or local street. |

* Typical Front Yard refers only to the typical and appropriate design of the transition between the right-of-way and the private lots. Further restrictions on building location and site design may be included in other applicable zoning or subdivision regulations.

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| RURAL PARKWAY | |
|---|---|
| <p>EXAMPLE PLAN AND CROSS-SECTION</p> <p>(TWO LANE WITH MEDIAN SHOWN)</p> | |
| MINIMUM ROW WIDTH | 90' – two-lane; Multi-lane – consult with County Engineer |
| TRAVEL LANES | 2 – 4 |
| TRAVEL LANE WIDTH | 12' |
| SHOULDER | 4' shoulder minimum |
| BUFFER AREA | 14' landscape strip and utility area |
| PEDESTRIAN AREA | <ul style="list-style-type: none"> • None – if alternative integrated trail system available to neighborhood; otherwise, additional r-o-w may be required to provide multi-use trail or path. |
| BICYCLE FACILITY | None (combined with vehicle flow) |
| MEDIAN | 30' center median |
| UTILITY LOCATION | In buffer area |
| ACCESS LIMITATION | See Lot Access standards in Article 3, 4, or 5. |
| TYPICAL FRONT YARD* | 25' Natural Vegetation Buffer |
| APPLICABILITY | This special street section is applicable in any Conservation development pattern or in any rural (Tier III) area of the county. It provides primary access within a neighborhood or rural area as well as connections to adjacent areas. This street type is not intended for direct access. It may function as an arterial or collector street. |

* Typical Front Yard refers only to the typical and appropriate design of the transition between the right-of-way and the private lots. Further restrictions on building location and site design may be included in other applicable zoning or subdivision regulations.

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| ACCESS EASEMENT | |
|--|---|
| <p>EXAMPLE PLAN AND CROSS-SECTION</p> <p>(TWO WAY RESIDENTIAL SHOWN)</p> | |
| MINIMUM EASEMENT WIDTH | 22' (residential) 22' (commercial or mixed use) |
| TRAVEL LANES | 1 Yield lane |
| TRAVEL LANE WIDTH | 14' one-way, paved (residential) 18' two-way paved with valley gutters (commercial or mixed use) |
| SHOULDER | none |
| BUFFER AREA | 4' landscape or grassed strip |
| UTILITY LOCATION | In access easement |
| ACCESS LIMITATION | None |
| APPLICABILITY | This special classification street provides rear or mid-block access to residential or non-residential uses on a block, particularly where the Access Limitation standards prohibit individual front-loaded access to each lot, or where non-residential areas require access to rear parking areas, loading areas, or internal service courts. |

* Typical Front Yard refers only to the typical and appropriate design of the transition between the right-of-way and the private lots. Further restrictions on building location and site design may be included in other applicable zoning or subdivision regulations.

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4.04 STREET NETWORK, BLOCKS, LOTS

A. Street Networks.

1. **General Street Layout.** The streets and lot layouts shall be designed and located in a manner that maintains and preserves the natural topography, involves the least practical amount of grading, shortens road lengths and lot frontages, and minimizes any other disturbances of land and natural features.
1. **Access Connectivity - Residential.** The Shelby County Comprehensive Plan clearly embraces the concept of connectivity of developments. The Shelby County Planning Commission, based upon the recommendations of the Department of Development Services and the County Engineer, may require that street connectivity be provided pursuant to the theme of the following commentary table (Table 4-1). All developments will be reviewed relative to potential street connectivity, the nature of the surrounding properties and the merits of the individual development.

| COMMENTARY TABLE 4-1: ACCESS CONNECTIVITY (RESIDENTIAL) | |
|--|---|
| NUMBER OF DWELLING UNITS | CONNECTIONS TO TRANSPORTATION SYSTEM |
| LESS THAN 200 | One connection to a major roadway |
| MORE THAN 200 | Multiple connections to transportation system may be required |

2. **Access Connectivity – Non Residential.** Access management is reviewed on a case by case basis. Generally, nonresidential developments will require two (2) accesses. However, the Department of Development Services and the County Engineer may restrict access for developments less than 5,000 square feet and may require additional access for developments more than 100,000 square feet. Such developments will be reviewed relative to access, existing and potential transportation characteristics, configuration of the surrounding properties and the merits of the individual development.
4. **Stubbed Streets.** A network of residential streets is at the core of the framework of a transportation system. In this regard, the Planning Commission wishes to ensure the appropriate provision of street stub connections to developable adjoining properties and may require such features. Stubbed streets will be available for connectivity when adjoining properties are developed. Development plans will be reviewed relative to this future connectivity, based upon the recommendations of the Department of Development Services and the County Engineer.

In general, stubs shall be required according to the following:

- a. Any Collector or Arterial streets platted as part of a Conservation Subdivision shall be continued to the boundaries of the tract to be subdivided.
 - b. Local streets should be stubbed to avoid long dead-end streets and complete the overall general network in subsection 1, above.
 - c. All streets shall connect with any streets already platted to its boundary on adjacent property.
 - d. Stub streets shall not exceed 200 feet without providing a turnaround which conforms to the cul-de-sac standards below.
 - e. All street stubs shall provide a sign at the end indicating that the street will be a future through street at the time the adjacent property is subdivided.
5. **Cul-de-sacs.** Cul-de-sacs shall be limited as follows:
 - a. Cul-de-sacs shall not exceed 1,000 feet measured from the nearest intersecting street with direct access to the regional transportation network.
 - b. Circles shall terminate with a property line radius of at least fifty-five (55) feet and an outside gutter radius of at least forty (40) feet. Circles to accommodate school buses or other large vehicles may be required and shall terminate with a property line radius of at least sixty-six (66) feet and outside gutter radius of at least fifty (50) feet.
 - c. Where a center island is desired, design should be submitted and approved by the County Engineer.

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- 6. Exceptions.** Exceptions to the street stub and cul-de-sac requirements may be approved to preserve prominent topographical or natural features, based on the following criteria:
- a. Construction of the connection or alternative layouts that do not require long cul-de-sacs are unfeasible and would result in substantial additional construction costs to cross the natural feature.
 - b. The topographical or natural feature qualifies as a Conservation Area according to this Article and is being preserved on the plat.

- B. Block Standards.** All residential lots and dwellings shall be grouped into clusters. Each cluster shall contain no more than the number of dwelling units specified in Table 4-2.

| TABLE 4-2: MAXIMUM CLUSTER SIZE | |
|---------------------------------|----------------------|
| LAND SUITABILITY | MAXIMUM CLUSTER SIZE |
| Tier I | 25 dwelling units |
| Tier II | 20 dwelling units |
| Tier III | 15 dwelling units |

Conservation Subdivisions may include more than one residential cluster, provided that each cluster shall be separated by a buffer or Conservation Area. The buffer between clusters shall be at least 200 feet wide and include no disturbed areas of land other than streets or pedestrian trails.

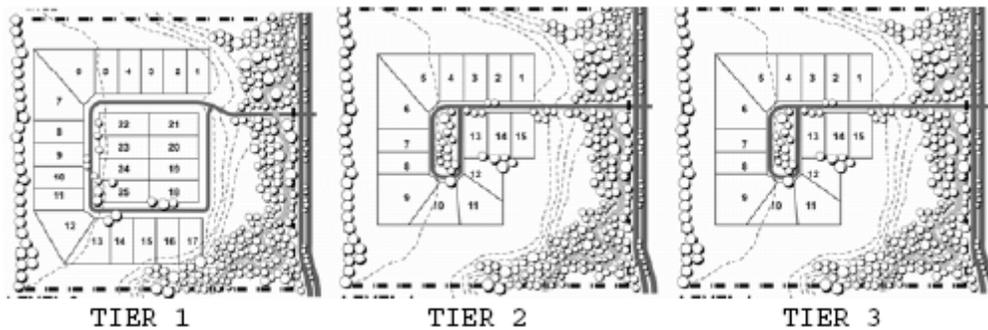


Figure 4-2. Maximum cluster sizes impact the perceived intensity of the development and should vary depending on the Land Suitability Level.

- C. Lot Standards.** There shall be no minimum lot size for Conservation Subdivisions. Conservation Subdivisions shall be allowed to vary the lot sizes on the developed parcel in order to fit the same number of units on the developed parcel as would have been allowed on the original parcel under the conventional Subdivision Standards, or the zoning for the parcel where applicable, while still preserving significant land areas. The development yield of a parcel shall be based on a housing density determination in Articles 3, 4, and 5.

Lots shall be configured so that buildable portions of each lot are located in the area that causes the least disturbance during construction activity. In addition to the required preserved areas, the largest amount of area possible on each lot shall be kept in or restored to its natural vegetative state.

- D. Housing Density Determination.** In zoned areas, the maximum number of lots in the Conservation Subdivision shall be determined by either of the following two methods, at the discretion of the applicant. In unzoned areas, the conventional yield plan shall be used.
1. **Calculation:** The maximum number of lots in zoned areas is determined by dividing the area of the tract of land by the minimum lot size specified in the underlying zoning. In unzoned areas, the maximum number of lots is determined pursuant to Table 2.7.
 2. **Yield Plan:** The maximum number of lots is based on a conventional subdivision design plan, prepared by the applicant, in which the tract of land is subdivided in a manner intended to yield the highest

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number of lots reasonably possible. The plan does not have to meet formal requirements for a site design plan, but the design must be capable of being constructed given site features and all applicable regulations.

- E. **Density Bonus.** If the applicant proposes to conserve more than 50 percent of the total property, additional density bonuses may be granted based upon the recommendation of the staff and approval by the Planning Commission.

4.05 OPEN SPACE

- A. **Minimum Open Space.** The Conservation Subdivision Standards requires that a minimum of 20 percent of the original parcel be preserved from development.

- B. **Conservation Area Criteria.** All Conservation Areas shall meet the following criteria:

1. All portions of the Conservation Area shall have significant natural features or habitats worthy of preservation for environmental, aesthetic and recreation benefits. Areas of the development site that best meet these criteria shall be preserved from development and take priority in determining the best layout for the site.
2. Up to 50% of the conservation area may be land that is undevelopable due to other laws or ordinances.
3. The Conservation Area shall be contiguous, based upon consistent and substantial linkages of natural systems. While a Conservation Subdivision may involve more than one preserved area, no single contiguous Conservation Area shall be less than five acres or 15 percent of the site, whichever is greater.
4. Thin bands of preserved areas shall be avoided to prevent erosion through "edge conditions." Areas less than 100-feet wide shall be excluded from the Conservation Area calculations.
5. All lots shall be within 300 feet of the Conservation Area as measured by the most direct pedestrian connection or shall directly abut the Conservation Area.
6. The Conservation Area shall be usable and accessible by residents; however, trails or other accessories should be designed to avoid fragmenting Conservation Areas and to minimize impact on Conservation Areas.
7. The Conservation Area may be designated for assignment and management by a common ownership association of current and future lot owners or dedicated to the County subject to the County acceptance in its sole discretion. The County may approve the assignment of the preserved area to another public or non-profit entity in its sole discretion.

- C. **Primary Conservation Area Elements.** The following are considered Primary Conservation Area Elements and are required to be included within the Open Space, unless the Applicant demonstrates that this provision would constitute an unusual hardship and be counter to the purposes of this article:

1. The 100-year floodplain;
2. Stream buffers as required in Article 6, Section 6.05 ;
3. Slopes of 25 percent or greater and of at least 5,000 square feet contiguous area;
4. Wetlands that meet the definition used by the Army Corps of Engineers pursuant to the Clean Water Act;
5. Populations of endangered or threatened species, or habitat for such species;
6. Archaeological sites, important historic sites, cemeteries and burial grounds;
7. Other significant natural features and scenic viewsheds such as ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads.

- D. **Secondary Conservation Area Elements.** The following are considered Secondary Conservation Area Elements and should be included within the Open Space to the maximum extent feasible.

1. Existing healthy, native forests of at least one acre contiguous area;
2. Individual existing healthy trees greater than 8 inches caliper, as measured at breast height (4'6" from ground).
3. Prime agricultural lands of at least ten acres contiguous area;
4. Existing trails that connect the tract to neighboring areas.

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E. Uses of Conservation Area.

1. Permitted Uses. Uses of Conservation Areas may include the following:

- a. Conservation of natural, archeological or historical resources;
- b. Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;
- c. Walking or bicycle trails, provided they are constructed of porous paving materials;
- d. Passive recreation areas, such as open fields;
- e. Active recreation areas, including golf courses, provided that they are limited to no more than 50% of the total Conservation Area and are not located within Primary Conservation Areas. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the protected Conservation Area.
- f. Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, and such activities are not conducted within Primary Conservation Areas;
- g. Landscaped storm water management facilities, community wastewater disposal systems and individual wastewater disposal systems located on soils particularly suited to such uses. Such facilities shall be located outside of Primary Conservation Areas;
- h. Easements for drainage, access, and underground utility lines;
- i. Other conservation-oriented uses compatible with the purposes of this ordinance.

2. Prohibited Uses. Uses of Conservation Areas shall not include the following:

- a. Roads, parking lots and impervious surfaces, except as specifically authorized in the previous sections;
- b. Agricultural and forestry activities not conducted according to accepted Best Management Practices;
- c. Other activities as determined by the Applicant and recorded on the legal instrument providing for permanent protection.

F. Legal Restrictions.

1. Permanent Conservation. Designation, dedication of other legal restrictions on future development of the preserved property in perpetuity shall be filed with the plat for any proposed Conservation Subdivision.

2. Management Plan. A detailed ownership and management plan for the preserved area shall be filed with the plat for any proposed Conservation Subdivision. The plan shall:

- a. Identify the owner, entity responsible for maintenance, and long-term funding strategies such as homeowner's fees or assessments.
- b. Demonstrate the financial feasibility of the ownership and maintenance program.
- c. Specify guidelines for how the maintenance of the Conservation Area, and any facilities eligible for location in the Conservation Area will occur.
- d. Include cost estimates for maintenance, including staffing, operation, or insurance costs, if any.
- e. Identify a board and procedures for oversight of and enforcement of the Management Plan.

3. Ownership and Management. Options for ownership and management of preserved area include:

- a. Dedication to the County or other public entity subject to acceptance by and at the sole discretion of the County or other public entity.
- b. Creation of or dedication to a non-profit entity capable of carrying out the ownership and management plan.
- c. Creation of a Homeowners and/or Leaseholders Association capable of carrying out the ownership and management plan.
- d. Establishment of an endowment where the principal generates sufficient annual interest to cover the yearly costs of ownership and maintenance of the preserved area.
- e. Dedication to a private or not-for-profit entity such as a land trust or similar conservation-oriented organization with the legal authority and financial capacity to accept such dedications.
- f. Dedication of a conservation easement on the Conservation Area to any of the above entities with a right of enforcement in favor of Shelby County stated in the easement.

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- g. Any management organization shall be bona fide and in perpetual existence and the conveyance instrument shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its function.
- 4. **Right of Enforcement.** In the event the party responsible for maintenance of the Open Space fails to maintain all or any portion in reasonable order and condition according to the Management Plan, Shelby County may assume responsibility for its maintenance and may enter the premises and take corrective action, including provision of extended maintenance. The cost of sub maintenance may be charged to the Management Entity, or the individual property owners according to their pro-rata share based on the Management Plan. Costs may include administrative costs in taking such actions as well as penalties as provided under these regulations. Such costs shall become a lien on all subdivision properties.
- 5. **County Review.** The legal restrictions and ownership and management plan shall be subject to review and approval by the County Attorney.

Commentary. *Conservation subdivisions provide at least two development incentives in exchange for the permanent preservation of open space. First, the conventional lot sizes required of subdivisions is not required, and blocks and lots can be laid out in the most efficient manner, saving on roads, utilities, and other development costs by “clustering” the developed portion of the site. Second, these regulations provide a “density bonus” for development – above what would be permitted under conventional regulations.*

ARTICLE 5. FORM-BASED SUBDIVISION STANDARDS

| | |
|------|---|
| 5.01 | FORM-BASED SUBDIVISION INTENT AND APPLICABILITY |
| 5.02 | FORM-BASED SUBDIVISION PROCEDURES |
| 5.03 | STREET DESIGNS |
| 5.04 | STREET NETWORKS, BLOCKS, LOTS |
| 5.05 | OPEN SPACE |

5.01 FORM-BASED SUBDIVISION INTENT AND APPLICABILITY

A. Intent

Form-Based Developments (FBD) implement the “Communities of Place” concept of the County Comprehensive Plan, with more intensely developed “Cores” and “Focus Areas”, and less-intensely developed “Transition Areas” and “Rural Areas.”

B. Applicability

The FBD process is intended to add flexibility to allow innovation in development applications that better advance the goals and policies of the County Comprehensive Plan. New development proposals utilizing the FBD process must:

1. Involve 20 acres or more; and,
2. Include at least a Core Area and a Focus Area; and,
3. Apply multiple uses under a single integrated development.
4. In zoned areas, the application will include a concurrent rezoning request to the Plan Implementation District (PID) during the Regulating Plan approval process.

Alternatively, the above requirements may be waived for developments proposed as an extension of an established FBD Regulating Plan. If applicable, such application will include a concurrent request for PID designation pursuant to the established FBD Regulating Plan.

5.02 FORM-BASED SUBDIVISION PROCEDURES

A. Concept Plan. A Concept Plan shall be used to demonstrate overall and general development concepts prior to preparation of a detailed FBD proposal. The Concept Plan shall be developed in concurrence with a working group that includes the Department of Development Services (DDS) staff and members of the Shelby County Planning Commission. Upon achieving consensus that the Concept Plan advances the goals and objectives of the Comprehensive Plan and meets all applicable requirements, the applicant may proceed with the preparation of a Master Plan.

B. Master Plan. The Master Plan shall be developed with considerable community input/involvement and demonstrate compliance with the goals and objectives of the Comprehensive Plan. It is at this point where the land suitability of the subject property identifies meeting the intent of the Comprehensive Plan and the regulations of this Article. In particular, the location must demonstrate that it satisfies street and block framework upon which the Regulating Plan is to be created. Therefore, the Master Plan must include enough engineering, particularly with respect to topography, to determine the feasibility of the proposed FBD. The Master Plan shall be reviewed by the Planning Commission; its approval shall initiate the Regulating Plan process.

1. **Applicability.** The Master Plan shall illustrate through maps and documentation, the physical and functional interrelationships among the various uses and activities of the proposed FBD. The Master Plan shall serve as the framework for development of the FBD Regulating Plan.
2. **Eligibility.** A Master Plan may be prepared by an applicant, or the County on its own initiative, with the consent and participation of all property owners within the plan area.
3. **Public Input.** A Master Plan shall be developed through an intensive planning and design process applicable to the scope and scale of the proposed project. This process shall include such open

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meetings, dialogues and/or design sessions necessary to sufficiently address the planning and design aspects and impacts of the project. The number of public meetings shall be based upon the scope and scale of the project and its impacts on the surrounding community, as determined at approval of the Concept Plan. Notice of all public sessions shall be given in a manner consistent with the scope of the proposed project, at the expense of the applicant. The open public sessions shall at a minimum address the following topics specifically:

- a. Issues and Goals for the project consistent with the Comprehensive Plan;
 - b. Establishment of the street and block network upon which the regulating plan is to be created;
 - c. Land Use, Transportation, and Community Design alternatives identifying the forms of development within the specific areas of the project, including design of and relationships between buildings, open spaces, utilities, rights-of-way or other public spaces, or any other element of the development site.
4. **Review Process.** The Master Plan shall be officially reviewed and approved by the Planning Commission.
5. **Effect of Approval.** The Master Plan shall establish the general form of the proposed development and direct the preparation of the Regulating Plan.
- C. Regulating Plan.** A Regulating Plan shall be used to set all standards for development. It shall be accompanied by all plans, maps, codes and guidelines necessary for implementation.
1. **Applicability.** Subsequent to approval of the Master Plan by the Planning Commission, the applicant may proceed with the development of the Regulating Plan. In addition to all submittal requirements identified in Appendix A, a Regulating Plan shall:
 - a. Include a narrative statement on how and why the Regulating Plan conforms with the Comprehensive Plan, and any specific plan or program officially approved under the guidance of the Comprehensive Plan; and
 - b. Demonstrate compliance with the standards of Articles 5 & 6, or apply alternative standards that meet the goals of the Comprehensive Plan and the purpose and intent of these regulations in an equal or better manner; and
 - c. Include site development codes and architectural guidelines. These codes will establish the Zoning Regulations for the subject development through a rezoning to Plan Implementation District (PID); and
 - d. Include detailed renderings, illustrations and dimensions of typical buildings, lots and blocks; streetscapes; public, civic, and open spaces; and
 - e. Specify general or specific land uses allowed for each block, lot, or building type.
 2. **Review Criteria.** The Regulating Plan shall be reviewed subject to:
 - a. The proposed plan demonstrating compliance with the goals and objectives of the Comprehensive Plan, and any other plans or programs adopted by the County; and
 - b. The plans, elevations, regulations, codes, and development guidelines being consistent with the approved Master Plan; and
 - c. The plan meeting the purpose and intent of these regulations.
 3. **Review Process.** The Regulating Plan and concurrent rezoning to Plan Implementation District shall be officially reviewed and approved by the Planning Commission.
 4. **Effect of Approval.** Subsequent to approval of the Regulating Plan, final development plan(s) may be prepared that are consistent with the Regulating Plan. Any amendments, modifications or alterations to the approved Regulating Plan will require the review and approval of the Planning Commission. Any change proposed to the approved Regulating Plan, shall provide sufficient

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justification, including but not limited to engineering, environmental, or cultural issues, conflicts with other federal, state or local laws or regulations.

- D. Final Development Plan.** Upon approval of a Regulating Plan, any landowner may submit an application for the physical development of all or part of the planned area, consistent with the approved Regulating Plan. A Pre-application Conference is required prior to the submission of a Final Development Plan. The Final Development Plan shall include all information required in Appendix A, for review by the Department of Development Services. Within 30 days of this application, the Manager shall either approve or deny the application, based on the following criteria:
1. Compliance with the approved Regulating Plan, subject to any conditions of approval; and
 2. Consistency with all planning and design concepts, descriptive references, illustrations, and artistic renderings used in association with the Regulating Plan approval.
- E. Final Plat.** The Final Development Plan shall not be a substitute for the preparation and approval of a Final Plat. A Final Plat subject to the process and standards of Section 3.02 (B) (4) is required for all Form Based Developments. The Final Plat and the Final Development Plan may be submitted and reviewed simultaneously.

5.03 STREET DESIGNS

- A. Example Street Cross-sections.** The cross-sections and standards illustrate planning and urban design concepts, and upon approval by the County Engineer may be the basis for engineering and construction documents. The County Engineer reserves the right to require additional or alter existing design elements based on traffic and transportation analysis, and subject to the appropriate context and applicability of each street type, provided they better implement the goals and policies of the Comprehensive Plan as determined by the Department of Development Services.

Shelby County Subdivision Regulations

| BOULEVARD | |
|--|--|
| <p>EXAMPLE PLAN AND CROSS-SECTION</p> <p>(FOUR LANE NON-RESIDENTIAL SHOWN)</p> | |
| MINIMUM ROW WIDTH | 84' – Two-lane; varies with amenity zone and sidewalks 105' – Four-lane; varies with amenity zone and sidewalks |
| TRAVEL LANES | 2-4 |
| TRAVEL LANE WIDTH | 11' – 12' |
| SHOULDER | <ul style="list-style-type: none"> 15.5' behind c/g |
| BUFFER AREA | <ul style="list-style-type: none"> 4' – 8' Amenity Zone. Medium ornamental trees with a canopy height above 14' at maturity shall be placed approximately 25' – 40' on center in tree wells. Tree wells shall be at least 4' width in all directions and have at least 20 square feet of pervious surface. |
| PEDESTRIAN FACILITY | <ul style="list-style-type: none"> 9 – 15' sidewalks (including 4'-8' amenity zone) |
| BICYCLE FACILITY | <ul style="list-style-type: none"> None (combined with vehicle flow) |
| MEDIAN | 15' median landscaped with Large Canopy or Medium Ornamental trees approximately every 30' to 60' and include lawn or other ground cover. |
| UTILITY LOCATION | <ul style="list-style-type: none"> In rear access easement preferred |
| ACCESS LIMITATION | See Lot Access standards in Article 3, 4, or 5. |
| TYPICAL FRONT YARD* | <ul style="list-style-type: none"> 40' – 100' lawn / setback; or Street-front buildings; or 10' – 20' courtyards or landscape buffer |
| APPLICABILITY | This special street section is generally applicable in the Core and Focus Areas of the Form-based Development patterns to support residential and non-residential and mixed uses. It provides a civic amenity and gateway to the neighborhood and serves to transition between different land uses along higher classed / higher volume streets. It can serve as an arterial street or collector street. |

* Typical Front Yard refers only to the typical and appropriate design of the transition between the right-of-way and the private lots. Further restrictions on building location and site design may be included in other applicable zoning or subdivision regulations.

Shelby County Subdivision Regulations

| MAIN STREET | |
|--|--|
| <p>EXAMPLE PLAN AND CROSS-SECTION</p> <p>(FOUR LANE SHOWN)</p> | |
| MINIMUM ROW WIDTH | 82' – Two-lane 105' – Four-lane; varies with amenity zone and sidewalks |
| TRAVEL LANES | 2-4 |
| TRAVEL LANE WIDTH | 11' |
| SHOULDER | 18' Designated angled parking (60 degree)/ 2' Curb and gutter |
| BUFFER AREA | 4' – 8' Pedestrian Amenity Zone. Medium ornamental trees with a canopy height above 14' at maturity shall be placed approximately 25' – 40' on center in tree wells. Tree wells shall be at least 4' width in all directions and have at least 20 square feet of pervious surface. |
| PEDESTRIAN AREA | 12.5' sidewalk, includes Amenity Zone |
| UTILITY LOCATION | <ul style="list-style-type: none"> • In rear access easement |
| ACCESS LIMITATION | See Lot Access standards in Article 3, 4, or 5. |
| TYPICAL FRONT YARD* | Street-front buildings |
| APPLICABILITY | This special street section is generally applicable in the Core Areas of the Form-based Development patterns to support non-residential or mixed uses. It serves as the primary route and focal point of the area and it can serve as an arterial or collector street. |

* Typical Front Yard refers only to the typical and appropriate design of the transition between the right-of-way and the private lots. Further restrictions on building location and site design may be included in other applicable zoning or subdivision regulations.

Shelby County Subdivision Regulations

| RURAL PARKWAY | |
|---|--|
| <p>EXAMPLE PLAN AND CROSS-SECTION</p> <p>(TWO LANE WITH MEDIAN SHOWN)</p> | |
| MINIMUM ROW WIDTH | 90' – two-lane; Multi-lane – consult with County Engineer |
| TRAVEL LANES | 2 – 4 |
| TRAVEL LANE WIDTH | 12' |
| SHOULDER | 4' shoulder minimum |
| BUFFER AREA | 14' landscape strip and utility area |
| PEDESTRIAN AREA | <ul style="list-style-type: none"> • None – if alternative integrated trail system available to neighborhood; otherwise, additional r-o-w may be required to provide multi-use trail or path. |
| BICYCLE FACILITY | None (combined with vehicle flow) |
| MEDIAN | 30' center median |
| UTILITY LOCATION | In buffer area |
| ACCESS LIMITATION | See Lot Access standards in Article 3, 4, or 5. |
| TYPICAL FRONT YARD* | 25' Natural Vegetation Buffer |
| APPLICABILITY | This special street section is applicable in any development pattern or in any rural area (Tier III) of the county. It provides primary access within a neighborhood or rural area as well as connections to adjacent areas. This street type is not intended for direct access. It may function as an arterial or collector street. |

* Typical Front Yard refers only to the typical and appropriate design of the transition between the right-of-way and the private lots. Further restrictions on building location and site design may be included in other applicable zoning or subdivision regulations.

Shelby County Subdivision Regulations

| NEIGHBORHOOD STREET – FORM BASED | |
|---|--|
| EXAMPLE PLAN AND CROSS-SECTION | |
| MINIMUM ROW WIDTH | 60' (LOCAL) (Shown above) 62' (COLLECTOR) |
| TRAVEL LANES | 2 |
| TRAVEL LANE WIDTH | 11' (LOCAL) 12' (COLLECTOR) |
| SHOULDER | 2' curb and gutter |
| BUFFER AREA | 2' Landscape Strip |
| PEDESTRIAN AREA* | 5' sidewalk |
| BICYCLE AREA | None (combined with vehicle flow) |
| UTILITY LOCATION | 10' U/A outside of sidewalk |
| ACCESS LIMITATION | See Lot Access standards in Article 3, 4 or 5. |
| TYPICAL FRONT YARD** | <ul style="list-style-type: none"> • 10' – 40' lawn/setback (LOCAL) • 25' Natural Vegetation Buffer; or 40' – 100; lawn/setback (COLLECTOR) |
| APPLICABILITY | This street design is applicable for any conventional, conservation or form based application of local or collector streets. Application as a collector will require larger lot sizes. |

* See Table 6-2 for Pedestrian Facility Requirements. Where Table 6-2 requires no sidewalks, or a sidewalk on only one side, the minimum width for the pedestrian facility shall be added to the Buffer Area.

** Typical Front Yard refers only to the typical and appropriate design of the transition between the right-of-way and the private lots. Further restrictions on building location and site design may be included in other applicable zoning or subdivision regulations.

Shelby County Subdivision Regulations

| PEDESTRIAN STREET | |
|--------------------------------|--|
| EXAMPLE PLAN AND CROSS-SECTION | |
| MINIMUM ROW WIDTH | 62' |
| TRAVEL LANES | 2 |
| TRAVEL LANE WIDTH | 11' |
| SHOULDER | 2' curb and gutter |
| BUFFER AREA | 4' – 8' Pedestrian Amenity Zone. Medium ornamental trees with a canopy height above 14' at maturity shall be placed approximately 25' – 40' on center in tree wells. Tree wells shall be at least 4' width in all directions and have at least 20 square feet of impervious surface. |
| PEDESTRIAN AREA | 8' - 12' sidewalk |
| BICYCLE FACILITY | None (combined with vehicle flow) |
| UTILITY LOCATION | <ul style="list-style-type: none"> • In rear access easement |
| ACCESS LIMITATION | See Lot Access standards in Article 3, 4, or 5. |
| TYPICAL FRONT YARD* | <ul style="list-style-type: none"> • Street-front buildings; or • 10' – 20' Courtyards |
| APPLICABILITY | This special street section is generally applicable in the Core Areas of the Form-based Development patterns to support non-residential or mixed uses. It serves as secondary routes and side streets, and can serve as a local or collector street. |

* Typical Front Yard refers only to the typical and appropriate design of the transition between the right-of-way and the private lots. Further restrictions on building location and site design may be included in other applicable zoning or subdivision regulations.

Shelby County Subdivision Regulations

| RURAL DRIVE | |
|--------------------------------|--|
| EXAMPLE PLAN AND CROSS-SECTION | |
| MINIMUM ROW WIDTH | 60' |
| TRAVEL LANES | 2 |
| TRAVEL LANE WIDTH | 9', for very low flow conditions; otherwise, greater widths may be required. |
| SHOULDER | 4' shoulder / Rural edge |
| BUFFER AREA | 14' vegetated area |
| PEDESTRIAN AREA | <ul style="list-style-type: none"> • None – if alternative integrated trail system available to neighborhood; or • 4' path on one side |
| UTILITY LOCATION | 10' u/a inside r-o-w |
| ACCESS LIMITATION | See Lot Access standards in Article 3, 4, or 5. |
| TYPICAL FRONT YARD* | 25' Natural Vegetation Buffer |
| APPLICABILITY | This special street section is applicable in any development pattern or in any rural area (Tier III) of the county. It provides primary access residential uses within the neighborhood. It may function as a collector or local street. |

* Typical Front Yard refers only to the typical and appropriate design of the transition between the right-of-way and the private lots. Further restrictions on building location and site design may be included in other applicable zoning or subdivision regulations.

Shelby County Subdivision Regulations

| ACCESS EASEMENT | |
|--|---|
| <p>EXAMPLE PLAN AND CROSS-SECTION (TWO WAY RESIDENTIAL SHOWN)</p> | |
| MINIMUM EASEMENT WIDTH | 22' (residential) 22' (commercial or mixed use) |
| TRAVEL LANES | 1 Yield lane |
| TRAVEL LANE WIDTH | 14' one-way, paved (residential) 18' two-way, paved with valley gutters (commercial or mixed use) |
| SHOULDER | none |
| BUFFER AREA | 4' landscape or grassed strip |
| UTILITY LOCATION | In access easement |
| ACCESS LIMITATION | none |
| APPLICABILITY | This special classification street provides rear or mid-block access to residential or non-residential uses on a block, particularly where the Access Limitation standards prohibit individual front-loaded access to each lot, or where non-residential areas require access to rear parking areas, loading areas, or internal service courts. |

* Typical Front Yard refers only to the typical and appropriate design of the transition between the right-of-way and the private lots. Further restrictions on building location and site design may be included in other applicable zoning or subdivision regulations.

Shelby County Subdivision Regulations

5.04 STREET NETWORK, BLOCKS, LOTS

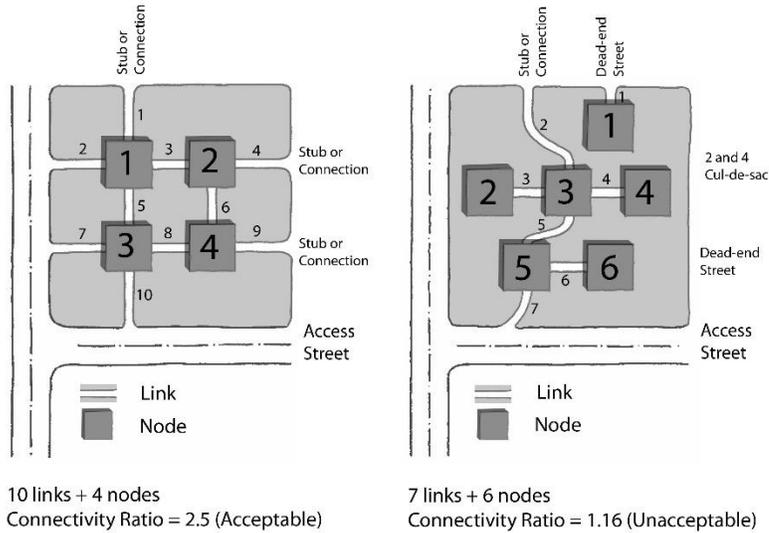
A. Street Layout and Connectivity.

1. **General Street Layout.** Streets shall be laid out to form an interconnected grid, except for locations where topography or natural features are intervening and over-riding priorities. In such cases, an alternative connection shall be provided, land-use restrictions appropriate to disconnected streets shall be in place.
2. **Street Connectivity.** Form-based Subdivisions shall provide street connectivity according to the grid pattern and the Block Standards established in Sub-section B, below.
3. **Street Stubs.** Street connections to abutting unsubdivided property, to property capable of re-subdivision, or to any existing stub street adjacent to the property shall be provided at intervals equal to or less than the maximum block lengths established in Sub-section B., below.
 - a. All streets shall connect with any streets already platted to its boundary on adjacent property.
 - b. Where required, street stubs shall provide a temporary turn-around subject to the following:
 - (1) Street stubs serving four or fewer dwelling units may provide a dead end.
 - (2) Street stubs serving up to eight dwelling units shall provide a T-shaped turnaround with a 20-foot by 60-foot turn-around pad centered at the end of the street.
 - (3) Street stubs serving up to 12 dwelling units shall provide circular turn-around with a radius between 30 and 42 feet.
 - (4) Stub street shall not be permitted to serve more than 12 dwelling units.
 - (5) All street stubs shall provide a sign at the end indicating that the street will be a future through street at the time the adjacent property is subdivided.
4. **Cul-de-sacs.** Cul-de-sacs shall be limited as follows:
 - a. Cul-de-sacs shall not exceed more than 600 feet measured from an intersecting and connected street to the end of the circle terminating the cul-de-sac.
 - b. Cul-de-sacs shall not have more than 16 dwelling units on a single cul-de-sac.
 - c. Circles shall have a radius between 30 and 42 feet. The radius may extend up to 60 feet if a center island is provided. Where a center island is provided the clear travel lanes between 20 and 24 feet at all locations.
 - d. The perimeter of the "block" formed by the outside boundaries of all lots fronting on the cul-de-sac, shall not exceed the block sizes established in sub-section B., below.
5. **Exceptions.** Exceptions to the street stub and cul-de-sac requirements may be approved to preserve prominent topographical or natural features, based on the following criteria:
 - a. Construction of the connection or alternative layouts that don't require long cul-de-sacs are unfeasible and would result in substantial additional construction costs to cross the natural feature.
 - b. The topographical or natural feature qualifies as Open Space according to this Article and is being preserved on the plat.
 - c. Wherever connections to the connectivity standards are granted, the Planning Commission may require alternative means of connections for pedestrians or bicycles at more frequent intervals than provided by the street network.
6. **Alternative Compliance.** Parcels proposed for subdivision that are larger than 30 acres may propose a Connectivity Ratio as a means of alternative compliance for Street Connectivity and Block Sizes. The connectivity ratio shall be the number of "links" divided by the number of "nodes".
 - a. A "link" shall refer to a portion of the street defined by two "nodes."
 - b. A "node" shall be the intersection of two or more streets, or a cul-de-sac. A stub to adjacent property shall not count as a node.
 - c. The Connectivity Ratio shall be according to Table 5-1.

Shelby County Subdivision Regulations

Table 5-1: Alternative Compliance / Connectivity Ratio

| | |
|--------------------------|-----|
| MINIMUM CORE AREA RATIO | 1.8 |
| MINIMUM FOCUS AREA RATIO | 1.4 |



B. Block Types and Sizes. All blocks in Form-based Subdivisions shall be one of the types identified in Table 5-2.

| TABLE 5-2: FORM-BASED SUBDIVISION BLOCK TYPES | |
|---|---|
| BLOCK TYPE | CHARACTERISTICS |
| FOCAL POINT | <ul style="list-style-type: none"> Four block faces fronting on public streets. Small blocks used entirely for Open Space or Civic Uses. Located at key visibility points in the neighborhood or center. Establishes a focal point for more intense uses fronting on adjacent blocks. Typically square or rectangular with proportions between 1:1 and 1:1.5, but occasionally can have an irregular shape. |
| STANDARD | <ul style="list-style-type: none"> Four block faces fronting on public streets. Roughly rectangular with a proportions between 1:1 and 1:2 Short block faces designed for more intense use, a greater mix of uses, and more frequent connections of pedestrian-oriented streets to handle the development intensity more efficiently. Accommodates two tiers of lots. May be arranged to create frequent T-intersections for local streets to discourage through traffic. |
| IRREGULAR | <ul style="list-style-type: none"> Irregular shape due to either natural features or topography, or due to prevailing street patterns of surrounding areas. May have fewer or greater than four block faces, or may have curvilinear block faces. Used to adjust to topography, discourage through traffic on local streets, or deflect or terminate views along streetscapes with prominent buildings or focal points. Should not be used where two or more smaller standard blocks could be used. No more than 25 percent of the blocks in a subdivision may be Irregular. |

Shelby County Subdivision Regulations

1. **Maximum Block Sizes.** Blocks in Form-based Subdivisions shall have the maximum sizes specified in Table 5-3. Distances are measured from or along the centerline of streets forming the boundaries of the block.

| BLOCK TYPE | CORE AREA | FOCUS AREA | TRANSITION AREA | RURAL AREA |
|--------------------|--|--|--|--|
| FOCAL POINT | Minimum Length: 150' Maximum Length: 300' Maximum Perimeter: 800' | Minimum Length: 150' Maximum Length: 400' Maximum Perimeter: 1100' | | |
| STANDARD | Minimum Length: 250' Maximum Length: 400' Maximum Perimeter: 1400' | Minimum Length: 250' Maximum Length: 660' Maximum Perimeter: 1980' | Use the standards for Subdivisions in Articles 3 or 4 for the applicable Land Suitability Level. | Use the standards for Subdivisions in Articles 3 or 4 for the applicable Land Suitability Level. |
| IRREGULAR | Minimum Length: 200' Maximum Length: 600' Maximum Perimeter: 1800' | Minimum Length: 200' Maximum Length: 800' Maximum Perimeter: 2400' | | |

2. **Perimeter Blocks.** Blocks on the perimeter of the property being subdivided which are formed by the streets, any stub streets, and the subdivision boundary with property that may be subdivided in the future, shall not exceed 60 percent of the maximum perimeter in Table 5-3.

- C. **Lots Standards.** In addition to the General Planning and Design standards in Article 6, the following lot standards shall apply to Form-based Subdivisions.

1. **Residential Lots.** Form-based Subdivision shall be allowed residential lots according to the locations noted in Table 5-4. Following Table 5-4 each lot type is displayed with its context, block setting, and site-specific standards.

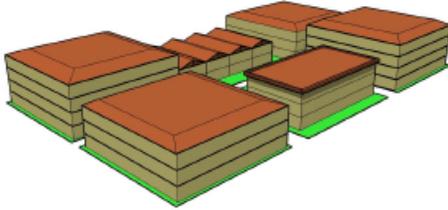
| LOT TYPES | ALLOWED LOT TYPES AND COMMUNITY AREA | | |
|--------------------|--------------------------------------|-------|------|
| | TRANSITION | FOCUS | CORE |
| MIXED-USE LOT | | | ☑ |
| MULTI-DWELLING LOT | | | ☑ |
| TOWN LOT | | ☑ | ☑ |
| SMALL LOT | | ☑ | ☑ |
| NEIGHBORHOOD LOT | ☑ | ☑ | ☑ |
| CONVENTIONAL LOT | ☑ | ☑ | |
| SUB-URBAN LOT | ☑ | | |
| LARGE LOT | ☑ | | |
| ESTATE LOT | ☑ | | |
| COUNTRY LOT | ☑ | | |
| RURAL LOT | ☑ | | |

Shelby County Subdivision Regulations

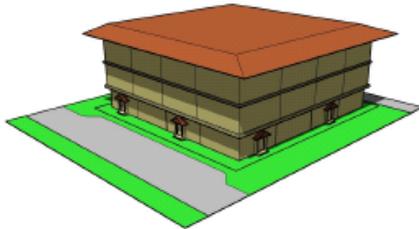
MIXED-USE LOT

Mixed-use lots are subject to the Non-residential Core Area Lot Standards in C.2 below.

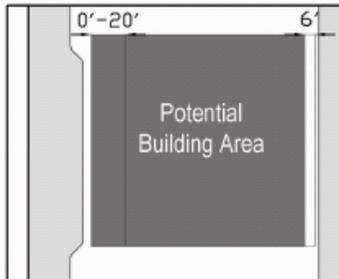
MULTI-DWELLING LOT



Block Context



Lot Context



Lot Standards

NEIGHBORHOOD CONTEXT: The multi-dwelling lot is appropriate for use in the Core Area and in limited application in Focus Areas as a transition from the Core Area of Form-based Developments

BLOCK APPLICABILITY: Multi-dwelling lots should generally not exceed more than 25% of the block.

STREET DESIGN TYPES: Multi-dwelling lots may front on any portion of the block bounded by the following street types (see section 5.03.B.)

- PEDESTRIAN STREET
- BOULEVARD

ACCESS TYPES: Multi-dwelling lots are subject to the following lot access types and limitations(See section 6.02.F, Table 6-6):

- DRIVE AISLES*
- INDIVIDUAL FRONT-LOADED DRIVEWAYS*
- REAR ACCESS LANES

* Limited to no more than 15% of the lot width, or 24 feet in width, whichever is less.

LOT STANDARDS

Frontage: No minimum, and no more than 50% of a Block face.

Area: No minimum, and no more than 25% of a Block area

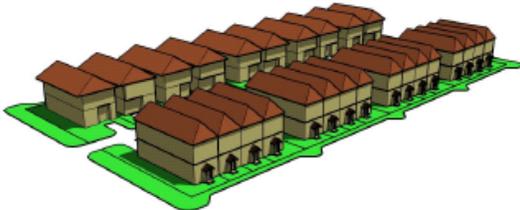
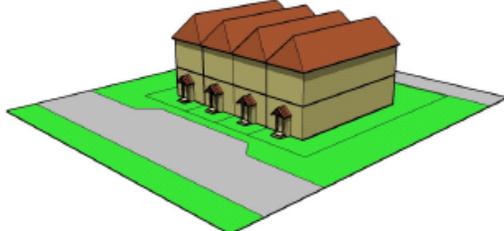
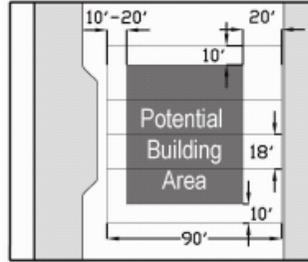
Front Building Line: 0' – 20'

Side Building Line: 0' [a]; or 6' – 20'

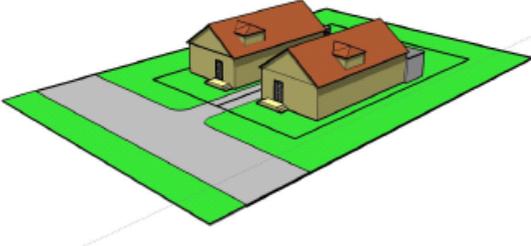
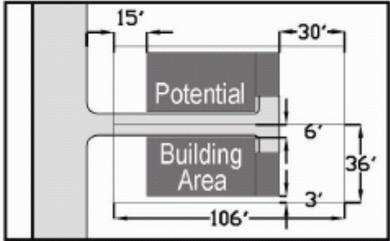
Rear Building Line: 20' minimum ; or 6' minimum if lot accessed by a Rear Access Lane

[a] requires reciprocal party wall agreements on each lot.

Shelby County Subdivision Regulations

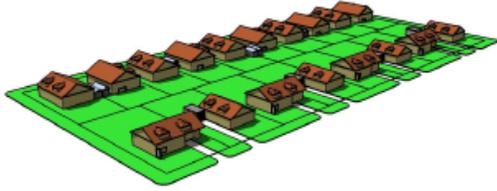
| TOWN LOT | | | | | | | | | | | |
|--|--|-----------|-----------|-------|---------------|---------------------|-----------|---------------------|--------|---------------------|-------|
| <p>Block Context</p>  | <p>NEIGHBORHOOD CONTEXT: Town Lots are appropriate in Core Areas and Focus Areas of Form-based Developments. The most narrow options (18' to 24') should only be allowed in Core Areas where higher density is appropriate.</p> <p>BLOCK APPLICABILITY: Town lots should generally not exceed more than 18 lots per block face.</p> <p>STREET DESIGN TYPES: Town Lots may front on any portion of the block bounded by the following street types (see section 5.03.B.)</p> <ul style="list-style-type: none"> ▪ PEDESTRIAN STREET ▪ BOULEVARD ▪ NEIGHBORHOOD STREET <p>ACCESS TYPES: Town Lots are subject to the following lot access types and limitations(See section 6.02.F, Table 6-6):</p> <ul style="list-style-type: none"> ▪ DRIVE AISLES* ▪ REAR ACCESS LANES <p>* Limited to no more than 15% of the lot width of combined lots, or 24 feet in width, whichever is less.</p> | | | | | | | | | | |
| <p>Lot Context</p>  | <p>LOT STANDARDS</p> <table style="width: 100%; border: none;"> <tr> <td style="padding: 2px;">Frontage:</td> <td style="padding: 2px;">18' – 36'</td> </tr> <tr> <td style="padding: 2px;">Area:</td> <td style="padding: 2px;">1,800 sq. ft.</td> </tr> <tr> <td style="padding: 2px;">Front Building Line</td> <td style="padding: 2px;">10' – 20'</td> </tr> <tr> <td style="padding: 2px;">Side Building Line:</td> <td style="padding: 2px;">0' [a]</td> </tr> <tr> <td style="padding: 2px;">Rear Building Line:</td> <td style="padding: 2px;">30' +</td> </tr> </table> | Frontage: | 18' – 36' | Area: | 1,800 sq. ft. | Front Building Line | 10' – 20' | Side Building Line: | 0' [a] | Rear Building Line: | 30' + |
| Frontage: | 18' – 36' | | | | | | | | | | |
| Area: | 1,800 sq. ft. | | | | | | | | | | |
| Front Building Line | 10' – 20' | | | | | | | | | | |
| Side Building Line: | 0' [a] | | | | | | | | | | |
| Rear Building Line: | 30' + | | | | | | | | | | |
| <p>Lot Standards</p>  | | | | | | | | | | | |

Shelby County Subdivision Regulations

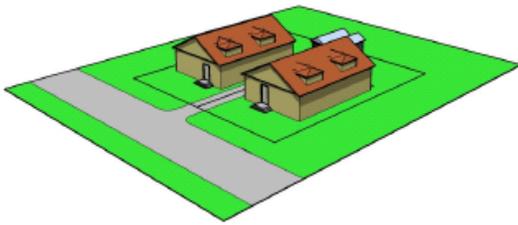
| SMALL LOT | | | | | | | | | | | |
|---|---|-----------|-----------|-------|---------------|---------------------|-----------|---------------------|--------|---------------------|-------|
|  | <p>NEIGHBORHOOD CONTEXT: Town Lots are appropriate in Core Areas and Focus Areas of Form-based Developments. The most narrow options (18' to 24') should only be allowed in Core Areas where higher density is appropriate.</p> <p>BLOCK APPLICABILITY: Town lots should generally not exceed more than 18 lots per block face.</p> <p>STREET DESIGN TYPES: Town Lots may front on any portion of the block bounded by the following street types (see section 5.03.B.)</p> <ul style="list-style-type: none"> ▪ PEDESTRIAN STREET ▪ BOULEVARD ▪ NEIGHBORHOOD STREET <p>ACCESS TYPES: Town Lots are subject to the following lot access types and limitations(See section 6.02.F, Table 6-6):</p> <ul style="list-style-type: none"> ▪ DRIVE AISLES* ▪ REAR ACCESS LANES <p>* Limited to no more than 15% of the lot width of combined lots, or 24 feet in width, whichever is less.</p> | | | | | | | | | | |
| <p>Block Context</p>  | | | | | | | | | | | |
| <p>Lot Context</p>  | <p>LOT STANDARDS</p> <table style="width: 100%; border: none;"> <tr> <td style="padding: 2px;">Frontage:</td> <td style="padding: 2px;">18' – 36'</td> </tr> <tr> <td style="padding: 2px;">Area:</td> <td style="padding: 2px;">1,800 sq. ft.</td> </tr> <tr> <td style="padding: 2px;">Front Building Line</td> <td style="padding: 2px;">10' – 20'</td> </tr> <tr> <td style="padding: 2px;">Side Building Line:</td> <td style="padding: 2px;">0' [a]</td> </tr> <tr> <td style="padding: 2px;">Rear Building Line:</td> <td style="padding: 2px;">30' +</td> </tr> </table> | Frontage: | 18' – 36' | Area: | 1,800 sq. ft. | Front Building Line | 10' – 20' | Side Building Line: | 0' [a] | Rear Building Line: | 30' + |
| Frontage: | 18' – 36' | | | | | | | | | | |
| Area: | 1,800 sq. ft. | | | | | | | | | | |
| Front Building Line | 10' – 20' | | | | | | | | | | |
| Side Building Line: | 0' [a] | | | | | | | | | | |
| Rear Building Line: | 30' + | | | | | | | | | | |
| <p>Lot Standards</p> | | | | | | | | | | | |

Shelby County Subdivision Regulations

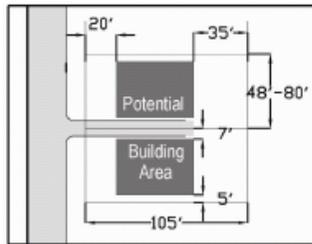
NEIGHBORHOOD LOT



Block Context



Lot Context



Lot Standards

NEIGHBORHOOD CONTEXT: Neighborhood Lots are appropriate in Focus Areas and Transition Areas of Form-based Developments.

BLOCK APPLICABILITY: Neighborhood Lots should generally not exceed more than 12 lots per block face.

STREET DESIGN TYPES: Neighborhood Lots may front on any portion of the block bounded by the following street types (see section 5.03.B.)

- **BOULEVARD**
- **NEIGHBORHOOD STREET**

ACCESS TYPES: Neighborhood Lots are subject to the following lot access types and limitations (See section 6.02.F, Table 6-6):

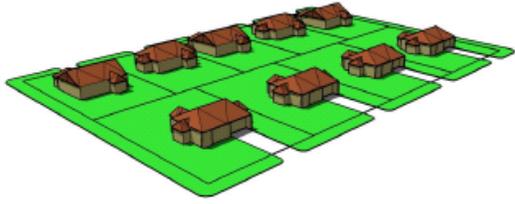
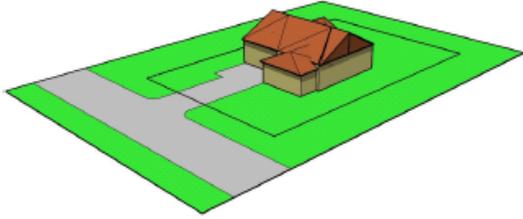
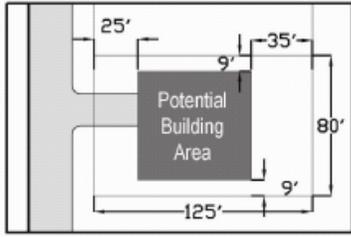
- **SHARED FRONT-LOADED DRIVEWAYS***
- **INDIVIDUAL FRONT-LOADED DRIVEWAYS***
- **REAR ACCESS LANES**

* Limited to no more than 15% of the lot width, or 12 feet in width, whichever is less.

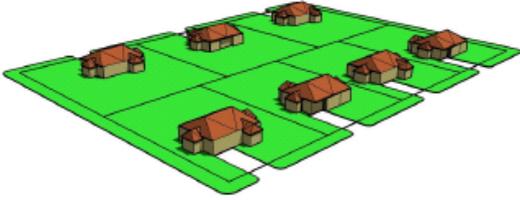
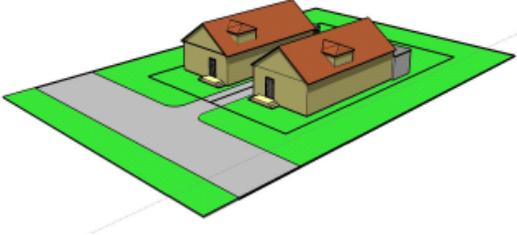
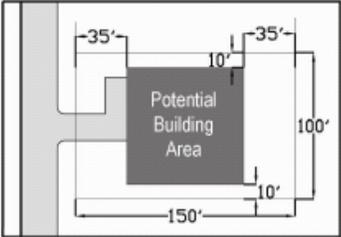
LOT STANDARDS

| | |
|---------------------|---------------|
| Frontage: | 48' – 60' |
| Area: | 5,000 sq. ft. |
| Front Building Line | 20' –40' |
| Side Building Line: | 3' / 9' [b] |
| Rear Building Line: | 35' + |

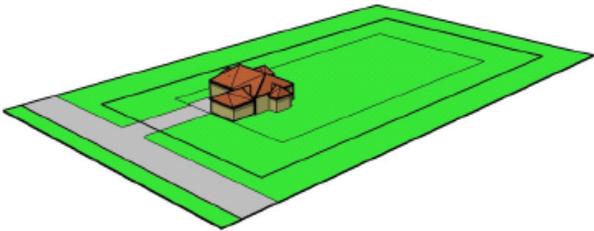
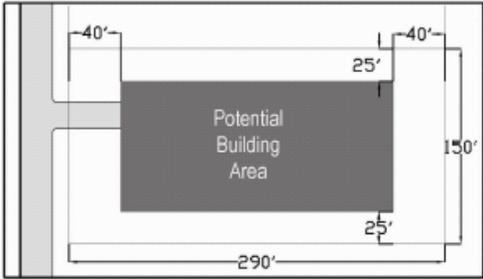
Shelby County Subdivision Regulations

| CONVENTIONAL LOT | | | | | | | | | | | |
|--|---|-----------|-------|-------|----------------|---------------------|-------|---------------------|--------------|---------------------|-------|
| <p>Block Context</p>  | <p>NEIGHBORHOOD CONTEXT: Conventional Lots are appropriate in Transition Areas, or in a limited application in to provide unique properties in Focus Areas of Form-based Developments</p> <p>BLOCK APPLICABILITY: Conventional Lots should generally not exceed more than 10 lots per block face.</p> <p>STREET DESIGN TYPES: Conventional Lots may front on any portion of the block bounded by the following street types (see section 5.03.B.)</p> <ul style="list-style-type: none"> ▪ BOULEVARD ▪ NEIGHBORHOOD STREET <p>ACCESS TYPES: Conventional Lots are subject to the following lot access types and limitations(See section 6.02.F, Table 6-6):</p> <ul style="list-style-type: none"> ▪ SHARED FRONT-LOADED DRIVEWAYS* ▪ INDIVIDUAL FRONT-LOADED DRIVEWAYS* ▪ REAR ACCESS LANES <p>* Limited to no more than 15% of the lot width, or 20 feet in width, whichever is less.</p> | | | | | | | | | | |
| <p>Lot Context</p>  | <p>LOT STANDARDS</p> <table style="width: 100%; border: none;"> <tr> <td style="padding-right: 20px;">Frontage:</td> <td>80' +</td> </tr> <tr> <td>Area:</td> <td>10,000 sq. ft.</td> </tr> <tr> <td>Front Building Line</td> <td>25' +</td> </tr> <tr> <td>Side Building Line:</td> <td>8' / 18' [b]</td> </tr> <tr> <td>Rear Building Line:</td> <td>35' +</td> </tr> </table> | Frontage: | 80' + | Area: | 10,000 sq. ft. | Front Building Line | 25' + | Side Building Line: | 8' / 18' [b] | Rear Building Line: | 35' + |
| Frontage: | 80' + | | | | | | | | | | |
| Area: | 10,000 sq. ft. | | | | | | | | | | |
| Front Building Line | 25' + | | | | | | | | | | |
| Side Building Line: | 8' / 18' [b] | | | | | | | | | | |
| Rear Building Line: | 35' + | | | | | | | | | | |
| <p>Lot Standards</p>  | | | | | | | | | | | |

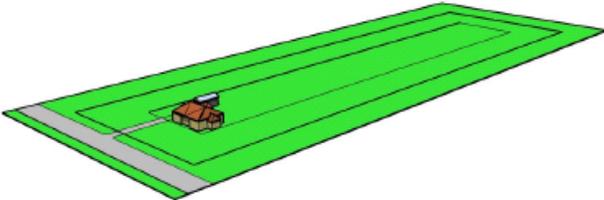
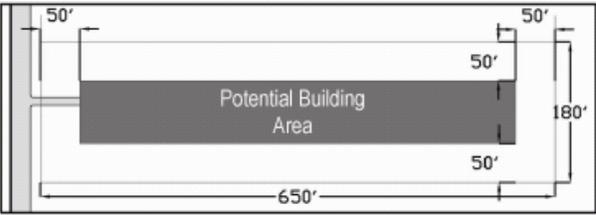
Shelby County Subdivision Regulations

| SUB-URBAN LOT | | | | | | | | | | | |
|--|---|-----------|--------|-------|----------------|---------------------|-------|---------------------|---------------|---------------------|-------|
|  <p>Block Context</p> | <p>NEIGHBORHOOD CONTEXT: Sub-urban Lots are appropriate in Transition Areas, or in a limited application in to provide unique properties in Focus Areas of Form-based Developments.</p> <p>BLOCK APPLICABILITY: Sub-urban Lots should generally not exceed more than 6 - 8 lots per block face.</p> <p>STREET DESIGN TYPES: Sub-urban Lots may front on any portion of the block bounded by the following street types (see section 5.03.B.)</p> <ul style="list-style-type: none"> ▪ BOULEVARD ▪ NEIGHBORHOOD STREET <p>ACCESS TYPES: Sub-urban Lots are subject to the following lot access types and limitations(See section 6.02.F, Table 6-6):</p> <ul style="list-style-type: none"> ▪ SHARED FRONT-LOADED DRIVEWAYS* ▪ INDIVIDUAL FRONT-LOADED DRIVEWAYS* ▪ REAR ACCESS LANES <p>* Limited to no more than 15% of the lot width, or 20 feet in width, whichever is less.</p> | | | | | | | | | | |
|  <p>Lot Context</p> | <p>LOT STANDARDS</p> <table style="width: 100%; border: none;"> <tr> <td style="padding: 2px;">Frontage:</td> <td style="padding: 2px;">100' +</td> </tr> <tr> <td style="padding: 2px;">Area:</td> <td style="padding: 2px;">15,000 sq. ft.</td> </tr> <tr> <td style="padding: 2px;">Front Building Line</td> <td style="padding: 2px;">35' +</td> </tr> <tr> <td style="padding: 2px;">Side Building Line:</td> <td style="padding: 2px;">10' / 20' [b]</td> </tr> <tr> <td style="padding: 2px;">Rear Building Line:</td> <td style="padding: 2px;">35' +</td> </tr> </table> | Frontage: | 100' + | Area: | 15,000 sq. ft. | Front Building Line | 35' + | Side Building Line: | 10' / 20' [b] | Rear Building Line: | 35' + |
| Frontage: | 100' + | | | | | | | | | | |
| Area: | 15,000 sq. ft. | | | | | | | | | | |
| Front Building Line | 35' + | | | | | | | | | | |
| Side Building Line: | 10' / 20' [b] | | | | | | | | | | |
| Rear Building Line: | 35' + | | | | | | | | | | |
|  <p>Lot Standards</p> | | | | | | | | | | | |

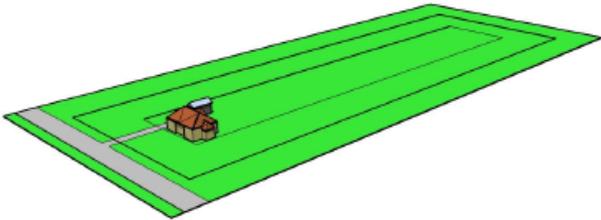
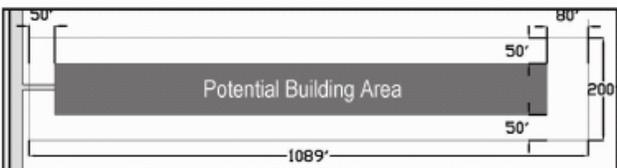
Shelby County Subdivision Regulations

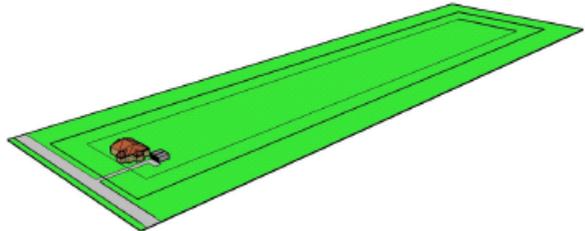
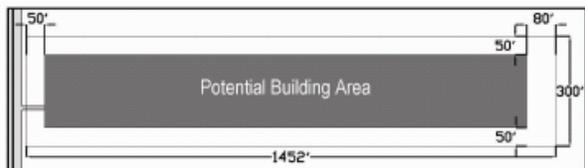
| LARGE LOT | | | | | | | | | | | |
|--|--|-----------|--------|-------|--------|---------------------|-------|---------------------|---------------|---------------------|-------|
|  <p style="text-align: center; margin-top: 10px;">Lot Context</p>  <p style="text-align: center; margin-top: 10px;">Lot Standards</p> | <p>NEIGHBORHOOD CONTEXT: Large Lots are appropriate in Transition Areas, or in a limited application in to provide unique properties in Focus Areas of Form-based Developments</p> <p>BLOCK APPLICABILITY: Large Lots should generally be located in areas that begin to “transition from the block structure to more rural development patterns. In areas where they exist within a block structure to provide unique properties, Large Lots should not exceed more than 4 lots per block face.</p> <p>STREET DESIGN TYPES: Large Lots may front on of the following street types (see section 5.03.B.)</p> <ul style="list-style-type: none"> ▪ RURAL PARKWAY ▪ RURAL DRIVE ▪ BOULEVARD ▪ NEIGHBORHOOD STREET <p>ACCESS TYPES: Large Lots are subject to the following lot access types and limitations(See section 6.02.F, Table 6-6):</p> <ul style="list-style-type: none"> ▪ SHARED FRONT-LOADED DRIVEWAYS* ▪ INDIVIDUAL FRONT-LOADED DRIVEWAYS* ▪ PRIVATE EASEMENTS* <p>* Limited to no more than 12 feet in width at the access point and within the frontage area.</p> <p>LOT STANDARDS</p> <table style="width: 100%; border: none;"> <tr> <td style="padding: 2px;">Frontage:</td> <td style="padding: 2px;">150' +</td> </tr> <tr> <td style="padding: 2px;">Area:</td> <td style="padding: 2px;">1 acre</td> </tr> <tr> <td style="padding: 2px;">Front Building Line</td> <td style="padding: 2px;">40' +</td> </tr> <tr> <td style="padding: 2px;">Side Building Line:</td> <td style="padding: 2px;">20' / 50' [b]</td> </tr> <tr> <td style="padding: 2px;">Rear Building Line:</td> <td style="padding: 2px;">40' +</td> </tr> </table> | Frontage: | 150' + | Area: | 1 acre | Front Building Line | 40' + | Side Building Line: | 20' / 50' [b] | Rear Building Line: | 40' + |
| Frontage: | 150' + | | | | | | | | | | |
| Area: | 1 acre | | | | | | | | | | |
| Front Building Line | 40' + | | | | | | | | | | |
| Side Building Line: | 20' / 50' [b] | | | | | | | | | | |
| Rear Building Line: | 40' + | | | | | | | | | | |

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| ESTATE LOT | | | | | | | | | | | |
|--|--|-----------|--------|-------|-----------|----------------------|-------|---------------------|----------------|---------------------|-------|
|  | <p>NEIGHBORHOOD CONTEXT: Estate Lots are appropriate in Transition Areas, or in a limited application in to provide unique properties in Focus Areas of Form-based Developments.</p> <p>BLOCK APPLICABILITY: Estate Lots should generally be located in areas that begin to “transition from the block structure to more rural development patterns. In areas where they exist within a block structure to provide unique properties, Estate Lots should not exceed more than 4 lots per block face.</p> <p>STREET DESIGN TYPES: Estate Lots may front on any of the following street types (see section 5.03.B.)</p> <ul style="list-style-type: none"> ▪ RURAL PARKWAY ▪ RURAL DRIVE ▪ BOULEVARD ▪ NEIGHBORHOOD STREET <p>ACCESS TYPES: Estate Lots are subject to the following lot access types and limitations(See section 6.02.F, Table 6-6):</p> <ul style="list-style-type: none"> ▪ SHARED FRONT-LOADED DRIVEWAYS* ▪ INDIVIDUAL FRONT-LOADED DRIVEWAYS* ▪ PRIVATE EASEMENTS* <p>* Limited to no more than 12 feet in width at the access point and within the frontage area.</p> | | | | | | | | | | |
| <p>Lot Context</p>  | <p>LOT STANDARDS</p> <table style="width: 100%; border: none;"> <tr> <td style="padding: 2px;">Frontage:</td> <td style="padding: 2px;">180' +</td> </tr> <tr> <td style="padding: 2px;">Area:</td> <td style="padding: 2px;">2.5 acres</td> </tr> <tr> <td style="padding: 2px;">Front Building Line:</td> <td style="padding: 2px;">50' +</td> </tr> <tr> <td style="padding: 2px;">Side Building Line:</td> <td style="padding: 2px;">50' / 100' [b]</td> </tr> <tr> <td style="padding: 2px;">Rear Building Line:</td> <td style="padding: 2px;">50' +</td> </tr> </table> | Frontage: | 180' + | Area: | 2.5 acres | Front Building Line: | 50' + | Side Building Line: | 50' / 100' [b] | Rear Building Line: | 50' + |
| Frontage: | 180' + | | | | | | | | | | |
| Area: | 2.5 acres | | | | | | | | | | |
| Front Building Line: | 50' + | | | | | | | | | | |
| Side Building Line: | 50' / 100' [b] | | | | | | | | | | |
| Rear Building Line: | 50' + | | | | | | | | | | |
| <p>Lot Standards</p> | | | | | | | | | | | |

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| COUNTRY LOT | | | | | | | | | | | |
|---|--|-----------|--------|-------|---------|---------------------|-------|---------------------|----------------|---------------------|-------|
| <p>Lot Context</p>  | <p>NEIGHBORHOOD CONTEXT: Country Lots are appropriate in Transition Areas and Rural Areas of Form-based Developments.</p> <p>BLOCK APPLICABILITY: Country Lots should generally be located in more rural development patterns without a block structure.</p> <p>STREET DESIGN TYPES: Country Lots may front on any of the following street types (see section 5.03.B.)</p> <ul style="list-style-type: none"> ▪ RURAL PARKWAY ▪ RURAL DRIVE <p>ACCESS TYPES: Country Lots are subject to the following lot access types and limitations(See section 6.02.F, Table 6-6):</p> <ul style="list-style-type: none"> ▪ SHARED FRONT-LOADED DRIVEWAYS* ▪ INDIVIDUAL FRONT-LOADED DRIVEWAYS* ▪ PRIVATE EASEMENTS* <p>* Limited to no more than 12 feet in width at the access point and within the frontage area.</p> | | | | | | | | | | |
| <p>Lot Standards</p>  | <p>LOT STANDARDS</p> <table style="width: 100%; border: none;"> <tr> <td style="padding: 2px;">Frontage:</td> <td style="padding: 2px;">200' +</td> </tr> <tr> <td style="padding: 2px;">Area:</td> <td style="padding: 2px;">5 acres</td> </tr> <tr> <td style="padding: 2px;">Front Building Line</td> <td style="padding: 2px;">50' +</td> </tr> <tr> <td style="padding: 2px;">Side Building Line:</td> <td style="padding: 2px;">50' / 100' [b]</td> </tr> <tr> <td style="padding: 2px;">Rear Building Line:</td> <td style="padding: 2px;">80' +</td> </tr> </table> | Frontage: | 200' + | Area: | 5 acres | Front Building Line | 50' + | Side Building Line: | 50' / 100' [b] | Rear Building Line: | 80' + |
| Frontage: | 200' + | | | | | | | | | | |
| Area: | 5 acres | | | | | | | | | | |
| Front Building Line | 50' + | | | | | | | | | | |
| Side Building Line: | 50' / 100' [b] | | | | | | | | | | |
| Rear Building Line: | 80' + | | | | | | | | | | |

| RURAL LOT | | | | | | | | | | | |
|---|---|-----------|--------|-------|----------|---------------------|-------|---------------------|----------------|---------------------|-------|
| <p>Lot Context</p>  | <p>NEIGHBORHOOD CONTEXT: Rural Lots are appropriate in Transition Areas and Rural Areas of Form-based Developments.</p> <p>BLOCK APPLICABILITY: Rural Lots should generally be located in more rural development patterns without a block structure.</p> <p>STREET DESIGN TYPES – Rural Lots may front on any of the following street types (see section 5.03.B.)</p> <ul style="list-style-type: none"> ▪ RURAL PARKWAY ▪ RURAL DRIVE <p>ACCESS TYPES –Rural Lots are subject to the following lot access types and limitations(See section 6.02.F, Table 6-6):</p> <ul style="list-style-type: none"> ▪ SHARED FRONT-LOADED DRIVEWAYS* ▪ INDIVIDUAL FRONT-LOADED DRIVEWAYS* ▪ PRIVATE EASEMENTS* <p>* Limited to no more than 12 feet in width at the access point and within the frontage area.</p> | | | | | | | | | | |
| <p>Lot Standards</p>  | <p>LOT STANDARDS</p> <table style="width: 100%; border: none;"> <tr> <td style="padding: 2px;">Frontage:</td> <td style="padding: 2px;">300' +</td> </tr> <tr> <td style="padding: 2px;">Area:</td> <td style="padding: 2px;">10 acres</td> </tr> <tr> <td style="padding: 2px;">Front Building Line</td> <td style="padding: 2px;">50' +</td> </tr> <tr> <td style="padding: 2px;">Side Building Line:</td> <td style="padding: 2px;">50' / 100' [b]</td> </tr> <tr> <td style="padding: 2px;">Rear Building Line:</td> <td style="padding: 2px;">80' +</td> </tr> </table> | Frontage: | 300' + | Area: | 10 acres | Front Building Line | 50' + | Side Building Line: | 50' / 100' [b] | Rear Building Line: | 80' + |
| Frontage: | 300' + | | | | | | | | | | |
| Area: | 10 acres | | | | | | | | | | |
| Front Building Line | 50' + | | | | | | | | | | |
| Side Building Line: | 50' / 100' [b] | | | | | | | | | | |
| Rear Building Line: | 80' + | | | | | | | | | | |

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2. **Non-residential Lots.** Form-based Subdivisions shall be allowed non-residential lots according to table 5-5.

| TABLE 5-5: NON-RESIDENTIAL LOT TYPES AND STANDARDS (UNDER REVISION) | | | | | | | | |
|---|--|-------|------|-------------------------|-----------------------|-------------------|-----------------|------|
| LOT TYPES | ALLOWED LOT TYPES AND LAND SUITABILITY | | | MINIMUM LOT AREA | MINIMUM LOT FRONTAGE* | MINIMUM SETBACKS* | | |
| | TRANSITION | FOCUS | CORE | | | FRONT | SIDES | REAR |
| CORE LOT | | | ☑ | 2,400 sq. ft. to 1 acre | 24' | 0' – 15' | 0' ^a | 20' |
| SMALL LOT | | | ☑ | 1 - 3 acre | 120' | 20' | 20' | 30' |
| STANDARD LOT | | | ☑ | 3 -5 acres | 200' | 20' | 20' | 30' |
| LARGE LOT | | | | 5 + acres | 300' | 50' | 20' | 30' |

- * Where a setback is expressed as a range, the lower number shall indicate the minimum setback and the higher number shall indicate the maximum "build-to" line within which a front building line shall be established.
- a Core Lots may have a zero setback, provided the structure has a party wall meeting all building code standards, and there are no more than eight lots total in a single attached row.

- D. **Lot Access.** In addition to any lot access limitations based on the specific Street Design Types in the General Planning and Design standards of Article 6, individual lot access shall be limited as follows:

1. **Residential Lot Access Limitations.**

| TABLE 5-6: RESIDENTIAL LOT ACCESS MINIMUM SEPARATION | | | | | | |
|--|---------------------------|---------------------|--------------------|---------------------|--------------------|---------------------|
| COMMUNITY AREA | FUNCTIONAL CLASSIFICATION | | | | | |
| | LOCAL | | COLLECTOR | | ARTERIAL | |
| | FROM INTERSECTION* | FROM OTHER ACCESS** | FROM INTERSECTION* | FROM OTHER ACCESS** | FROM INTERSECTION* | FROM OTHER ACCESS** |
| CORE | 120' | 60' | 120' | 120' | 150' | 150' |
| FOCUS | 120' | 60' | 120' | 120' | 150' | 150' |
| TRANSITION | 120' | 60' | 120' | 120' | 150' | 150' |

- * Minimum separation of access points from intersections is measured from the centerline of the access point to the street edge of the intersecting street.
- ** Minimum separation between access points is measured from centerline to centerline of the access points. For residential access, this measurement may be averaged among all access points on a single block face.

2. **Residential Access Widths.** The widths of residential lot access shall be no greater than 15 percent of lot frontage at the right-of-way line for front access or side access on corner lots. The approach to the street may taper an additional three to five feet total on each side, provided the access at the street edge is in no case wider than 24 feet.

3. **Non-residential Lot Access Limitations.**

| TABLE 5-7: NON-RESIDENTIAL LOT ACCESS MINIMUM SEPARATION | | | | | | |
|--|---------------------------|---------------------|--------------------|---------------------|--------------------|---------------------|
| COMMUNITY AREA | FUNCTIONAL CLASSIFICATION | | | | | |
| | LOCAL | | COLLECTOR | | ARTERIAL | |
| | FROM INTERSECTION* | FROM OTHER ACCESS** | FROM INTERSECTION* | FROM OTHER ACCESS** | FROM INTERSECTION* | FROM OTHER ACCESS** |
| CORE | 120' | 150' | 150' | 200' | 150' | 300' |
| FOCUS | N/A | N/A | N/A | N/A | N/A | N/A |
| TRANSITION | N/A | N/A | N/A | N/A | N/A | N/A |

- * Minimum separation of access points from intersections is measured from the centerline of the access point to the street edge of the intersecting street.
- ** Minimum separation between access points is measured from centerline to centerline of the access points.

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4. **Non-residential Access Widths.** The widths of non-residential lot access shall be no greater 15 percent of lot frontage at the right-of-way line for front access or side access on corner lots. In no case shall the access be greater than 35 feet at the lot frontage, excluding any area of the access way that includes a landscape median.

5.05 OPEN SPACE

- A. **Minimum Required Open Space.** Table 5-8 specifies the minimum amount of open space which shall be provided for each lot. Open space may be public or private and common, depending on the suitability and acceptability of the open space to the applicable public entity responsible for management of the open space. The open space requirement is independent of any lot or dimension standards and building coverage standards that may apply to property by other regulations. However, proper site design can allow areas of the site to meet both the open space requirement of the subdivision regulations and any additional standards.

| TABLE 5-8: MINIMUM OPEN SPACE REQUIREMENT | | | | |
|---|----------------------------|-------------------|---|--|
| DEVELOPMENT PATTERN | RESIDENTIAL USES | NON-RESIDENTIAL | FORMAL OPEN SPACE BONUS | REMNAINT OPEN SPACE LIMITATION |
| CORE AREA | 400 s.f. per dwelling unit | 15% of Floor Area | 4x At least 50% of open space requirement shall be Formal | Only up to 25% of the open space requirement |
| FOCUS AREA | 600 s.f. per dwelling unit | N/A | 2x At least 25% but no more than 50% of open space requirement shall be Formal | Only 50% of the open space requirement |

* All Open Space shall meet the planning and design standards of Article 6, Section 6.03.

Commentary. Open space is an essential part in completing "Communities of Place." However, in contrast to Conventional Subdivisions, open space plays a key civic or community function. Therefore, the appropriate design and location, as much as the quantity, will ensure that open space can fulfill its intended function. Table 5-8 establishes standards and bonus requirements, which in association with the location requirements of Table 5-9 guide the design, amount, and location of open space toward this goal, distinguishing primarily whether the open space is "Natural" – requiring larger areas to perform its desired function, or "Formal" – allowing smaller, well-designed spaces to serve the desired function.

- B. **Location.** Required open space shall be located according to Table 5-9 Open Space Locations:

| TABLE 5-9: OPEN SPACE LOCATIONS | | |
|---------------------------------|--|--|
| USE | FORMAL OPEN SPACE | NATURAL OPEN SPACE |
| RESIDENTIAL | Within 660 feet of any lot it is intended to serve. | Within 1320 feet of any lot it is intended to serve |
| NON-RESIDENTIAL | On the same block or immediately adjacent block and within 300 feet' of the any lot it is intended to serve. | Within 800 feet of any lot it is intended to serve and directly connected to the lot by a pedestrian facility. |

* Measured by the most direct pedestrian connection.

In addition to the specific distance requirements in Table 5-9, the following location guidelines should be used when designing subdivisions and determining the most appropriate locations and designs of open space.

1. Open space locations should be consistent with the most desirable natural habitats for animals and with preservation of significant natural resources such as sensitive and natural vegetation, natural grades, or prominent geological formations.
2. Priority should be given to areas that provided the most visible impact. This shall mean impact to people who travel in and around the subdivision as well as for future lot owners within the subdivision.

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- a. Formal open space should be located at prominent focal points within a subdivision.
 - b. Natural open space should be located along prominent ridges, valleys and view corridors.
3. Open space should be located to provide the greatest connectivity of open space systems with adjacent and future development sites.
- a. Formal open spaces should be located at key points where planned future transportation systems, such as streets, trails, or greenways will provide greater future visibility and accessibility.
 - b. Natural open spaces should be located in areas that have the greatest potential for future expansion and connectivity to similar land areas on adjacent sites.
4. Open space should be located in areas that maximize its functional characteristics.
- a. Formal open space should be centered in areas that will have the greatest population density or development intensity.
 - b. Natural open spaces should be located in areas where its ecological, aesthetic, and recreational impact will be the greatest.
 - c. All open space shall be located where the greatest pedestrian access is achieved.
- C. Additional Limitations.** The area of any water body, such as a lake, stream or pond, shall only contribute to the general open space requirement an amount of 50 percent of its actual area.
- D. Credits.** Existing adjacent open space may be credited to a development's required open space subject to the following.
1. Any existing public open space meeting the area and location standards of this section may be credited toward the development's open space requirement.
 2. Any existing private common open space meeting the area and location standards of this section may be credited toward the developments open space requirement provided:
 - a. Only private common open space that is in excess of the minimum requirements of this section as it relates to existing development may be credited;
 - b. Plats, agreements or other formal documents indicate a legal right to use and access of the existing open space by future lot owners of the new development, subject to review by the County Attorney.
- E. Open Space Dedication or Easements.** Required open space shall require either the dedication to a public entity or designation of open space easements, or other similar development restrictions, on the final plat. The dedication or easement shall also be accompanied by detailed information on the permanent preservation, protection, and maintenance of the open space. Where open space will be private and common, this shall include the name of the management entity, anticipated maintenance programs and annual costs, and proposed operating budgets of the managing entity.

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ARTICLE 6. GENERAL PLANNING AND DESIGN STANDARDS

| | |
|------|----------------------------------|
| 6.01 | STREET DESIGN |
| 6.02 | STREET NETWORKS, BLOCKS AND LOTS |
| 6.03 | OPEN SPACE |
| 6.04 | STORM WATER |
| 6.05 | STREAM BUFFERS |
| 6.06 | LAND DISTURBANCE PROVISIONS |
| 6.07 | UTILITIES |
| 6.08 | PUBLIC FACILITIES |

6.01 STREET DESIGN

The standards in this Section 6.01, Street Design should be used as a planning guide when platting streets for public approval. The standards provide planning and urban design principles, and upon approval may be the basis for engineering and construction documents. All engineering approvals are subject to review and approval of the County Engineer.

- A. Intent.** In achieving the purposes of these regulations stated in Section 1.03, this Section 6.01, Street Design has the following specific intent:
1. To recognize streets and rights-of-way as a significant public asset, and emphasize the importance of the design of these areas in supporting adjacent land uses and development patterns, and in determining the community character.
 2. To establish a framework to develop balanced street designs that accommodate all potential uses of the street, so that the interests of a single mode of transportation do not unnecessarily compromise other modes of transportation.
 3. To introduce planning and urban design solutions and options for the physical design of rights-of-way, while maintaining functional classifications and engineering standards for the entire network of streets in the County.
 4. To create a means to evaluate the appropriate allocation of design elements within the rights-of-way, based on the function of the street within the network, the character of the surrounding area, and the immediate development pattern and land uses supported by the rights-of-way.
- B. Street Design Elements.** All street designs shall include each of the following Street Design Elements in order to provide complete streets appropriately balancing the multiple and shared use of the right-of-way. Included under each element are design variations that may be applied to various street designs, depending on the desired function, and the development patterns and land uses to be supported by that portion of the street.
1. ***Travel Lanes*** – The area of the roadway dedicated for moving vehicles. There are two basic types of travel lanes:
 - a. *Through Lanes* - Lanes that are dedicated to the clear, unobstructed movement of vehicles in a single direction. Lane widths are basically a function of the desired design speed and the functional classification of the street.
 - b. *Turn Lanes* – Lanes that occupy short distances approaching major intersections or major entrance points and allow turning vehicles to exit through lanes for acceleration and deceleration. Because turn lanes increase the widths of roads and increase the overall speeds and volume of roads they should be limited in application. For efficient use of the right-of-way and to avoid excessively wide road widths, turn lanes may transition from other design elements in the right-of-way (median areas for left-turn lanes or on-street parking areas for right-turn lanes)
 2. ***Median*** – A center landscape area separating opposing travel lanes. Landscape medians can introduce better civic design and green space to the streetscape on Boulevard or Rural Parkway street designs. It is typically raised and separated from the road surface with a curb and gutter, although in rural or less-formal settings it may have a natural edge to perform better storm water management for the road system. Vegetated medians greater than 14 feet wide in non-residential areas and greater than 20 feet wide in residential areas may be counted toward the Open Space Requirement [See Section 6.03 for Open Space Requirements]

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3. **Street Border** – An area of transition between the finished street and other functions in the right-of-way, including the edge of the finished street. The Street Border typically includes a Shoulder or On-street Parking, and each includes the Edge Treatment for the finished street.
- a. **On-street Parking** – An area of the roadway that permits parked vehicles. On-street parking may be either *designated* (indicated by striping) or *undesignated* (areas where parking is permitted but not specifically designated with markings.) Designated parking may either be parallel or angled. Undesignated parking is parallel and is typically used in conjunction with Yield Lanes.
 - b. **Shoulder** - A small transition of the paved surface to the impervious ground cover adjacent to the roadway. The shoulder is typically paved with the same surface as the roadway but may include porous surfaces to infiltrate run-off and provide better storm water management for the roadway system. The shoulder provides a buffer between the Travel Lanes and the Street Edge where on-street parking is not permitted, and can provide for bicycle facility or emergency stopping areas where appropriate.
 - c. **Edge Treatment** – Edge treatments provide the physical termination of the street pavement, and support the chosen storm water treatment design for the street. The dimensions of the edge treatment may be incorporated into the other elements of the Street Border (Shoulder, On-street Parking, Bicycle Lanes) where those elements are provided. See Engineering and Technical Standards found in the Appendices for appropriate curb and gutter or drainage swale design specifications. Alternative “green edges” (alternative to conventional curb and gutter) which infiltrate storm water runoff at the road side are encouraged, but are subject to discretionary review and approval by the County Engineer.
4. **Buffer Area** – The transition area between the edge of the finished street and the Pedestrian Area, buffering pedestrians from moving vehicles and providing landscape and community design amenities. The design of Buffer Areas along the rights of way is the primary determinant of the character of the community. Certain street classifications and type are appropriate for specific landscape standards.
- a. **Tree Lawn / Landscape Strip** – An area of formal manicured lawn, providing opportunities for street trees if the area is wider than five feet.
 - b. **Pedestrian Amenity Area** - An area of expanded sidewalks or solid surface immediately adjacent to the roadway including pedestrian amenities such as benches or other seating, public art, bicycle parking, and regularly spaced tree-well or landscape beds. This type of Buffer Area should only be used on streets with dedicated on-street parking, where parked cars provide a buffer between pedestrians and moving vehicles.
 - c. **Swale and Vegetated Area** – A shallow roadside depression for the conveyance and infiltration of storm water, typically including rough or natural vegetation between the roadway and pedestrian facility or private property.
5. **Pedestrian Area** – the area of the right-of-way reserved for pedestrians and creating a transition from the streetscape to private lot areas. (See subsection D. Pedestrian Facility Requirements, below for specific facility requirements).
- a. **Sidewalk** – A paved pedestrian facility directly parallel to the roadway and providing direct connections at all street intersections or designated mid-block locations. Five (5) feet minimum width is required for all sidewalks.
 - b. **Path** – A paved or stabilized porous surface for pedestrians adjacent to the roadway but may meander in a manner that is not equidistant from the street. A path is often associated with some other open space adjacent to the right-of-way, such as a greenway or a park, where duplication of a pedestrian facility in the right-of-way is unnecessary.
 - c. **Bicycle / Pedestrian Trail** - A paved or stabilized porous surface for pedestrians and bicycles that follows the same general patten as the street network, but may meander to accommodate natural features or provide a more desirable and direct non-vehicular route. A minimum of 10 feet width is required to allow bicycles and pedestrians to share the space, or to provide for two-way pedestrian travel on a single side of the street. Similar to a path, it is often associated with some other open space adjacent to the right-of-way, such as a greenway or a park, where duplication of a pedestrian facility in the right-of-way is unnecessary.
6. **Bicycle Facilities** – The area of the right-of-way that accommodates bicycle travel, which is either part of the finished street or separated from the street, and which is either shared by bicyclists (with vehicles or pedestrians) or dedicated for bicycle travel only.
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- a. *Bicycle Lanes* – Areas of the roadway immediately adjacent to Travel Lanes but specifically designated for bicycle use. Bicycle lanes can either be Dedicated or Shared. Dedicated lanes are completely separate from Travel Lanes, indicated by a stripe, colored or painted pavement, or periodic reflectors and are five to six feet wide adjacent to the outer-most travel lane. Shared lanes are wider lanes for both vehicles and bicycles, at least 14 feet wide (including shoulder without bicycle hazards such as storm inlets) typically indicated by road signs and pavement markings. Local streets and streets where design speeds are 25 mph or below do not usually have bike lanes as bicycle and vehicle flow is “combined” and can safely share the same area.
 - b. *Bicycle / Pedestrian Trail*- (See subsection 5.c., above)
7. **Other Design Elements** – Three other general elements are included for the appropriate design of the streets and rights-of-way.
- a. *Utility Locations* – The location of utilities impacts the function and aesthetics of the street. Typical cross-sections in Articles 3, 4, and 5 identify suggested locations in the right-of-way.
 - b. *Access Limitations* - An essential part of the function and aesthetics of public rights-of-way is balancing access to lots with the uniform design of the rights-of-way along its length. All Street Types contain Access Limitations appropriate to its function and design.
 - c. *Typical Front Yard* – Typical Front Yard refers to the design of the lot that creates a transition from the public rights-of-way to the private areas of individual lots. The design of the frontage of lots along a block impacts what Street Design Type is appropriate. These regulations identify the following general types of lot frontages in association with the cross-sections of specific Street Design Types in Articles 3, 4, and 5: Natural Buffer, Landscape Buffer or Screen, Yard and Setback, Courtyard, and Street-front Buildings.
- C. **Street Functional Classifications and Design Types.** Each development pattern specified in Article 2 and the implementation framework in Table 2-7 provide example street designs used in the appropriate context. Therefore each street shall have both a Functional Classification based on its role in the overall street network, and a Design Type, based on its context, the adjacent development patten, and the land uses supported by the street.
1. **General Functional Classifications.** The General Classifications are based on the standard functional classification hierarchy, and all but the local street can be used to support both residential and non-residential uses, with specific street design elements dependant upon the supported adjacent land use.
- a. *Arterial* - A street of considerable continuity that provides accessibility to other portions of the County or the region, but also provides connections and access to points along its route. Arterial streets are characterized by few interruptions, except at major community destinations.
 - b. *Collector* - A street of moderate continuity that provides direct and continuous access between adjacent neighborhoods or districts. Collector streets are occasionally interrupted or diverted by neighborhood destinations or important natural features.
 - c. *Local* – A street of limited continuity that provides access to abutting property over short distances. Local streets are interrupted frequently by neighborhood destinations, topographical obstacles or natural features, off-sets in the street grid (i.e. “T-intersections”), or limited applications of dead-end streets. Local streets should have high connectivity to other local, collector, or arterial streets, but be designed to discourage through traffic and accommodate high pedestrian or bicycle traffic.
 - d. *Access* – A street of little continuity designed solely for access to lots or interior of blocks, and not designed for through traffic.
2. **Specific Design Types.** Each Functional Classification may have a variety of eligible Street Design Types providing for better context-based design of street systems. These regulations account for the following specific design types. Each Design Type accounts for variations in the street-design elements and allocation of the rights-of-way are developed based on the specific purpose of the street and supported development patterns for a particular street section, and may vary along any single functional street classification.
- a. *Neighborhood Street.*
 - b. *Rural Drive.*
 - c. *Rural Parkway.*
 - d. *Pedestrian Street.*
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- e. Main Street.
- f. Boulevard
- g. Access Easement

Table 6-1 indicates the eligible Design Types for each street Functional Classification.

| TABLE 6-1: GENERAL FUNCTIONAL CLASSIFICATION AND SPECIFIC STREET DESIGN TYPES | |
|--|---|
| FUNCTIONAL CLASSIFICATION | DESIGN TYPES |
| ARTERIAL STREETS | <ul style="list-style-type: none"> • Rural Parkway • Main Street • Boulevard |
| COLLECTOR STREETS | <ul style="list-style-type: none"> • Rural Parkway • Neighborhood Street • Pedestrian Street • Main Street • Boulevard |
| LOCAL STREETS | <ul style="list-style-type: none"> • Rural Drive • Neighborhood Street • Pedestrian Street |
| ACCESS STREETS | <ul style="list-style-type: none"> • Access Easement |

Commentary – Simple conventional street hierarchies of Arterial, Collector, and Local generally deal very little with the design elements of the entire right-of-way, and often have one uniform standard for each functional classification. This leads to each street classification in the hierarchy supporting only one development pattern specific types of land uses. By applying the Street Design Elements differently within a single functional classification, and creating Specific Street Design Types, a single street can transition along its length to best support a variety of adjacent land uses and development patterns, and still serve its appropriate function in the overall street network.

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- D. **Pedestrian Facility Requirements.** Table 6-2 shall serve as a guide for pedestrian facility requirements on all public and private streets. The Planning Commission shall have the authority to waive or modify this requirement.

| TABLE 6-2: PEDESTRIAN FACILITY REQUIREMENTS | | | | |
|---|------------------------|---|---|--------------------------|
| | | ARTERIAL | COLLECTOR | LOCAL |
| RESIDENTIAL STREETS | LESS 1 DU/ACRE | Not required | Not required | Not required |
| | 1 TO 4 DU/ACRE | 4' path (both sides); or 10' to 12' pedestrian/bicycle trail (one side) | 5' sidewalk (one side); or 10' to 12' pedestrian/bicycle trail (one side) | 5' sidewalk (one side) |
| | 4 TO 8 DU/ACRE | 6' sidewalk (both sides); or 10' to 12' pedestrian/bicycle trail (one side) | 5' sidewalk (both sides) | 5' sidewalk (both sides) |
| | GREATER THAN 8 DU/ACRE | 10' sidewalk (both sides) | 8' sidewalk (both sides) | 8' sidewalk (both sides) |
| NON-RESIDENTIAL STREETS | TIER I AREA | 8' sidewalk (both sides); or 10' to 12' pedestrian/bicycle trail (one side) | 8' sidewalk (both sides); or 10' to 12' pedestrian/bicycle trail (one side) | n/a |
| | TIER II AREA | 8' sidewalk (both sides); or 10' to 12' pedestrian/bicycle trail (one side) | n/a | n/a |
| | TIER III AREA | n/a | n/a | n/a |

* Where no pedestrian facility is required on one or both sides of the street, at least five feet shall be added to the Buffer/Utility area in stead.

E. **Intersection Design**

1. **Street Intersections.**

- a. Streets shall be laid out to intersect at right angles to the greatest extent practical.
- b. Streets across an intersection shall either aligned with each other, or be offset by at least 150 feet at the centerline.
- c. Intersections of Access Easements or Lanes and streets shall be designed the same as driveways, maintaining any pedestrian crossings at grade with a continuous surface.

- F. **Traffic Calming.** To maintain the function, desired speed, and appropriate streetscape and intersection designs specified in this Section, traffic calming measures may be introduced into the street design. All traffic calming designs shall be based on sound engineering principles and are subject to approval by the County based upon a recommendation of the County Engineer. Table 6-3 identifies the types and description of traffic calming designs.

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| TABLE 6-3: TRAFFIC CALMING DESIGNS | | |
|--|--|--|
| ROUNDABOUT | <p>A circular raised island centered in the intersection, around which traffic flows. Unlike traffic circles, roundabouts require geometric alterations to the intersection and are used on higher-volume streets to allocate rights-of-way among competing movements.</p> | |
| “BULB-OUT,” CURB PROJECTIONS, OR NECK DOWNS | <p>Curb extensions placed at mid-block locations or at intersections which narrow the street to provide “visible friction” for vehicles and shorter crossing distances for pedestrians. These are often used in conjunction with on-street parking to help define parking areas from vehicle travel lanes.</p> | |

- G. Private Streets.** All streets required to be platted according to these regulations shall be public, except that the Planning Commission, in its sole discretion, may allow subdivisions to contain private streets
1. All streets shall be platted as separate parcels.
 2. All streets shall be under control of a single private entity that demonstrates to County’s satisfaction the organizational and financial capacity to maintain streets long-term.
 3. Streets shall meet all standards of these regulations, including all Design Elements of the rights-of-way included in sub-section B above.
 4. All streets shall have adequate official public access for maintenance of any public facilities and to ensure the public safety of future lot owners.
 5. In any circumstance where connectivity to adjacent parcels is required by these regulations, the connectivity shall be provided and a general public easement across the private streets and pedestrian facilities establishing the connectivity shall be provided.
 6. A note on the plat shall indicate:
 “The access serving this lot is private and its maintenance is NOT a public responsibility. The access is not eligible for acceptance by the County except upon re-platting of the property in compliance with these regulations or upon re-construction of the access by the landowners subject to the standards of these regulations for public streets.”
 7. Any other condition the Planning Commission deems appropriate to meet the Purposes and Intent of these regulations.
 8. All designs shall conform to the Engineering and Technical Standards found in the Appendices.

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6.02 STREET NETWORKS, BLOCKS, AND LOTS

- A. Intent.** In achieving the purposes of these regulations stated in Section 1.03, this Section 6.02, Street Networks, Blocks, and Lots, has the following specific intent:
1. To plan streets within an orderly system of blocks and lots, with logical connections to existing, planned and potential future streets.
 2. To recognize blocks and lots as the fundamental element of development patterns and the key mechanism for record keeping for the future transactions regarding land proposed to be subdivided.
 3. To create development patterns that are capable of efficiently accommodating immediate and planned uses, but that are also more resilient to pressures from future growth and potential redevelopment.
 4. To ensure that all blocks, lots, and other land areas have adequate access to streets, pedestrian facilities, and utilities necessary to support the proposed and anticipated future development.
 5. To create development patterns capable of stimulating more options for modes of travel.
 6. To emphasize relationship of community design, street design, street networks, and development patterns through appropriate context-based standards for blocks and lots.

- B. Street Networks.** Street networks for all proposed subdivisions shall be made in accordance with good land planning practices. At a minimum this shall include the following general standards, subject to the specific standards for each type of subdivision in Articles 3, 4, and 5:
1. Streets shall be in conformance with any applicable regional, County, local, or area plan that identifies a future need for specific street facilities.
 2. Streets shall be platted along contour elevations which result in the minimum grades.
 3. Subdivisions shall provide for the continuation of arterial and collector streets to surrounding areas wherever practical.
 4. Streets and street names shall reflect the continuation of any existing streets on immediately adjacent lands.
 5. A tract divided into lots substantially larger than called for under these regulations, or where rural lots are created, shall be arranged to permit:
 - a. the opening of future streets in compliance with these regulations; and
 - b. a logical pattern of re-subdivision with minimal future disruption to buildings and structures that are proposed to be built under the original subdivision.The Planning Commission or Development Services Department may restrict building locations and site elements to permit future re-subdivision in compliance with these regulations, and require a sketch plan of re-subdivision demonstrating potential future division in compliance with all regulations to be submitted with the preliminary plat.

- C. Block Patterns and Size.** All subdivisions shall create a logical pattern of blocks within the planned street network in order to accommodate the appropriate subdivision of land into individual lots. The size, shape, and layout of blocks are generally determined with regard to:
1. Street networks, street designs, and the need for convenient and safe access and circulation among all modes of transportation;
 2. Lot size requirements as specified by these regulations or any applicable zoning regulations;
 3. Limitations and opportunities of topography; and
 4. Designed open spaces and networks.

The specific size, shape and layout of blocks is determined by the type of subdivision proposed, and is further regulated by the specific standards in Articles 3, 4, and 5.

- D. Lot Arrangement and Size.** All lots shall be arranged to provide adequate building sites, site design, and open space. The size, arrangement, frontage, and access of lots are generally determined with regard to:
1. The Street Design upon which the lot fronts.
 2. The lot design standards, including frontage requirements, size, setbacks, and access standards required by these regulations;
 3. Anticipated uses of the lot, including allowed uses and required site design or other standards of any applicable zoning regulation;
 4. Natural features, including topography, vegetation, drainage courses, and flood hazards; and
 5. Accommodations and availability of utilities.
 6. Flag lots require a minimum road frontage of thirty (30) feet, as measured at the right-of-way.
- The specific type, size, shape, and arrangement of lots is determined by the type of subdivision proposed, and is further regulated by the specific standards in Articles 3, 4, and 5.

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- E. **Lot Lines.** In general all lots shall meet the following requirements:
1. **Frontage.** All lots shall have a frontage on a paved, public street, or where specifically permitted elsewhere in these regulations on a private street.
 2. **Side Lot Lines.** All side lot lines shall be at right angles to the right-of-way line, or where permitted the private street lines. On curved rights-of-way or streets, side lot lines shall be radial to that line.
 3. **Rear Lines.** Rear lot lines shall be established at a depth sufficient to permit two-tiers of lots on each block. Double frontage lots or lots that back up to streets shall not be permitted.
- F. **Lot Access**
1. **Access Types.** In general, lots shall be permitted direct vehicular access to Neighborhood Streets, Pedestrian Streets, Rural Drives, Main Streets, Boulevards, and Access Easements. Generally, lots are not permitted direct vehicular access to high volume collectors or arterials. Specific individual lot access shall be further regulated by the specific lot standards in Articles 3, 4, and 5.

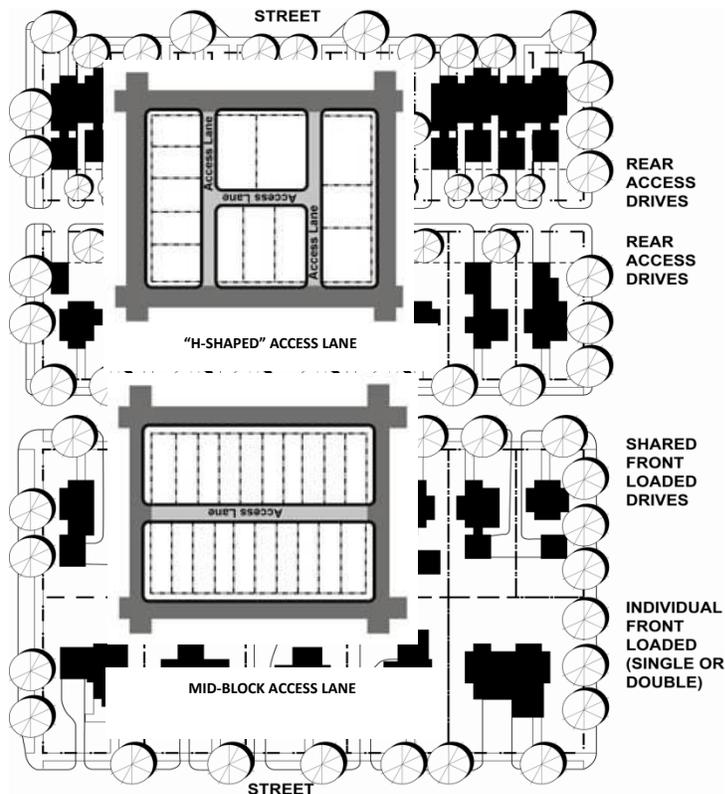


Figure 6-3. Residential lot access strategies should balance the desired streetscape type with the desired lot types. These images demonstrate how even smaller or narrow lots can accommodate access and two-car garages while providing an attractive streetscape.

2. **Pedestrian Crossings.** Where sidewalks are utilized, pedestrian roadway crossings shall be designed to provide maximum visibility and safety for pedestrians. Intersections where pedestrian crossings are provided shall have curb ramps that meet ADA standards. The design engineer should exercise particular care to provide for positive drainage at these curb access locations.
3. **Street Types in Context.** Access to lots shall be limited by the specific Lot Access standards in Articles 3, 4, or 5. These standards may be altered by any specific access management policy or program adopted for specific streets in the County. **Table 6-4** below represents the available street types and their appropriate subdivision type.

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| TABLE 6-4: STREET TYPES IN CONTEXT | | |
|---|----------------------------------|--|
| Street Design | Functional Classification | Subdivision Type |
| Boulevard | Arterial or Collector | Form Based |
| Main Street | Arterial or Collector | Form Based |
| Rural Parkway | Arterial or Collector | Conventional Conservation Form Based |
| Pedestrian Street | Collector or Local | Form Based |
| Rural Drive | Collector or Local | Conventional Conservation Form Based |
| Neighborhood Street | Collector or Local | Conventional Conservation Form Based |
| Private Access Easement | Easement | Conventional Conservation Form Based |

4. **Restrictions on Private Access Easements.** Private access easements shall be limited to only the following circumstances:
- a. A single access easement shall provide access to no more than eight lots.
 - b. A note on the plat shall indicate:
 “The access serving this lot is private and its maintenance is NOT the responsibility of Shelby County. The access is not eligible for acceptance by the County.”

Commentary - Curb-cuts, or vehicle access points in the case of streets without curbs, are the portion of the right-of-way that provides direct vehicle access from streets to individual lots. While access to lots is essential, access points produce interruptions in the pedestrian area, can disrupt vehicle flows, limit the availability of on-street parking, and can disrupt the streetscape – particularly on streets with narrower lots where front building facades will form a large part of the streetscape. Minimizing these disruptions by incorporating alternative access strategies can best achieve the purposes of these regulations.

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6.03 OPEN SPACE

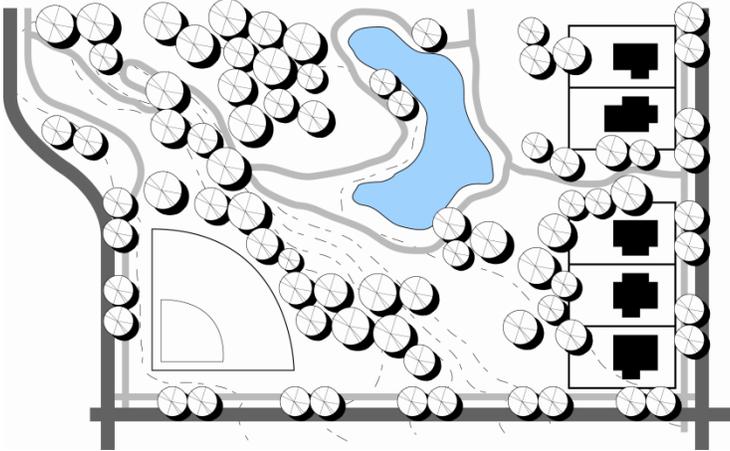
A. Intent. In achieving the purposes of these regulations stated in Section 1.03, this Section 6.03, Open Space has the following specific intent:

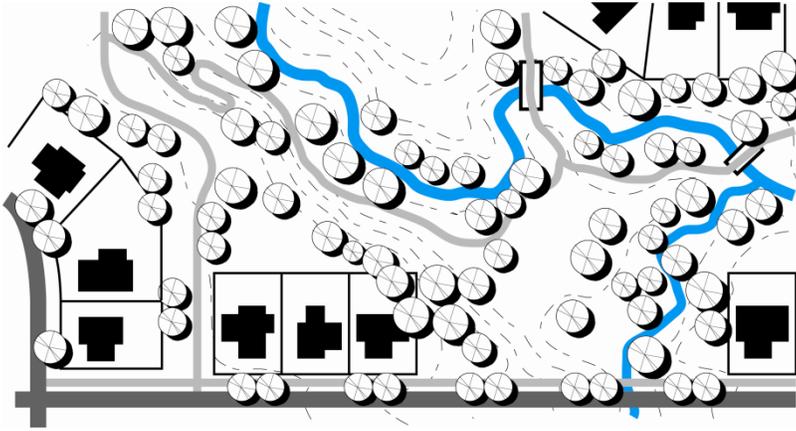
1. To recognize open space, whether public, common, or private, as a key component to shaping the character of the community.
2. To value the design, function, and perceptual impact of open space rather than solely the quantity.
3. To establish a hierarchy of diverse open space types, and create minimum standards appropriate to the context and function of open space in support of adjacent development patterns.
4. To increase citizens' access to a wider variety of quality open spaces.
5. To relate constructed elements on streets, blocks, and lots, to open space and create focal points for the community, neighborhood, district, or development site.
6. Create meaningful connections and greater perceived impact by locating open spaces proximate to open spaces on adjacent sites or within a hierarchy and community wide system of open spaces.
7. To integrate natural systems into the design of common or public open spaces to allow open space to serve multiple aesthetic, recreational, and ecological functions.

B. Open Space Categories, Types, and Design Standards. These regulations recognize three different types of open space which may be used to meet open space requirements for the various types of subdivisions: Remnant Open Space, Natural Open Space, and Formal Open Space. Each category may have different types, design standards, applicability requirements, and limitations, due to the design function of the open space, the suitability of land for use as a particular type of open space, and the utility of the category of open space to the overall development pattern.

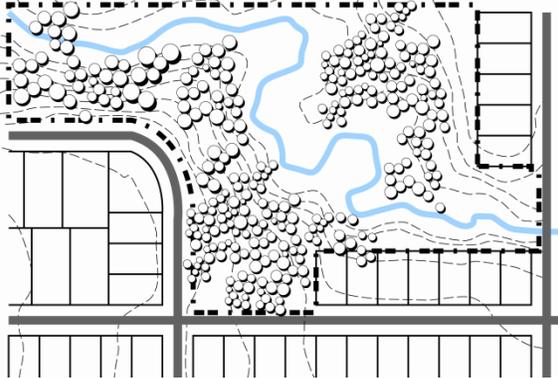
1. ***Remnant Open Space.*** Remnant Open Space is typically not developable either due to regulations or site conditions, and serves no designed purpose other than to be open, permeable ground area or to buffer other land uses. Remnant open space is most appropriate in limited application to provide site-specific benefits to individual private lots. Because it provides little cumulative or community benefit to the overall development pattern, there is little added value in consolidating and designing sites and subdivisions around Remnant open space and the application of Remnant Green Space in meeting overall Open Space requirements may be limited. Examples include extra yard areas, lawn or landscape areas that surround site entrances or monument signs, required parking lot screening and landscape areas, or other undeveloped landscape areas.
2. ***Natural Open Space.*** Natural open space is most appropriate in neighborhoods, rural areas, or at the edges of mixed-use developments. It can also be used at any location where significant natural features exist and warrant preservation. Natural open space typically provides multiple benefits including environmental, aesthetic, or recreational functions and therefore adds value to the community when consolidated and integrated into site designs. The three basic Design Types of Natural Open Space are Parks, Greenways, or Conservation Areas.
3. ***Formal Open Space.*** Formal open space is most appropriate in convenient, easily accessible locations benefiting a large number of people that live in or frequent the area. Typically this will be at the center of a residential neighborhood or in a mixed-use, commercial, or employment district. Formal Open Space by its nature creates a civic design amenity and gathering place at strategic locations, and therefore adds value to the community as a focal point for all surrounding development. The basic Design Types for Formal Open Space are: Green, Plaza, Courtyard, Playground, Streetscape Amenity, or Pocket Park.

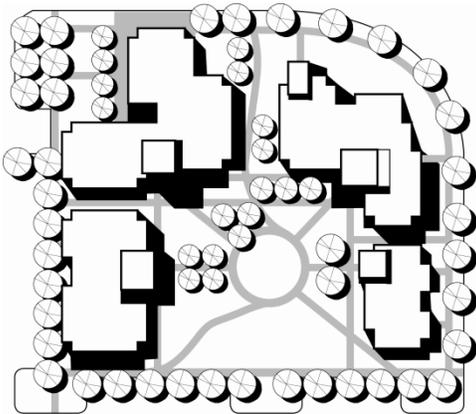
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| PARK | |
|--|---|
|  | |
| CATEGORY | Natural |
| DESCRIPTION | An undeveloped area for unstructured recreation. A Park has a predominantly natural landscape although small portions may be designed and constructed for aesthetic purposes, formal gatherings, and structured recreation purpose. Areas developed for structured recreation should not account for more than 25 percent of the total park area. |
| RECOMMENDED SIZE | Natural Parks should be at least five acres or 2/3 of any block upon which it is located, whichever is less. |

| GREENWAY (WITH TRAIL) | |
|--|--|
|  | |
| CATEGORY | Natural |
| DESCRIPTION | An undeveloped area of continuous linear natural features, often following a stream, floodplain, or road corridor. A Greenway should be usable for recreation and non-motorized transportation, through primitive hiking trails or a formal multi-use trail at least 10 feet in width but occupying no more than 1/3 the width of the Greenway. It includes few constructed improvements except for those to enhance travel or recreational use. |
| RECOMMENDED SIZE | Greenways should be at least one linear mile but sized and located based on opportunity to provide greater significant continuity throughout a development and to areas beyond the development area, and at least 30 feet wide at all locations. |

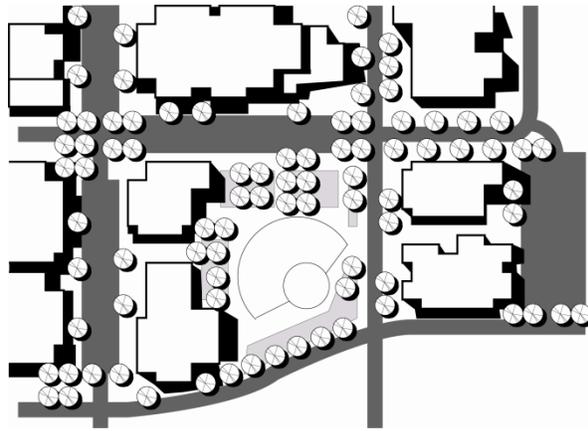
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| CONSERVATION AREA | |
|--|--|
|  | |
| CATEGORY | Natural |
| DESCRIPTION | An undeveloped area that contains significant natural features or habitat worthy of preservation, and which provide environmental, aesthetic, and recreational benefits. Features such as large stands of trees, water elements, or prominent topography characterize Conservation Areas. It contains little or no constructed improvements or maintained landscape other than trails to access the Conservation Area. |
| RECOMMENDED SIZE | The size of a Conservation Area should be based on the site characteristics and potential continuity of similar natural features in the area, along with the potential to connect to adjacent natural areas. |

| GREEN | |
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|  | |
| CATEGORY | Formal |
| DESCRIPTION | An open space for unstructured recreation or aesthetic landscaping. A Green is bordered by public right-of-ways on at least two sides. Front building facades and/or formal edge landscaped elements define any boundaries of the Green not bordered by public rights-of-way. Generally there are few constructed elements except as an entry to the Green or a gathering place created as a focal point for the Green. |
| RECOMMENDED SIZE | Greens should be between ¼ acre and three acres, but cover at least 1/3 of the block upon which it is located. The size of Greens should be coordinated with the height of surrounding buildings to maintain a ratio of building height to Green between 1:1 and 1:4 |

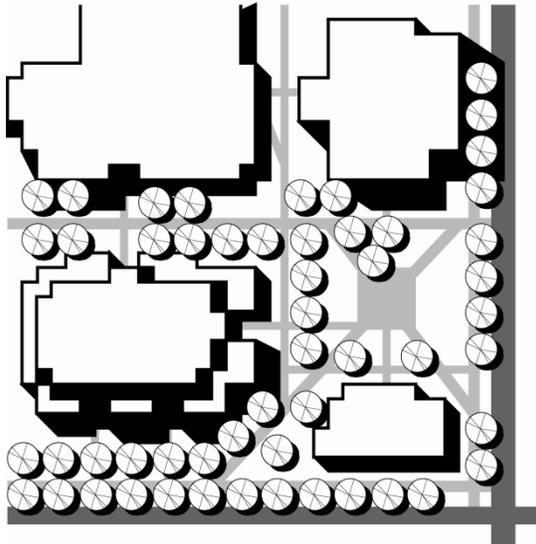
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|--------------|
| PLAZA |
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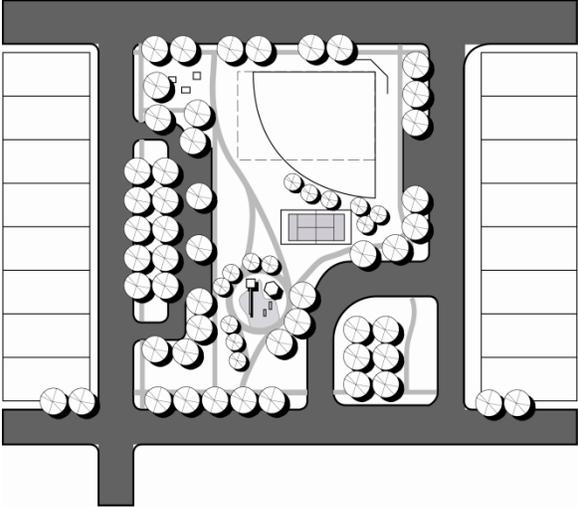
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|-------------------------|---|
| CATEGORY | Formal |
| DESCRIPTION | An open space for civic purposes and commercial activities. A Plaza is bordered by public right-of-ways on at least one side. Building facades define any boundaries of a Plaza not bordered by public rights of way. A Plaza is largely comprised of constructed materials to withstand heavy pedestrian traffic, but contains intermittent lawns, landscape beds, or trees in a formal pattern. |
| RECOMMENDED SIZE | Plazas should be between 1/8 and two acres. The size of Plazas should be coordinated with the height of surrounding buildings to maintain a ratio of building height to Plaza between 1:1 and 1:4. |

COURTYARD



| | |
|-------------------------|--|
| CATEGORY | Formal |
| DESCRIPTION | A small open space accessible to the public streets but generally serving one or a few surrounding buildings. Courtyards are primarily bordered by building facades, but have at least one side fully or partially boarded by a public right-of-way. A Courtyard is largely comprised of constructed materials to withstand heavy pedestrian traffic, but contains intermittent formal landscape elements. |
| RECOMMENDED SIZE | A Courtyard should be between 400 square feet to 1/8 acre, but be coordinated with the height of surrounding buildings to maintain a building height to Courtyard width ratio between 2:1 and 1:2. |

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| PLAYGROUND | |
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|  | |
| CATEGORY | Formal |
| DESCRIPTION | An open space designed and equipped for structured recreation. A Formal Playground may be part of larger Formal or Natural open space. Playgrounds boundaries are defined by either fences, playing surfaces, or other similar constructed feature encompassing the play equipment. Formal Playgrounds are often used as a focal point for a Neighborhood, particularly when designed as part of a Green or Park. |
| RECOMMENDED SIZE | Playgrounds should be between 400 square feet to ¼ acres. |

| POCKET PARK | |
|--|--|
|  | |
| CATEGORY | Formal |
| DESCRIPTION | A small open space with pedestrian access used for aesthetic landscaping, small informal gathering and recreation, or occasional public seating (such as a Pocket Park designed in conjunction with a transit stop). Pocket Parks are often designed as gateway features along a corridor, at entrances to a neighborhood or district, or as the focal point for a neighborhood or district. |

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| | |
|----------------------------|---|
| RECOMMENDED SIZE | Pocket Parks should be between 100 square feet and ¼ acre. |
| STREETSCAPE AMENITY | |
| Graphic Under Revision | |
| CATEGORY | Formal |
| DESCRIPTION | A landscape area of significant continuity designed as a focal point of a roadway. In order to be counted as open space, the median shall be wide enough and include pedestrian access, public art, or enhanced landscape design similar to a Green. |
| RECOMMENDED SIZE | Medians used for the Boulevard or Rural Parkway Street Design Types may be counted toward any Open Space Requirement if: <ul style="list-style-type: none"> • It exceeds 14 feet wide for non-residential areas; or • It exceeds 20 feet wide in residential areas. |

- D. **Required Open Space.** The specific size, type, and location of open space required for each proposed subdivision is determined by the type of subdivision proposed, and is further regulated by the specific standards in Articles 3, 4 and 5.

6.04 STORM WATER FACILITIES

- A. **Intent.** In achieving the purposes of these regulations stated in Section 1.03, this Section 6.04, Storm water Facilities has the following specific intent:

1. Protect people and property from the hazards of flooding and excess storm water run-off, and to mitigate future risks of damage associated with the division and development of land.
2. Minimize the amount of impervious surfaces directly connected to storm water systems, and establish infiltration into the ground water as the preferred treatment strategy.
3. To allow more flexibility in the design of development patterns and sites to promote more regional or watershed-based solutions to storm water management.
4. Reduce the amount of runoff entering the storm water system and, alternatively, into the natural wetlands.
5. Reduce the speed of flow of runoff that enters the storm water system and into natural wetlands.
6. Reduce the pollutant and sediment levels in runoff that enters the storm water system and into the natural wetlands.
7. To develop a storm water system that reduces the quantity and speed of flow entering natural wetlands.
8. To encourage creative designs and development patterns that allow land areas to perform multiple functions in terms of landscape design, flood hazard mitigation, open space and recreation and storm water treatment, allowing for more efficient development of parcels, blocks, and lots.

- B. **Drainage Plan.** All subdivisions shall contain a Drainage Plan submitted with the preliminary plat.

1. The Drainage Plan shall be designed to handle drainage from the development of all parcels within the subdivision assuming full build-out of all lots proposed in the development. The design shall incorporate impacts of all other known and planned development activity and make reasonable assumptions about future development on other lots and parcels, and identify any opportunities for joint management of storm water among other potential development parcels.
2. The Drainage Plan should consider the implementation of storm water Best Management Practices to minimize the detrimental effects of storm water runoff.
3. The design engineer shall be required to provide a letter that the drainage plan has been designed in such a manner that the development will not adversely affect downstream properties. (NO ADVERSE EFFECTS LETTER)
4. In the development of property, it is often necessary to route the drainage through a constructed drainage system. In order to allow water to flow through the property without trespassing, easements must be provided for the entire drainage system; Maintenance of all parts of the

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drainage system outside of the rights-of-way through the easement is the responsibility of the affected property owners and/or the Homeowners Association. The following note must be placed on all plats:

Shelby County is not responsible for the maintenance of any easements shown on this plat outside of the public right-of-way. All easements on this map are for public utilities, sanitary sewers, storm sewers, storm ditches and may be used for such purposes to serve the property both within and without the subdivision.

C. Storm water Best Management Practices. Storm water Best Management Practices (BMPs) refers to the process by which storm water is either converted to runoff or is delivered into the groundwater or natural wetlands. The BMP used for individual development sites should be based upon the specific site conditions. *Table 6-5: Storm water Best Management Practices* identifies the types and applicability of BMPs.

D. Post Construction Storm Water Management (Resolution 19-8-26-05)

Post-Construction Storm Water Management refers to the activities that take place after construction occurs and includes structural and non-structural controls including low-impact development practices to obtain permanent storm water management over the life of the property's use.

The Post-Construction Storm Water Management in New Development and Re-Development program will require developers and landowners to submit for review and maintain BMPs, to consider low impact development techniques, provide as-built BMP certifications and annual performance reports and inspection records, and provide adequate mechanisms to insure long-term operation and maintenance of BMPs. Shelby County will enforce post construction BMPs at all new and redevelopment projects.

A. For projects that are located within the MS4 Permit area, the Final Plat review shall include:

- 1) The developer must develop and maintain best management practices to ensure, to the MEP, that post-construction runoff mimics pre-construction hydrology of the site. A 1.1 inch rainfall over a 24-hour period preceded by a 72-hour antecedent dry period shall be the basis for the design and implementation of post-construction BMPs. (Calculations should be submitted for both Preliminary and Final Plat review.)
- 2) An "as built" certification of the appropriate structural controls shall be submitted within 120 days of the completion of the project. Developers are encouraged to incorporate the use of low impact development (LID)/green infrastructure where feasible.
- 3) A post-construction BMP plan shall be submitted for review.
- 4) The developer shall perform an annual post-construction inspection to ensure that design standards are being met. The annual post-construction inspection shall include the following information:
 - Facility Type (detention/retention pond, bio swale, ditch, etc.)
 - Inspection Date
 - Name and signature of inspector
 - Site location (address, lat long, etc)
 - Owner Information (name, address, phone number and email)
 - Description of the storm water BMP condition that may include the quality of: vegetation and soils, inlet and outlet channels and structures, embankments, slopes and safety benches, spillways, weirs and other control structures; and sediment and debris accumulation in storage and forebay areas as well as in and around inlet and outlet structures
 - Photographic documentation of all critical storm water BMP components
 - Specific maintenance items or violations that need to be corrected by the owner/operator of the storm water control or BMP; and,
 - Maintenance agreements for long-term BMP operations and maintenance
- 5) The developer/owner/operator shall keep records of post-construction inspections, maintenance activities and make them available to Shelby County and the ADEM upon request and require corrective actions to poorly functioning or inadequately maintained post-construction BMPs.

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- 6) One or more of the following may be required to ensure adequate long-term operation and maintenance of post-construction BMPs:
- The developer's signed statement accepting responsibility for maintenance until the maintenance responsibility is legally transferred to another party; and/or
 - Written conditions in the sales or lease agreement that require the recipient to assume responsibility for maintenance; and/or
 - Written conditions in project conditions of approval, covenants and restrictions for residential properties assigning maintenance responsibilities to a home owner's association or other appropriate group, for maintenance of structural and treatment control management practices; and/or
 - Any other legally enforceable agreement that assigns permanent responsibility for maintenance of structural or treatment control management practices.

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| TABLE 6-5: STORM WATER BEST MANAGEMENT PRACTICES | | |
|---|---|--|
| BMP | DESCRIPTION AND CHARACTERISTICS | PLANNING CONSIDERATIONS |
| INFILTRATION SYSTEMS | <p>Systems that infiltrate storm water into the ground before it leaves the site. Infiltration's systems have the greatest capacity to both reduce storm water runoff quantity and ensure runoff water quality.</p> <p>Examples are:</p> <ul style="list-style-type: none"> • infiltration basins; • alternative paving surfaces such as porous pavement, modular perforated concrete or stabilized permeable surfaces; and • infiltration trenches or wells | <ul style="list-style-type: none"> • Ensure that groundwater does not impact drinking water supply or monitor infiltration system to ensure pollutants are removed if it does enter drinking water. • Use only where permeability of soils is sufficient. • Consider maintenance system or long-term permeability of soils. • Avoid compaction of soil and ensure stability of soil where infiltration occurs. • Use porous pavement or stabilized porous surfaces only where traffic will be low or infrequent, snow removal or treatment will be minimal, and sediment in runoff will be low. |
| CONSTRUCTED WETLAND SYSTEMS | <p>Systems similar to Retention and Detention systems except that a substantial portion of the water surface area or bottom area contains wetland vegetation.</p> <p>Examples are:</p> <ul style="list-style-type: none"> • wetland basins; and • wetland channels | <ul style="list-style-type: none"> • Use only where substantial study had ensured that conditions will ensure the long term survival of wetland vegetation species. • Consider conditions between runoff events, seasonal fluctuations in selecting wetland vegetation, and degree that groundwater could provide water during low periods. • Use with additional treatment to remove large sediments from runoff prior to reaching vegetated area. |
| RETENTION SYSTEMS | <p>Systems that capture a volume of runoff and store it until it is displaced by infiltration or by the next runoff event, such that a permanent pool of water is present between runoff events. Retention systems can reduce runoff quantity and improve quality prior to runoff using infiltration in conjunction with the retention system.</p> <p>Examples are:</p> <ul style="list-style-type: none"> • retention or wet ponds. | <ul style="list-style-type: none"> • Design retention systems as an amenity for development, with enhance aesthetics and landscape elements, and include pedestrian access. • Use additional BMPs such as infiltration, constructed wetlands, and biofiltration wherever possible. |
| FILTRATION SYSTEMS | <p>Systems that use some combination of granular filtration media such as sand, soil, peat, or gravel to filter pollutants from storm water prior to converting it to runoff. Filtration systems primarily deal with quality of runoff and are most appropriate on small, individual sites or dense areas where land necessary for other BMPs is not available.</p> <p>Examples are:</p> <ul style="list-style-type: none"> • surface filters and underground filters; • biofilters or bioretention areas; • vegetated swales; and • grass filter strips. | <ul style="list-style-type: none"> • Incorporate bioretention areas or vegetated filters into parking lot landscape edges, landscape buffers, or other required landscape areas wherever possible. |
| DETENTION SYSTEMS | <p>Systems that capture a volume of runoff and temporarily store it for release into the storm water system without a significant permanent pool between runoff events. Detention systems can control the quantity or runoff, but do little to control the quality of runoff.</p> <p>Examples are;</p> <ul style="list-style-type: none"> • detention basins or ponds; and • underground detention vaults | <ul style="list-style-type: none"> • Use only as an exception, based on a clear showing that all other methods are impractical based on characteristics of the land. • Use only for situations that simply require reduced peak discharges to minimize downstream flooding. • Wherever possible, use in conjunction with other BMPs to reduce runoff quantity and eliminate pollutants. • Design detention basins for potential ancillary uses during dry periods wherever possible. • Detention basins shall be subject to additional limiting design factors such as depth, location, screening, or other site factors to ensure efficient and safe site design. |

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6.05 STREAM BUFFERS

A. Intent. In achieving the purposes of these regulations stated in Section 1.03, this Section 6.05, Stream Buffers has the following specific intent:

1. To promote public health, safety, and welfare of the citizens of Shelby county.
2. To preserve the water quality and environmental integrity of the Cahaba and Coosa Rivers and their 1st, 2nd and 3rd order streams.
3. To mitigate future threats to public health associated with diminished water quality.

B. Stream Buffer Requirements.

1. The Stream Buffer requirements for the Cahaba and Coosa Rivers shall consist of land within 75 feet of the stream bank.
2. The Stream Buffer for the 1st, 2nd and 3rd Order Streams shall consist of land within 50 feet of the stream bank.
3. The Stream Buffer for the Cahaba and Coosa Rivers and 1st, 2nd and 3rd order streams shall include two distinct zones with each zone having its own set of allowable uses and vegetative targets as specified in subsection C below.
4. Upon the recommendation of staff and approval of the Planning Commission, a person may modify the buffer requirements noted above by utilizing a buffer averaging method. Should a buffer averaging method be used, the average buffer area for the subject property must be equal to 75 feet for the mainstems of the Cahaba and Coosa Rivers and 50 feet for their 1st, 2nd and 3rd order streams. Furthermore, in utilizing a buffer averaging method, in no instance shall the buffer zone be less than 25 feet. In considering any modification, attention will be given to maintaining natural vegetation, eliminating or minimizing run-off and preventing stream degradation.
5. Stream buffers must be shown on the following: Master Plan, Regulating Plan, Final Development Plan, Preliminary Plat and Final Plat.

C. Stream Buffer Zones. Buffer zones shall be composed of two distinct zones: (1) Streamside Zone and (2) Outer Zone. Each zone shall have its own set of allowable uses and vegetative targets as described below.

1. Streamside Zone – Zone 1

- a. The function of the streamside zone is to protect the water quality, physical and ecological integrity of the stream ecosystem.
- b. The streamside zone will begin at the stream bank of the active channel and extend a minimum of 25 feet for the affected waterways.
- c. Allowable uses within this zone are restricted to:
 - i. Flood control structures and activities;
 - ii. Pervious footpaths approaching and running adjacent to the river/stream;
 - iii. Road and public utility crossings;
 - iv. Boat/canoe launching facilities;
 - v. Restoration projects to restore stream bank integrity and native vegetation;
 - vi. Maintenance, repair, and extension of any public and private utility lines or related infrastructure;
- d. The Streamside Zone must be retained in its undisturbed natural vegetative state, except for modifications required for allowed uses noted in “c”, above.
- e. No motorized vehicles or equipment to be operated in the Streamside Zone, except as necessary for construction or maintenance as allowed in “c”, above.

2. Outer Zone – Zone 2

- a. The function of the Outer Zone is to protect key components of the stream and forest, provide distance between upland development and the streamside zone, protect Stream forest for water quality, and to prevent encroachment into the Stream buffer and to filter runoff from development.
- b. The Outer Zone will begin at the outer edge of the Streamside Zone and extend a minimum of fifty feet for the Cahaba and Coosa Rivers and twenty-five feet for 1st, 2nd and 3rd Order Streams.
- c. Allowable uses within the Outer Zone are restricted to:
 - i. Those uses allowed in the Streamside Zone – Zone 1
 - ii. Pervious biking or hiking paths;
 - iii. Drainage facilities required to meet the storm water requirements of the subject development;
 - iv. Invasive species control and/or removal;
 - v. Additional passive recreational uses;
 - vi. Tree clearing and undergrowth removal limited to the minimum required for uses as stated above or as required to maintain

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- d. The vegetative target for the Outer Zone is to restore and preserve vegetation native to the region. Allowable uses shall be designed, constructed and maintained to minimize footprint of the use and the required clearing of natural forest and to prevent erosion and sediment pollution both during and after construction.
- e. No motorized vehicles or equipment to be operated in the Outer Zone, except as allowed in the Streamside Zone and as noted in "c", above. Also, no motorized vehicles shall be allowed on trails except for emergency and maintenance vehicles.

D. Stream Buffer Maintenance, Management and Restrictions.

- 1. The Stream buffer, including wetlands and floodplains, shall be managed to protect and restore the unique value of these resources. Management includes specific prohibitions or limitations on alteration of the natural conditions of the resources within the setback to include, but not be limited to the following:
 - a. Clearing of trees and vegetation or landscaping with non-native vegetation, except as reasonable necessary to accomplish the allowable uses as set forth in these regulations.
 - b. Soil disturbance by grading, stripping, or other practices, except as reasonably necessary to accomplish the allowable uses as set forth in these regulations.
 - c. Dumping of waste.
 - d. Drainage by ditching, under drains, or other systems, except as allowed in Section C above.
 - e. Use, storage, or application of pesticides, herbicides and fertilizers, except as allowed in Section E.
 - f. Housing.
 - g. Storage of motorized vehicles or operation of same, except for emergency use.
- 2. Roads, bridges, and trails are permitted within the Stream buffer, subject to the provisions above. Furthermore, any right-of-way should be the minimum width needed to allow for necessary maintenance and installation.
- 3. In all land modifications, on-site and non-structural storm water management alternatives will be preferred over larger facilities within the Stream buffer, and the cleared area will be limited to the area required for construction and adequate maintenance access in constructing storm water management facilities, with material dredged or otherwise removed to be stored outside the buffer.

E. Fertilizers, Herbicides and Pesticides. The use of herbicides and pesticides within the required stream buffer shall be limited to those necessary to control insects and vermin, or the spot spraying of noxious and invasive or non-native vegetative species. No pesticide, herbicide, or insecticide containers that are not closed and waterproof shall be stored, even temporarily, within the buffer zone.

F. Flood Damage Prevention Ordinance. Nothing herein shall be construed as superseding the Flood Damage Prevention Ordinance. In the case of conflicts, the most stringent condition shall apply, as determined by the County Engineer.

6.06 LAND DISTURBANCE PROVISIONS

A. Intent. In achieving the purposes of these regulations stated in Section 1.03, this Section 6.06, Land Disturbance Provisions has the following specific intent:

- 1. To protect those area subject to severe erosion, and off-site areas which are vulnerable to damage from erosion and/or sedimentation.
- 2. To plan for erosion control before land disturbing activities commence.
- 3. To limit exposed areas to the shortest feasible time and to minimize the size of the area to be exposed at any one time.
- 4. To control surface water runoff, regardless of source, to reduce erosion and sediment loss.
- 5. To minimize accelerated erosion off development sites.

B. Design and Performance of Erosion Control Measures.

- 1. No clearing and grading will be permitted prior to preliminary plat or regulating plan approval.
- 2. Cut and fill slopes shall be no greater than 2:1.
- 3. Clearing and grading of natural resources, such as forests and wetlands, shall not be permitted, except in compliance with these regulations. Clearing techniques that retain natural vegetation and drainage patterns shall be used to the satisfaction of the Manager of Development Services.

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4. Clearing shall not begin until all sediment control devices have been installed, stabilized and permitted.
 5. Phasing shall be required on all sites disturbing more than 20 acres; the size of each phase to be established at plan review.
 6. Erosion control requirements shall include the following:
 - a. Soil stabilization shall be completed within five days of clearing and maintained throughout construction.
 - b. Vegetative erosion control methods shall become established within two weeks or the site shall be reseeded or a nonvegetative option employed.
 - c. Techniques that protect steep slopes and natural drainage ways shall be used.
 - d. Soil stockpiles must be stabilized or covered at the end of each workday.
 - e. The entire site must be stabilized at the close of construction.
 - f. Techniques that divert runoff past disturbed slopes shall be employed.
 - g. Dust control techniques shall be employed.
 7. Sediment control requirements may include, but are not limited to:
 - a. Settling basins, sediment traps, or tanks and perimeter controls; or
 - b. Settling basins that are designed in a manner that allows adaptation to provide long term storm water management, if required; or
 - c. Protection for adjacent properties by a vegetated buffer strip in combination with perimeter controls; or
 - d. Infiltration basins, porous pavement systems and infiltration trenches or wells, or biofilters.
 8. Construction site access requirements shall include:
 - a. A temporary access road provided at all sites, and
 - b. Any other measures required by the Manager of Development Services in order to ensure that sediment is not tracked onto public streets by construction vehicles or washed into storm drains.
- C. Ground Cover.** If more than one acre is disturbed, the person conducting the land disturbing activity shall install sedimentation and erosion control devices to retain the sediment within the boundaries of the tract during construction. Planting of a permanent ground cover, sufficient to restrain erosion, must be accomplished within 14 working days or 30 calendar days, whichever period is shorter, following completion of construction.
- D. Erosion Control Plan Required.**
1. A copy of the applicant's National Pollutant Discharge and Elimination System (NPDES) permit and a copy of the Erosion Control Plans approved by the Alabama Department of Environmental Management (ADEM) must be submitted to the Department of Development Services with the application for Preliminary Plat (Conventional and Conservation Subdivisions) or Regulating Plan (Form-Based Subdivision).
 2. Erosion and sediment control measures must be in place and functional before earth moving operations begin, and must be constructed and maintained throughout the construction period as necessary.
 3. The applicant or his/her agent shall make regular inspections of all control measures. The purpose of such inspections will be to determine the overall effectiveness of the erosion and sediment control plan and the need for additional control measures.
 4. Building permits will not be issued and building inspections will be withheld if periodic inspections, conducted by Shelby County personnel, determine that erosion or sediment controls are not in-place or are not being maintained on the construction site.

6.07 UTILITIES

- A. Intent.** In achieving the purposes of these regulations stated in Section 1.03, this Section 6.07, Utilities has the following specific intent:
1. To provide all lots and land areas for potential future development with adequate utility services and potential access to future utility services.
 2. Coordinate the efficient construction of utilities for existing, immediate, and planned future growth, and minimize needs for disruption of existing services and infrastructure throughout the County.
 3. Specify appropriate locations for utilities that can best accommodate proposed and adjacent development patterns and land uses.
 4. Promote the long-term efficiency, operational integrity, and maintenance of utility systems.
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5. Encourage construction and maintenance of utility systems that presents the least impact on other infrastructure or improvements, natural resources, and the aesthetics of the community.

B. Sanitary Sewer.

1. **Sewer Facility Types.** These regulations recognize the following basic sanitary sewer facilities:
- a. *Centralized Treatment System Connection.* Connection to existing centralized systems managed by a public entity or private company.
 - b. *Individual On-site Treatment System.* Treatment systems that serve a single lot or multiple lots.
2. **Required Facilities.** All lots in a proposed subdivision shall be served by adequate sanitary sewer facilities as specified in Table 6-6, Sewer Treatment Facilities.

| TABLE 6-6: SEWER TREATMENT FACILITIES | |
|---------------------------------------|---|
| LAND SUITABILITY LEVEL | FACILITY REQUIREMENTS |
| TIER I | All lots shall be served with connection to a Centralized Treatment System which is deemed adequate by the Alabama Department of Public Health to handle the additional demands and volume which shall result from the proposed subdivision. |
| TIER II | All lots shall be served with: <ul style="list-style-type: none"> • Individual On-site Treatment System meeting the Alabama Department of Public Health minimum standards; or • Connection to a Centralized Treatment System; where land lies within an existing eligible service area of an existing provider with services immediately available, connection may be required. |
| TIER III | All lots shall be served with on-site individual treatment systems meeting the Alabama Department of Public Health minimum standards. <i>Exception.</i> Conservation Subdivisions in Tier III Land Suitability areas may use Decentralized On-site Systems meeting the Alabama Department of Public Health minimum standards and the additional standards in sub-section 3., below. |

3. **Signature Required.** For individual on-site treatment systems, a signature of the managing entity of the Alabama Department of Public Health is required on all plats as evidence that adequate sanitary facilities are provided for the proposed development. For centralized treatment systems, a signature from the authorized representative of the managing entity is required on all plats.

C. Water.

1. **Water Supply Types.** These regulations recognize the following basic water supply types:
- a. *Public Water Supply.* Service of potable water from a distribution system controlled by a public entity.
 - b. *Individual On-site Water Supply.* Service of potable water from a well located on the property.
2. **Required Facilities.** All lots in a proposed subdivision shall be served by adequate potable water supply as specified in Table 6-7, Water Supply Facilities.

| TABLE 6-7: WATER SUPPLY FACILITIES | |
|------------------------------------|---|
| LAND SUITABILITY LEVEL | FACILITY REQUIREMENTS |
| TIER I | All lots shall be served by a connection to an adequate Public Water Supply. |
| TIER II | All lots shall be served by a well meeting Alabama Department of Public Health minimum standards. <i>Exception.</i> Lots within reasonable access of any public supply main may be required to tap into public water supply. |
| TIER III | All lots shall be served by a well meeting Alabama Department of Public Health minimum standards. <i>Exception.</i> Lots within reasonable access of any public supply main may be required to tap into public water supply. |

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D. Location.

1. Where location of utilities in the rights-of-way, access easements, or lanes is not practical or is prohibited, utility easements, with a minimum width of ten feet shall be platted along the front, rear, and/or sides of all lots where deemed practicable by the County Engineer.
2. All utilities shall be placed underground, except in Administrative Subdivisions, Tier II and III Conventional Subdivisions, subdivisions that are zoned, or as otherwise approved by the Planning Commission.
3. All lots, easements, and rights-of-way shall be located to eliminate unnecessary jogs or offsets in utility locations and to provide efficient connections and services to adjacent property, based on the recommendation of the County Engineer.

E. Required Off-Site Improvements. When, at the discretion of the Planning Commission, based on the recommendation of the County Engineer, existing or proposed infrastructure in proximity to the subdivision are impacted by the proposed subdivision to the extent that they must be designed, constructed, expanded, or upgraded to support the general health, safety, and welfare, the Planning Commission may require the subdivider to design, construct, expand, or upgrade the infrastructure as a condition of approval.

1. Required off-site improvements may include:
 - a. Streets and rights-of-way, including construction, acquisition, extension, or connection;
 - b. Traffic control devices, including mechanical systems and geometric configurations;
 - c. Stormwater facilities, including natural and constructed systems; and
 - d. Utility facilities, including easements, sanitary sewer facilities, water distribution facilities, and other service utilities.
 - e. Sidewalks or other non-vehicular pathways.
2. In the event that the Planning Commission, based on the recommendation of the County Engineer, determines the need for the off-site improvements are impacted by more than one subdivision, or to an extent by the county-at-large, the Planning Commission may require the subdivider to share in the cost to the extent generated by the impact of the proposed subdivision. The Planning Commission may require the subdivider to deposit its share of the total cost in a special account reserved for the immediate or subsequent payment for the design, construction, expansion, or upgrade of the public facility.

6.08 PUBLIC AND COMMUNITY FACILITIES

A. Intent. In achieving the purposes of these regulations stated in Section 1.03, this Section 6.08, Public Facilities has the following specific intent:

1. To facilitate the planning and development of public and community facilities in a timely manner in association with future development of the County.
2. To provide the opportunity to negotiate a fair and equitable price for land needed to develop public or community facilities, or alternatively to provide an incentive for land owners to dedicate land for needed facilities where the lack of facilities may otherwise constrain potential future development.
3. To encourage the integration of public and community facilities into the planning of streets, lots, and blocks so that needed facilities are located conveniently in neighborhoods and districts and serve as focal points for the community.
4. To incorporate any specific existing or future public or community facility plans in the subdivision process, and to allow these plans to serve as guides for future land subdivisions and growth.
5. To ensure that the most appropriate locations of public and community facilities are identified and considered prior to the premature commitment of these areas to conflicting development patterns.

B. Reservation or Dedication of Public Sites. The Planning Commission may require the reservation of land for public facilities such as parks or other open space, schools, or public safety facilities subject to the following:

1. The area of the proposed subdivision shall be shown on an official plan of the entity responsible for the public facility as a potential site for future expansion.
2. The land shall be reserved for a period of one year to permit such land to be acquired by the appropriate public body.
3. In the event that the land may not be acquired, the applicant may propose subdivision of the land in conformance with all regulations.

Shelby County Subdivision Regulations

4. Where the land is not shown on any official plans of an entity responsible for the public facility, but where the development may create a need for such facilities, the developer may dedicate the necessary lands.
 - a. Dedication and acceptance of such land for public facilities could alter the Land Suitability Level for the site.
 - b. All such dedications shall be subject to a determination of the land being adequate for a particular purpose and acceptance by entity responsible for the public facilities.

- C. **Open Space Credits.** Any land that is dedicated and accepted for public facilities, such as parks or other open space, schools, or public safety facilities, may be credited to any Open Space required by these regulations, at the sole discretion of the Planning Commission.

- D. **Land Suitability Upgrade.** Any land that is dedicated and accepted for public facilities, such as parks or other open space, schools, or public safety facilities, may be justification to upgrade the land suitability tier determined for a particular parcel of land where the lack of necessary public or community facilities is limiting the development potential for the land.

6.09 MAINTENANCE OF NON-PUBLIC IMPROVEMENTS

Certain facilities, such as storm water drainage systems, which are not within the road right-of-way, such as detention ponds, or other storm water management facilities, ditches, sidewalks, street lights, community landscaping, etc., require on-going perpetual maintenance. The responsibility to properly maintain these improvements lies with the affected property owners and/or the development's required Homeowners Association.

As a condition of final plat approval, the developer must submit a copy of the recorded Articles of Incorporation of the Homeowners Association. Provisions to collect dues from the owner's of the lots of record in the development must be provided for in an amount sufficient to carry out perpetual maintenance of said improvements. Articles of Incorporation must provide for establishment of a board to oversee maintenance and direct property expenditure of funds.

The developer shall be responsible for all maintenance of such facilities until such time as a board is seated and control is turned over to said association.

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Shelby County Subdivision Regulations

APPENDIX A – SUBMITTAL REQUIREMENTS

| SUBMITTAL REQUIREMENTS – MINIMUMS, ADDITIONAL INFORMATION MAY BE REQUIRED AS NECESSARY FOR COMPLETE CASE REVIEW | | | | | | | | | |
|--|-------------------|---------------------------|-----------------|-----------------------------|-----------------|------------------|------------|-----------------|-----------------|
| X Required * Required, as conditions warrant | MINOR SUBDIVISION | RESUBDIVISION OR RESURVEY | PLAT CORRECTION | Master Plan- Conditional | MASTER PLAN-FBD | PRELIMINARY PLAT | FINAL PLAT | REGULATING PLAN | FINAL DEV. PLAN |
| Introductory Information | | | | | | | | | |
| Requested Land Suitability Tier and supporting evidence | | | | X | X | X | X | X | X |
| Graphic and written scale at 1" = 100' or greater | X | X | X | X | X | X | X | X | X |
| Quarter section, section, township, and range with ties to all existing quarter section or section corners within or in the vicinity of the proposed subdivision | X | X | X | | X | X | X | X | X |
| Date of preparation, including latest revisions | X | X | X | X | X | X | X | X | X |
| North arrow | X | X | X | X | X | X | X | X | X |
| Name, address, and phone number of persons responsible for preparing application | X | X | X | X | X | X | X | X | X |
| General information section indicating number of sheets, | | | | X | X | X | | X | X |
| Blank space (4"x6") on lower right of title sheet reserved for County use. | X | X | X | X | X | X | X | X | X |
| Name of subdivision | X | X | X | X | X | X | X | X | X |
| Name, address, and contact information of legal property owner(s) | X | X | X | X | X | X | X | X | X |
| General Property Information | | | | | | | | | |
| Current zoning of the property or "unzoned" where no zoning applies | X | X | X | X | X | X | X | X | X |
| General vicinity map at a scale of no smaller than 1" = 1000' | X | X | X | X | X | X | X | X | X |
| Legal description | X | X | X | X | X | X | X | X | X |
| Table of Statistics | | | | | | | | | |
| Total area of subject property | X | X | X | X | X | X | X | X | X |
| Area of each lot (standards for FBD Master Plan) | X | X | X | * | X | X | X | X | X |

Shelby County Subdivision Regulations

APPENDIX A – SUBMITTAL REQUIREMENTS

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|--|-------------------|---------------------------|-----------------|---|-----------------|------------------|------------|-----------------|-----------------|
| X Required * Required, as conditions warrant | MINOR SUBDIVISION | RESUBDIVISION OR RESURVEY | PLAT CORRECTION | Master Plan- Conventional/Conservation | MASTER PLAN-FBD | PRELIMINARY PLAT | FINAL PLAT | REGULATING PLAN | FINAL DEV. PLAN |
| Total number of dwelling units and lots (and by phase where applicable) (Master Plan – approximate number) | | | | X | X | X | X | X | X |
| Total number of each different lot type (and by phase where applicable) (Master Plan, Conventional/Conservation approximate number) | | | | X | X | X | X | X | X |
| Net and gross density by total project, by phase, and by block (total project only for FBC/approx for FBC Master Plan) | | | | X | X | X | X | X | X |
| Average, smallest and largest block sizes by length and by perimeter, including indication of specific block numbers of the largest and smallest. | | | | * | * | | | X | X |
| Area of open space (broken into categories in Section 6.03 (B)) for total project, phase, and block.(total project or ped shed for FBC) | | | | X | X | X | X | X | X |
| Topographic Information / Existing Conditions | | | | | | | | | |
| Existing contours based on USGS or US Coast and Geodetic Survey sea level datum: 1' intervals for 5% slopes or less; 2' intervals for 5% - 10%; 5' intervals for over 10%(@avail USGS interval for FBC Master Plan & specified intervals if available w/o specific on-site engineering for Regulating Plan) ¹ | * | * | * | X | X | X | | X | X |
| General depiction of all significant natural features including large trees, large stands of trees or other important vegetation and habitats, or any other similar features.(i.d. of large trees not required for FBC plans if tree standards included in Code accompanying Regulating Plan) | X | | | X | X | X | X | X | X |
| Soil types | | | | | | X | | X | * |
| Location of all streams and identification of stream characteristics | X | | | X | X | X | X | X | X |
| 100-year flood plain – (Panel Number and Date) | X | X | X | X | X | X | X | X | X |

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|--|-------------------|---------------------------|-----------------|-------------------------|-----------------|------------------|------------|-----------------|-----------------|
| X Required * Required, as conditions warrant | MINOR SUBDIVISION | RESUBDIVISION OR RESURVEY | PLAT CORRECTION | Master Plan- Concept | MASTER PLAN-FBD | PRELIMINARY PLAT | FINAL PLAT | REGULATING PLAN | FINAL DEV. PLAN |
| Any jurisdictional wetlands (as defined by the latest U.S. EPA and U.S. Army Corps of Engineers maps) | X | | | X | X | X | X | X | X |
| Any other existing water features (bodies of water, intermittent drainage channels, or streams) | X | | | X | X | X | X | X | X |
| Existing utility easements, utility facilities, or any other existing structure | X | X | X | * | * | X | X | X | X |
| Proposed Development Information | | | | | | | | | |
| Typical cross-sections for all rights-of-way including dimensions of all street elements identified in Articles 3, 4 or 5 | | | | | | X | | X | |
| Typical intersection dimensions including crosswalks, curb-radii, and site lines | | | | | | X | | X | |
| Identification of all rights-of-way, easements, utilities, open space, or other common use parcels. (utilities N/A for FBC Master Plan & statement of availability and standards for Regulating Plan) | X | X | X | X | X | X | X | X | X |
| All street names and locations of proposed street signs (statement of compliance with Co. regulations and 911 requirements) | X | X | X | * | * | X | X | X | X |
| Lot dimensions and standards as established by these regulations | X | X | X | * | * | X | X | X | X |
| Location, size, and type of all street lights | | | | | | X | | X | X |
| Layout, location, and identification of all proposed lots and blocks, including location and sight distance of all access points to all lots | X | X | X | * | * | X | X | X | X |
| Street construction specifications including proposed cut and fill, construction details for paved surfaces and street edges, and horizontal and vertical sight distances at intersections (standards for Regulating Plan) | | | | | | X | | X | |
| Connectivity Ratio calculation (optional, only where alternative compliance of Section 5.04 (A)(6) is elected by applicant) | | | | | * | | | X | X |

Shelby County Subdivision Regulations

APPENDIX A – SUBMITTAL REQUIREMENTS

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|---|-------------------|---------------------------|-----------------|-------------------------------|-----------------|------------------|------------|-----------------|-----------------|
| X Required * Required, as conditions warrant | MINOR SUBDIVISION | RESUBDIVISION OR RESURVEY | PLAT CORRECTION | Master Plan- Comprehensive | MASTER PLAN-FBD | PRELIMINARY PLAT | FINAL PLAT | REGULATING PLAN | FINAL DEV. PLAN |
| A sheet of all proposed waivers or modifications, specifically stating the standard sought to be waived or modified and all location(s) where the waiver or modification will be applied.(to extent then known for FBC Master Plan) | X | X | X | X | X | X | X | X | X |
| Where a development will be constructed in phases, all phase lines and a schedule showing the order of construction and approximate completion date of each phase.(for Regulating Plan show for initial and anticipated future phases, w/ approx order of constr. & completion) | | | | * | * | X | | X | X |
| A landscape plan for all rights-of-way and open spaces(stds for Regulating Plan) | | | | | | | X | X | * |
| Drainage Plan, including calculations of pre and post development flows, profile and location of proposed storm water facilities, evidence of all necessary approvals and permits and a Best Management Practices report.(Regulating Plan-full plan for initial phase & preliminary general plan for subsequent phases) | | | | | | X | | X | |
| Location of any proposed public facilities | | | | X | X | * | * | X | X |
| Proposed final grade of all areas at 2' intervals. (Regulating Plan - full plan for initial phase & prelim general plan for subsequent phases) | | | | | | X | | X | |
| Site Design Information | | | | | | | | | |
| A narrative statement on how the development conforms to the Comprehensive Plan, and any specific plan or program officially approved under the guidance of the Comprehensive Plan | | | | X | X | | | X | |
| A regulating site map, accompanying code indicating use characteristics, lot types, building types, and engineering, thoroughfare, dimensional, architecture, and urban design standards for buildings, streets, and open spaces | | | | * | | | | X | * |
| Renderings and illustrations of typical open spaces, streets, blocks, lots, and buildings | | | | * | | | | X | * |
| Adjacent Property Information | | | | | | | | | |
| Name and mailing address of owners of adjacent lands | X | | | X | X | X | | X | X |

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|---|-------------------|---------------------------|-----------------|----------------------|-----------------|------------------|------------|-----------------|-----------------|
| X Required * Required, as conditions warrant | MINOR SUBDIVISION | RESUBDIVISION OR RESURVEY | PLAT CORRECTION | Master Plan-Covenant | MASTER PLAN-FBD | PRELIMINARY PLAT | FINAL PLAT | REGULATING PLAN | FINAL DEV. PLAN |
| Current zoning of property or “unzoned” where no zoning applies | X | X | X | X | X | X | X | X | X |
| Topographic information within 100’ of boundaries in 5’ intervals | | | | X | X | X | | X | * |
| Topographic information for extensions of any stub streets up to 300’ from boundary in 2’ intervals (Regulating Plan-interval as available w/o specific site engineering) | | | | | | X | | X | * |
| Name and location of all streets and pedestrian facilities within 200’ of the parcel boundary | | | | * | | X | | X | * |
| Location of all easements and utility facilities within 200’ of the parcel boundaries | * | * | * | * | * | * | * | * | * |
| Location and use of all buildings on the subject property | X | X | X | X | X | X | X | X | X |
| Reference to recorded subdivision plats of abutting platted land by map, book, volume, and page, or designated as “unplatted” | X | X | X | X | X | X | X | X | X |
| Certifications and Signatures | | | | | | | | | |
| Notarized signature of property owner or agent of landowner | X | X | X | X | X | X | X | X | X |
| Standard signature block for all county approvals | X | X | X | X | X | X | X | X | X |
| Certification statement of the owner’s consent to dedication of any public rights-of-way or other public easements, where appropriate | X | | | | | | X | X | X |
| Certification and description of all other easements, covenants, or common use areas | X | X | X | | | X | X | X | X |
| Certification or approval from State and/or County Health Department for proposed water supply and sanitary facilities | X | X | X | | | X | X | X | X |
| Other required Certifications and Notes | * | * | * | * | * | * | * | * | * |
| Surveyor’s certification, if applicable | X | X | X | X | X | X | X | X | X |

Shelby County Subdivision Regulations

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| SUBMITTAL REQUIREMENTS – MINIMUMS, ADDITIONAL INFORMATION MAY BE REQUIRED AS NECESSARY FOR COMPLETE CASE REVIEW | | | | | | | | | |
|---|-------------------|---------------------------|-----------------|--|-----------------|------------------|------------|-----------------|-----------------|
| | MINOR SUBDIVISION | RESUBDIVISION OR RESURVEY | PLAT CORRECTION | Master Plan- <small>Concurrent/Concurrent</small> | MASTER PLAN-FBD | PRELIMINARY PLAT | FINAL PLAT | REGULATING PLAN | FINAL DEV. PLAN |
| X Required * Required, as conditions warrant | | | | | | | | | |
| Engineer's certification if applicable | X | X | X | X | X | X | X | X | X |
| Articles of Incorporation for Homeowner's Association | * | | | | | | * | * | * |

Shelby County Subdivision Regulations

APPENDIX A – SUBMITTAL REQUIREMENTS

PLAT REQUIREMENTS

Preliminary Plat

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

- (a) Title, graphic scale, written scale, north arrow, date, and name and registration number of surveyor. The scale shall be sufficient to accurately portray existing conditions and proposed improvements.
- (b) Topography: Based on U.S. Geological Survey, or U.S. Coast and Geodetic Survey sea level datum. On grades of five percent (5%) or less, contours shall be shown at one (1) foot intervals. On grades between five percent (5%) and ten percent (10%), contours shall be shown at two (2) foot intervals. On grades greater than ten percent (10%), contours shall be shown at five (5) foot intervals unless otherwise specified by the Planning Commission. ¹
- (c) Names of all streets, highways, or roads. (Names shall not be in conflict with other named streets within the county.)
- (d) Rights-of-way and Easements:
The location, dimensions, and purposes of all easements, including recording information shall be shown. All street or road rights-of-way and roadway or pavement widths, including sidewalks, shall be shown. Approximate locations and dimensions will be permitted.
- (e) Utilities:
Location of existing or proposed utilities on or adjacent to the tract to be subdivided, including size and elevation.
- (f) Lot lines lot and block numbers and approximate dimensions. Old lot numbers must be shown in a shaded format.
- (g) Purpose of subdivision.
- (h) Proposed Street Lights and Signs:
Location, size, and type.
- (i) Public Facilities:
All proposed public facilities, including schools, parks, and public open spaces, shall be shown.
- (j) Location:
Quarter section, section, township, and range with ties to all existing quarter section or section corners within or close to the proposed subdivision.
- (k) Names and addresses of the owners of the property, including existing mortgages and subdivider.
- (l) Names and addresses of record owners of adjoining lots or parcels of land.
- (m) Certificates of or letter from the State and/or County Health Department indicating their approval of the proposed water supply and sanitary facilities.
- (n) If any portion of the land of the proposed subdivision is subject to inundation by storm drainage, overflow, or ponding of local storm water, such fact and portion shall be clearly shown and identified.
- (o) Any other information that may be considered necessary by the Planning Commission for full and proper consideration of the proposed subdivision.

Vicinity Sketch

A vicinity sketch or key map shall be shown on, or accompany the preliminary plat. This sketch or map shall show all existing subdivisions, streets and tract lines of acreage parcels and right-of-way widths of all streets abutting the proposed subdivision. It shall also show how streets and alleys in the proposed subdivision may connect with existing and proposed streets and alleys in neighboring subdivisions or undeveloped property to produce the most advantageous development of the entire neighboring area.

Final Plat

The final plat shall be an original drawing in ink, on cloth or film and shall be referenced to an accepted section corner based on the U.S. Government survey of the area. A resurvey of a part of a subdivision, previously referenced to an accepted section corner, may be referenced to the original survey. All items shown on the preliminary plat shall also be shown on the final plat except as provided below:

Contours may be eliminated unless otherwise specified by the Planning Commission.

Buildings, fence locations or any other manmade structures or any zoning setback information will also be eliminated.

Shelby County Subdivision Regulations

APPENDIX A – SUBMITTAL REQUIREMENTS

Right-of-way lines, easements, and property lines shall be shown with accurate dimensions and bearings; deflection angles, radii, arcs, and central angles of all curves.

Accurate grade shall be shown on all streets or roadways.

The final plat shall also show the following:

- (a) The purpose for which sites are dedicated or reserved, it being understood that any reservations of areas shall be subject to the proper zoning, if applicable.
- (b) The location and description of monuments. (Iron pipes shall be designated by a small open circle at point of installation).
- (c) Reference to recorded subdivision plats of adjoining platted land, by map, book, volume and page number.
- (d) Space for approval of the County Engineer and the Shelby County Planning Commission.
- (e) Where a street or alley has been vacated, a note shall be shown on the plat indicating such and referring to the recorded instruments of vacation by deed book and page number.
- (f) If there are existing structures on land proposed to be subdivided, three (3) copies of a survey plot plan showing the exact locations of such structures with their relation to the proposed subdivision shall accompany the final plat, one (1) copy of which shall be forwarded to the County Engineer.
- (g) The final plat shall be accompanied by three (3) copies of any protective covenants running with the land in form for recording.
- (h) On all plats when there is **no mortgage**, whether there is a dedication of property for street purposes or not, a certificate substantially in form as follows:

**THE STATE OF ALABAMA
SHELBY COUNTY**

The undersigned (*Name*), Registered Land Surveyor, State of Alabama, and (*Name*), owner(s) hereby certify that this plat or map was made pursuant to a survey made by said surveyor and that said survey and this plat or map were made at the instance of said owner(s); that this plat or map is a true and correct map of lands shown therein and known as (*Name of Subdivision or resurvey*) showing the subdivisions into which it is proposed to divide said lands, giving the length and bearings of the boundaries of each lot and its number, showing the streets, alleys and public grounds, giving the bearings, length, width and name of each street, as well as the number of each lot and block, and showing the relation of the lands to the government survey (or, if the plat is a resurvey of an existing recorded subdivision, "showing the relation of the lands to the survey of (*Name of Subdivision*) as recorded in the office of Probate Judge of Shelby County in map book (*Map Book No.*), page (*Page No.*)"; and that iron pins have been installed at all lot corners and curve points as shown and designated by small open circles on said plat or map. Said owner(s) also certifies (*certify*) that he (*she, they, it*) is (*are*) the owner(s) of said lands and that the same are not subject to any mortgage.

Dated _____, 20____.

(Execution and acknowledgement by Surveyor and Owner(s))

- (i) On all plats when there **is a mortgage**, whether there is a dedication of property for street purposes or not, a certificate substantially in form as follows:

**THE STATE OF ALABAMA
SHELBY COUNTY**

The undersigned (*Name*), Registered Land Surveyor, State of Alabama, and (*Name*), owner(s) hereby certify that this plat or map was made pursuant to a survey made by said surveyor and that said survey and this plat or map were made at the instance of said owner(s); that this plat or map is a true and correct map of lands shown therein and known as (*Name of Subdivision or resurvey*) showing the subdivisions into which it is proposed to divide said lands, giving the length and bearings of the boundaries of each lot and its number showing the streets, alleys, and public grounds; giving the bearings, length, width and name of each street, as well as the number of each lot and block, and showing the relation of the lands to the government survey (or, if the plot is a resurvey of an existing recorded subdivision, "showing the relation of the lands to the survey of (*Name of Subdivision*) as recorded in the office of Probate Judge of Shelby County in map book (*Map Book No.*), page (*Page No.*)"; and that iron pins have been installed at all lot corners and curve points as shown and designated by small open circles on said plat or map. Said owner(s) also certifies (*certify*) that he (*she, they,*

Shelby County Subdivision Regulations

APPENDIX A – SUBMITTAL REQUIREMENTS

it is (*are*) the owner(s) of said lands and that the same are not subject to any mortgage, except a mortgage or mortgages held by the following mortgage(s). (*Name*).

Dated _____, 20____.

(Executed and acknowledgement by Surveyor, Owner(s) and Mortgagee(s))

(j) Notary's acknowledgement of the certificate referred to in (h) or (i) above, substantially in form as follows:

**STATE OF ALABAMA
SHELBY COUNTY**

I, (Name), as Notary Public in and for said County and State, do hereby certify that (Name of Surveyor), whose name is signed to the foregoing certificate as a surveyor, and (Name of owner) whose name is signed to same as owner (and (Name of mortgagee), whose name is signed to same as mortgagee), all of whom are known to me, acknowledged before me, on this date, that after having been duly informed of the contents of said certificates, they executed same voluntarily as such individuals (or in any other capacities) with full authority thereof.

Given under my hand and seal this ____ day of _____, 20__.

Notary Public (seal)

(k) On all plats where there is a dedication of land for street purposes whether in the form of new streets, additional right-of-way for existing streets, or merely curve radii where there were angle corners formerly existing, a resolution substantially in form as follows:

I / we (landowners name) as owner(s) have caused the land embraced in the within plat to be surveyed, laid out and platted to be known as (subdivision name), a part of Shelby County, Alabama, and that the streets, alleys, easements, public grounds as shown on said plat are hereby dedicated to the use of the public.

(Spaces for the Signatures of the Owner(s) and Notary's Acknowledgement)

1

Topographic Surveys: The horizontal position of physical features shall be plotted to 1/20th inch of the final map scale. If a test profile is run over the mapped area in the field, the profile shall be correct within one-half of the contour interval 80% of the time and the remainder shall not be in error more than the contour interval. A surveyor shall be required to run test profiles if he/she is to certify to the information shown on a topography survey obtained by aerial mapping.

Shelby County Subdivision Regulations

APPENDIX B – OFFICIAL INTERPRETATIONS

To be inserted as applicable.

Shelby County Subdivision Regulations

APPENDIX C – RESOURCES, GUIDES AND INDUSTRY STANDARDS

To be inserted as applicable.

Shelby County Subdivision Regulations

APPENDIX D – RESERVED

Reserved.

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APPENDIX E – RESERVED

Reserved.

APPENDIX F: ENGINEERING STANDARDS

- Section 1: General**
- Section 2: Access**
- Section 3: Lots**
- Section 4: Right of Way**
- Section 5: Easements**
- Section 6: Street Design**
- Section 7: Street Drainage Features**
- Section 8: Sidewalks**
- Section 9: Utilities**
- Section 10: Drainage Improvements**
- Section 11: Stormwater Detention**
- Section 12: Miscellaneous**
- Section 13: Inspection**
- Section 14: Bonds**
- Section 15: Acceptance of Streets**
- Section 16: Design and Construction Exceptions**
- Section 17: Vacations**
- Section 18: Standard Drawings and Details**

Adopted February 12, 2007

Amended February 12, 2009

Amended July 11, 2013

Shelby County Subdivision Regulations

APPENDIX F – ENGINEERING STANDARDS

APPENDIX F: ENGINEERING STANDARDS

All property to be developed and/or any subdivision of land, shall comply with the Subdivision Regulations and Shelby County Engineering Standards.

Section 1: General

- 1.1 The applicant shall furnish the planning commission all plans and information necessary for engineering considerations and approval for the construction of the required improvements. Such plans and information shall be furnished separately or with preliminary plat and vicinity sketch and shall be certified by a Registered Professional Engineer licensed to practice in the state of Alabama. All improvements required shall be constructed in accordance with the standards set forth in these regulations, and under the inspection of the County Engineer or his duly authorized representative and the engineering department of the respective utility.
- 1.2 The arrangement, character, extent, location and grade of all streets shall be laid out according to good engineering land planning principals and shall be integrated with all existing and planned streets. Land abutting a proposed subdivision shall not be land-locked by the proposed subdivision.
- 1.3 Plan/Profiles of all streets showing natural and finished grades, location of all head walls, location and size of all culverts shall be furnished as a part of the preliminary plat.
- 1.4 For survey information used to support street design, stormwater design, grading design, and any and all other elements of engineering design, certification must be made that the survey data used meets Minimum Technical Standards of Land Surveying.
- 1.5 Prior to commencing construction of any improvements, plans must be approved in writing by the County Engineer.
- 1.6 The Preliminary Plat shall contain the following engineering drawings as a minimum:
 - a. Site Plan
 - i. Topography must be shown. Topography must be based on U.S. Geological Survey, or U.S. Coast and Geodetic Survey sea level datum. On grades of five percent or less, contours shall be shown at one foot intervals. On grades between five percent and ten percent, contours shall be shown at two foot intervals. On grades greater than ten percent, contours shall be shown at five foot intervals.
 - ii. Provide Quarter section, section, township, and range with approximate ties to all existing quarter section or section corners within or in the vicinity of the proposed subdivision.

Shelby County Subdivision Regulations

APPENDIX F – ENGINEERING STANDARDS

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

1.8 Include the following notes on plat if appropriate:

a. Sink hole note:

The subdivision shown hereon, including lots and streets, lies in an area where natural lime sinks have occurred. Lime sinks, as located and shown on the above plat, were found but not repaired, unless otherwise noted on the plat. Shelby County, the Shelby County Engineer, the Shelby County Planning Commission and the individual members thereof, and all other agents, servants, or employees of Shelby County, Alabama, make no representations whatsoever that the subdivision lots and streets are safe or suitable for residential construction, or for any other purposes whatsoever.

- b. No lots shall have direct access to _____ Road.

1.9 Failure to Comply

Construction shall not commence on any improvement unless and until engineering drawings have been approved in writing by the County Engineer. Construction must be performed in a workmanlike manner to usual construction tolerances, in conformance with approved engineering drawings. Failure to comply may prevent recording of final plat and the subsequent transfer of lots.

Section 2: Access

- 2.1 All roadway access must adhere to Shelby County's Access Management Resolution (Appendix H).

- 2.2 The platting of any land, the purpose of which is to deny access to rights-of-way is prohibited, except as otherwise provided herein. Spite strips are prohibited.

- 2.3 If, in the opinion of the Planning Commission, it is desirable to provide street access to an adjoining property, said street shall extend to the boundary of such property. A temporary turnaround, as shown in the Standard Drawings for street cul-de-sac, shall be provided. Local streets shall be laid out such that their use by through-traffic in the subdivision will be discouraged.

- 2.4 Where subdivision streets, driveways, or easements (where allowed) make intersection with public roads, the intersection shall be made at a point on the public road that will provide an acceptable sight distance. The sight distance must be measured using American Association of State Highway and Transportation Officials (AASHTO) guidelines and recorded on the construction plans.

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- 2.5 The means of ingress and egress to the public street, other than a local residential street, shall minimize traffic congestion by limiting the number of ingress and egress points to the public street. Methods such as shared drives and recorded common access points to the public street shall be used in order to minimize the number of curb cuts along such roads and highways.
- 2.6 All streets that provide for the continuation or appropriate projection of principal streets in surrounding areas and all streets that provide reasonable means of ingress and egress for surrounding acreage tracts shall be constructed to the subdivision limits as required by the Planning Commission.
- 2.7 The public road which is being accessed may require improvements. All costs associated with these improvements must be borne by the entity desiring access.
- 2.8 All lots shall access roads that are internal to the proposed development. No direct access to existing public roads is allowed without the approval of the County Engineer.
- 2.9 Where there are streets adjacent to the subject property which will be accessed by the development which are proposed or required to be retained, the County Engineer may require the street to be upgraded consistent with its proposed use.
- 2.10 With exception of Family or Rural Subdivisions, access to a public road via an easement is not acceptable for the subdivision of property or for development purposes.

Section 3: Lots

- 3.1 Each lot shall front a paved public street. Lots shall not be platted where the only means of ingress and egress is by way of an easement. Exceptions to this requirement include:
 - a. Lots subdivided as a part of a Family Subdivision, which have not been transferred to someone who is not an immediate family member.
 - b. Lots that access private roads which have been approved by the Planning Commission and which have been constructed to subdivision standards.
- 3.2 Double frontage and reverse frontage lots shall be avoided, except where essential to provide separation of residential development from traffic arteries, or to overcome specific disadvantages of topography and orientation.

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- 3.3 Side lot lines should normally be at right angles to streets, except on curves where they should be radial.

- 3.4 Flag Lots require a minimum road frontage (flag) of 30 feet.

Section 4: Right of Way

4.1 Minimum Right-of-Way radius

The minimum right-of-way radius shall be 25 feet. When a proposed street intersects a Collector or an Arterial street, right-of-way sufficient to provide an adequate sight triangle may be required by the County Engineer.

4.2 Minimum street right-of-way widths

- a. The County Engineer shall determine the classification of all streets. The widths of rights-of-way for the various streets are indicated below. Widths shall be not less than as follows:

| <u>Street Type</u> | <u>Minimum Right-of-Way Width (feet)</u> |
|---------------------------------|--|
| Neighborhood Street (Local) | 60 |
| Neighborhood Street (Collector) | 62 |
| Rural Drive | 60 |
| Rural Parkway (Two Lane) | 90 |
| Rural Parkway (Multi Lane) | * |
| Main Street (Two Lane) | 82 |
| Main Street (Four Lane) | 104 |
| Boulevard (Two Lane) | 84 |
| Boulevard (Four Lane) | 104 |

* Consult with County Engineer

- b. Design of Arterial Streets, where appropriate, will be controlled by the County Engineer. The width of the right-of-way will be determined by the design.

4.3 Accessibility

Where a proposed subdivision has no frontage on an existing public road, or right-of-way, the subdivider must provide a suitable right-of-way for ingress and egress. The connecting road shall become a part of the street system of the proposed subdivision and is subject to all Subdivision Regulations. Subdividing or development of property shall not be allowed to land lock adjacent property.

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4.4 Half-streets

Where there exists a dedicated or platted half-street adjacent to the tract to be subdivided, the other half shall be platted. New half-streets shall be prohibited.

4.5 Additional width on existing roads

Subdivisions that adjoin existing roads with inadequate right-of-way (less than 60 feet) must adhere to the following:

- i.* The entire right-of-way (60 feet) shall be provided where any part of the subdivision is on both sides of the existing road. Said right-of-way measured 30 feet each side of and parallel to the centerline of the existing road.
- ii.* When the subdivision is located on only one side of an existing road, one-half of the required right-of-way (30 feet), measured from the centerline of the existing roadway, shall be provided.

4.6 Cul-de-sacs

The minimum right-of-way radius is 55 feet. A larger radius may be required at the discretion of the County Engineer.

Section 5: Easements

- 5.1 Drainage easements are required to allow water to traverse across property without trespassing. Shelby County will not maintain any easements which are outside of the public road right-of-way. A note on the record plat is required as follows:

All easements on this map are for public utilities, sanitary sewers, storm sewers, storm ditches, and may be used for such purposes to serve the property both within and without the subdivision. Shelby County is not responsible for the maintenance of any easements shown on this plat outside of the public right-of-way.

- 5.2 Easements across lots or centered on rear or side lot lines shall be provided for utilities and drainage where necessary, and shall not be less than a total of 15 feet wide, unless otherwise approved by the County Engineer.
- 5.3 Where a subdivision is traversed by an existing or proposed watercourse, drainage way, channel or stream, there shall be provided a storm drainage easement or right-of-way conforming substantially to the lines of such existing or planned drainage way. The width of such drainage easement or right-of-way shall be sufficient to contain the ultimate channel and maintenance way for the tributary area upstream.

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- 5.4 Lots and easements shall be arranged in such a manner as to eliminate unnecessary easement jogs or off-sets, and to facilitate the use of easements.
- 5.5 Easements for shared and common access drives which serve two residential properties shall be a minimum of 20 feet wide.
- 5.6 Private Access Easements which serve more than two residential properties shall be a minimum of 22 feet wide.
- 5.7 Private Access Easements which serve commercial or mixed use properties shall be a minimum of 25 feet wide.

Section 6: Street Design

- 6.1 All streets shall be platted along contour elevations which will result in minimum grades and greatest visibility wherever practicable with consideration given to the anticipated uses of the land.
- 6.2 The proposed street layout shall be made according to good land planning for the type of development proposed. All streets must provide for the continuation or appropriate projection of principal streets in surrounding areas and provide reasonable means of ingress and egress for surrounding tracts.
- 6.3 The proposed street system shall be coordinated with the street system of the surrounding area. However, the number of streets converging upon any one point which would tend to promote congestion shall be held to a minimum. The street pattern shall be in conformity with a plan for the most advantageous development of the entire community.
- 6.4 All streets shall be designed in accordance with Engineering Standards contained herein. The materials used must be approved by the County Engineer.
- 6.5 *Street Plan & Profile*
 - a. Street Plan & Profile for each proposed street must be submitted for review and consideration. These drawings must include:
 - i. Location of all existing and proposed streets within the subdivision and adjacent to it.
 - ii. Widths of existing and proposed rights-of-way.

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- iii.* Clear identification of right-of-way location and width for any street which is considered part of the street plan.
- iv.* Proposed street signage.
- v.* Street names, which are subject to Shelby County approval.
- vi.* Plan & Profile views of all streets.
- vii.* Typical cross-section of proposed streets.
- viii.* Complete horizontal and vertical curve data for the centerline of each street. The minimum radius of horizontal curves, and minimum length of vertical curves, shall be based on design speed and sight distance.
- ix.* Sidewalks.

6.6 Design speeds

- a. Proposed design speeds shall be designated by the developer's engineer on the Plan & Profile sheets. Design speeds should generally not be less than 25 miles per hour (mph). The County Engineer may dictate the design speed for all streets.
- b. The following minimum design speeds shall be utilized as follows:
 - i.* Neighborhood Street
 - Local Street - 25 mph
 - Collector Street - 35 mph
 - ii.* Pedestrian Street - 25 mph
 - iii.* Rural Drive
 - Local Street - 25 mph
 - Collector Street - 35 mph
 - iv.* Rural Parkway
 - Arterial – Design to be provided by the County Engineer.
 - Collector - 35 mph
 - v.* Main Street
 - Arterial – Design to be provided by the County Engineer.
 - Collector - 35 mph
 - vi.* Boulevard
 - Arterial – Design to be provided by the County Engineer.
 - Collector - 35 mph
 - vii.* Private Access Easement
 - Generally, the design engineer shall provide sufficient information to ensure proper drainage function and to provide radius information sufficient for use by the intended vehicles

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6.7 Shoulders

- a. Minimum shoulder widths are shown on the Example Street Cross Sections (Section 18, Standard Drawings and Details).
- b. Shoulders shall be graded to provide positive drainage to the drainage collection system.
- c. Minimum grade to be one-half-inch per foot.
- d. Maximum grade to be one inch per foot. In the core areas of Form Based Development, care must be exercised to provide for positive drainage away from building structures without making pedestrian travel difficult.

6.8 Minimum pavement widths

Minimum pavement widths are shown on the Example Street Cross Sections within the Subdivision Regulations.

6.9 Street grades

- a. Grades of all roads shall comply with accepted engineering practice. Road grades shall not exceed 15 percent or be less than one percent. Where maximum or near maximum grades are used, they should not run continuously for a distance of more than 400 feet.
- b. Grades approaching intersections on the minor street shall not exceed five percent equivalent elevation for a distance of not less than 100 feet from the centerline of said intersection.
- c. All roads shall be crowned in the center and have a one-fourth-inch per foot cross slope.
- d. Grades of cul-de-sacs shall not be more than five percent or less than one-and-one-half percent for the last 100 feet of paving.
- e. Intermediate turnarounds shall be designed at a maximum eight percent grade.

6.10 Horizontal & Vertical Alignment

- a. Minimum radii of horizontal curves shall be not less than the following:

| <u>Design Speed (mph)</u> | <u>Radius (feet)</u> |
|---------------------------|----------------------|
| 20 | 100 |
| 25 | 180 |
| 30 | 300 |
| 35 | 470 |

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b. Minimum k values for vertical curves shall be not less than the following:

| Design Speed | k(crest) | k(sag) |
|--------------|----------|--------|
| 20 | 7 | 17 |
| 25 | 12 | 26 |
| 30 | 19 | 37 |
| 35 | 29 | 49 |

c. There shall be a minimum tangent of 100 feet provided between all reverse curves.

6.11 Intersections

- a. Roads shall intersect as nearly at right angles as possible and in no case at an angle of less than 75 degrees.
- b. Street intersections with centerline offsets of less than 150 feet shall not be permitted.
- c. The minimum curb radius at all intersections shall comply with the following chart:

| Intersection Curb Radii (feet) | | | |
|---|--------------------------|-------------------------|--------------------------|
| Intersection Type | Conservation Subdivision | Form Based Subdivision | Conventional Subdivision |
| Local/Local | 10 to 15 | 10 to 15 | 25 |
| Local/Collector | 15 to 20 | 15 to 20 | 25 |
| Local/Arterial | 15 to 25 | 15 to 25 | 25 |
| Collector/Collector | 15 to 25 | 15 to 25 | 25 |
| Collector/Arterial | 45 (entry) 25 (exit) | 45 (entry) 25 (exit) | 45 (entry) 25 (exit) |
| Private Access Easement/Local | 10 | 10 | 10 |
| Private Access Easement/Private Access Easement | 10 | 10 | 10 |

6.12 Roundabouts

- a. Roundabouts should conform to The Federal Highway Administration’s “Roundabouts: An Informational Guide” (Publication No. FHWA-RD-00-067).
- b. Roundabouts are limited to the Rural Single Lane design (where possible), as shown in the FHWA guide.
- c. Each proposed roundabout must utilize pedestrian-friendly splitter islands at each proposed entry.
- d. Roundabouts shall be located at a high point to provide positive drainage (in all directions) away from the central island.

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- e. Roundabout design must include all horizontal and vertical geometry, drainage, pedestrian facilities, striping and signage. The horizontal geometry of proposed roundabouts must be accurately depicted within all plan views.

6.13 Subbase and Base material (minimum standards)

- a. Subbase - Developer or Contractor shall be required to furnish compaction test results on the road subbase, according to the following requirements:
 - i. Finished grade shall conform to the lines, grades and cross-section as shown on the approved plan.
 - ii. The top two feet of subbase shall be shaped and compacted to 100 percent of Standard Proctor Density as determined by AASHTO T-180 and T-310 test methods.
 - iii. Depths greater than two feet below subbase, compaction is required to 95 percent Standard Proctor Density as determined by AASHTO T-180 and T-310 test methods.
- b. Aggregate Base - Base material (Alabama Department of Transportation (ALDOT) 825, Type B) consisting of crushed rock, stone particles, or slag shall contain an approved filler of sand or other fine mineral filler. Required six inch base of this material shall be spread without segregation and may be placed and compacted to full depth in one layer. Required base layer of greater than six inches shall be placed in approximately equal layers. Compaction shall be by vibratory, steel wheel rollers or other approved rollers to obtain 100 percent of the Laboratory Vibrated Density (LVD) as determined by ALDOT 140, 210 and 222 test methods.
 - i. A minimum of six inches of compacted graded aggregate shall be required on all roadbeds. Additional depth of base material may be required due to anticipated traffic.
 - ii. Eight inches of compacted graded aggregate shall be required for commercial collector streets and on existing county highways.
- c. Black Base - Black Base may be substituted for Aggregate base at the County Engineer's discretion. The substitution rate is fifty percent of the required aggregate base thickness (Example: three inch Black Base substituted for six inch aggregate base).
 - i. All asphalt shall be installed per ALDOT specifications (Section 429).
 - ii. Black Base (ALDOT 424C) shall be applied at a minimum rate of 110 pounds per square yard per compacted inch of thickness.

6.14 Pavement (minimum standards)

- a. All asphalt shall be installed per ALDOT specifications (Section 424).
- b. The minimum pavement thickness for the various classifications of county streets shall be as follows:
 - i. Binder (ALDOT 424B) shall be applied at the minimum rate of 220 lbs/SY. This represents a compacted thickness of approximately two inches.

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7.3 Curb and Gutter

- a. All curb and gutter and valley gutter shall be constructed in accordance with the standard drawings contained in Section 18 (Standard Drawings and Details). Where all lots are three acres or larger and acceptable drainage plan is submitted and approved the requirement to install curb and gutter may be waived.
- b. Combination curb and gutter, valley gutter, and sidewalks shall be constructed of Portland cement concrete which has a compressive strength of 3000 PSI at 28 days. Installation shall be on a prepared subgrade and conform to the cross-section shown on the plans. The surface finish of the concrete shall have a light broomed or burlap drag texture. The edges shall be smoothed with a radius type tool.
- c. Transverse contraction joints shall be constructed at intervals not exceeding twenty 20 feet in combination curb and gutter and valley gutter. Joint depth shall be no less than one-fifth of the cross-section of concrete. Sawed contraction joints shall be done early after the concrete has set to prevent the formation of uncontrolled cracking. Expansion joints shall be constructed at immovable structures and at points of curvature for short radius curves. Filler material for expansion joints shall be approved by the County Engineer. Construction joints may be either expansion or butt-type joints.
- d. No combination curb and gutter, valley gutter or sidewalk shall be placed on frozen or soft earth or when other unsuitable conditions exist.
- e. Valley gutter may be substituted for combination curb and gutter, subject to the following conditions being satisfied:
 - i. Streets designed to a 25 mile per hour design speed.
 - ii. Streets must have an anticipated Average Daily Trips (ADT) of less than 2500 vehicles per day.
 - iii. Street grades must not exceed twelve percent.
- f. Combination curb and gutter shall be constructed on grades over 12 percent.
- g. Combination curb and gutter shall be constructed on cul-de-sacs with descending grades.

7.4 Inlets

- a. All street inlets to be “Type S” per ALDOT standards.
- b. Inlet box design for installation on 18 inch through 42 inch pipe shall be approved by the County Engineer. Depth for this type inlet shall not exceed ten feet from invert of inlet throat to invert of discharge pipe. Storm drain inlet shall not be supported by the storm drain pipe. Special design drawings for inlet boxes will be required for pipes larger than 42 inches in diameter. This design must be submitted with the Street Drainage Plan for approval by the County Engineer.
- c. Catch basins and drop inlets shall be constructed if deemed necessary by the County Engineer.
- d. Combination curb and gutter shall 24 inches wide.

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- e. Valley gutter shall be 30 inches wide.
 - f. All yard inlets shall be constructed per ALDOT standards.
- 7.5 Water will not be permitted to run down the street more than 400 feet without proper drainage structures to intercept surface water.
- 7.6 Reinforced concrete pipe and reinforced arch pipe installation shall be in accordance with current specifications of the Alabama Department of Transportation. All concrete piping shall at a minimum be Class III reinforced concrete pipe and a minimum size of 18 inches.

Section 8: Sidewalks

- 8.1 Sidewalks may be required by the Subdivision Regulations in commercial or residential subdivisions. All such sidewalks shall be constructed in accordance with Section 18, Standard Drawings and Details.
- 8.2 Sidewalks may be required where deemed necessary for public safety.
- 8.3 Sidewalks shall not be required along the radius of a cul-de-sac and shall not be required along cul-de-sac streets that are less than 300 feet in length.
- 8.4 Where sidewalks are required along one side of the street, the County Engineer shall determine the appropriate side.
- 8.5 Sidewalks located within a public or private street right-of-way shall comply with the following minimum standards:
- a. Sidewalks shall be a minimum five feet wide.
 - b. Sidewalks shall be constructed of Portland cement concrete with a minimum 28 day compressive strength of 3,000 psi.
 - c. Sidewalks shall be at least four inches thick and be built upon a sub-grade compacted to a minimum 95 percent Standard Proctor Density. Where the sidewalk is a part of a driveway, thickness shall be increased to six inches.
 - d. Sidewalk installation shall be on an unfrozen prepared sub-grade and conform to the typical cross-section.

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- e. Sidewalks shall be broom finished. Contraction joints shall be tooled to a minimum depth of one and one-half-inch. Sidewalks shall have expansion joints every 25 feet and at all concrete to concrete connections, such as driveways, curbs curb ramps, and private sidewalks. Five foot wide sidewalks shall have contraction joints every five feet. Wider sidewalks shall have contraction joints at a distance equal to the width of the sidewalk.
- f. The cross slope of a sidewalk shall be a maximum of one-quarter inch per foot sloping to the drainage collection system. In cases of extreme topography, the County Engineer may permit greater cross slopes. Adjustments to the cross slope should be gradual to avoid abrupt grade changes.
- g. The following chart should be used as a guide in the design of grass strip cross slopes for various street profiles. The purpose of the steeper cross slope is to minimize erosion behind the curb on steep segments.

| Centerline Grade of Street | 1 to 4% | Greater than 4% |
|-----------------------------------|------------------------|------------------------|
| Grass Strip Cross Slope | One-half inch per foot | one inch per foot |

- h. Pedestrian ramps are required at all intersections. Intersections with standing curb shall have curb ramps that meet ADA standards. These ramps shall be installed prior to final plat approval.
- 8.6 Sidewalks within a public or private street right-of-way shall be constructed subject to the following:
- a. The shoulders shall be graded in preparation for the proposed sidewalks prior to Final Plat approval.
 - b. American Disabilities Act (ADA) compliant ramps shall be constructed at all intersections prior to Final Plat approval.
 - c. Developer shall Bond 100 percent of the proposed sidewalks prior to Final Plat approval.
 - d. Construction of sidewalks shall be completed on each lot by the builder. Completion of the sidewalk is required in order to receive a Certificate of Occupancy.
 - e. The Developer is required to repair damaged sidewalks and complete the installation along all unimproved lots within two years.
 - f. Builders which construct after the total installation of sidewalks shall repair all sidewalks damaged during home construction. Repairs to the sidewalk are required to receive a Certificate of Occupancy.
- 8.7 Shelby County shall not accept maintenance of any public street unless and until all required sidewalks along said street have been constructed to county specifications. However, the Homeowners Association will have the responsibility to perpetually maintain all sidewalks.

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Section 9: Utilities

9.1 Public utilities shall be installed prior to Final Plat approval.

9.2 All utilities shall be installed as necessary to prevent the future cutting of the pavement of any street, sidewalk or other public improvement.

9.3 *Water mains.*

The design and specifications of the distribution system shall meet the applicable public water system requirements.

9.4 *Sanitary sewers*

Sanitary sewers shall be installed in each subdivision and approved by The Alabama Department of Public Health. Septic tanks may be permitted by the Alabama Department of Public Health in lieu of sanitary sewer lines.

Section 10: Drainage Improvements

10.1 *General*

a. The increase in stormwater runoff which occurs as a result of development has the potential to have detrimental effects on adjacent property, particularly those downstream of the development. The engineer should take this into consideration during the design of the drainage plan. A properly designed drainage plan should have no adverse effects on adjacent or downstream properties. Thus, the engineer must submit a letter with the preliminary plat which contains the following statement:

“The drainage plan for <insert project name> has been designed such that when constructed according to the plans and specifications, within usual construction tolerances, there will be no adverse effects to adjacent or downstream properties.”

b. All subdivisions shall be provided with adequate storm drainage facilities. Any areas subject to periodic flooding caused by poor drainage facilities will not be accepted by the Planning Commission unless the Developer makes necessary provisions to eliminate such flooding. A diversion of watershed from one drainage basin into another will not be allowed for any subdivision or development.

c. All construction within the special Flood Zones (as determined by Federal Emergency Management Agency), must adhere to Shelby County’s “Flood Damage Prevention Ordinance” (Appendix G).

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- d. Drainage facilities shall be designed for a 25 year rainfall event. Design calculations shall be based on future probable development of the entire drainage area to be served or developed
- e. A complete drainage plan and contour map showing the pipe size, their locations and the areas to be drained, shall be submitted along with the profile grades and typical roadway section for approval.
- f. All existing drainage structures shall be shown on the preliminary plat.
- g. All off-site drainage, draining onto the subdivision, shall be shown on contour maps showing the areas in acres that the subdivision will have to accommodate.
- h. Drainage area and peak flow estimates must be provided for each drainage facility, as well as profiles for all new storm sewers and open ditches, with outlet velocities. Storm drainage facilities shall be designed by a Registered Professional Engineer licensed to practice in the state of Alabama. The engineer's seal and signature shall be on all drawings.
- i. Structural capabilities for all new culverts and storm sewer pipe shall be provided. Reinforced concrete pipe shall be required for all proposed storm sewers within public easements and rights-of-way.
- j. If outlet velocities are greater than five feet per second, some type of energy dissipation will be required. If rip-rap is used, a minimum of 20 linear feet of ALDOT Class II rip-rap is required for 18 inch and 24 inch diameter pipes. Energy dissipation for larger culverts must be designed by the engineer.
- k. Typical sections of all open ditches and swales shall be provided.
- l. Any new culvert or storm sewer pipe under the jurisdiction of the ALDOT must be approved by the ALDOT. Copies of this approval shall be provided at the time of submittal.

10.2 Drainage and Inundations

- a. A drainage plan shall be made for each subdivision by the owner's engineer, which plan shall take into consideration the ultimate or saturated development of the tributary area in which the proposed subdivision is located. On-site stormwater detention measures may be required by the County Engineer.
- b. The storm and sanitary sewer plans shall be worked out prior to the development of the other utility plans. Engineering considerations shall give preferential treatment to these gravity flow improvements, as opposed to other utilities and improvements. Off-premise drainage easements and improvements may be required to handle the runoff of subdivision into a natural drainage channel. But under no condition shall storage drainage be emptied into the sanitary sewer system—or vice versa.
- c. The County Engineer may require whatever additional engineering information he deems necessary to make a decision on subdivisions and other development which contains an area of questionable drainage
- d. All development in the county shall be in compliance with Shelby County's "Flood Damage Prevention Ordinance". The applicant is urged to contact the County Engineer for a preliminary discussion on this matter prior to plan submittal.

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- e. The county will not allow a diversion of watershed from one drainage basin to another for any subdivision or development of land with its jurisdiction.

Section 11: Stormwater Detention/Retention

- 11.1 All development in the county subject to stormwater detention shall meet the minimum design requirements set forth in this section.
- 11.2 Detention facilities shall be designed for a 25 year, one hour rainfall at a minimum. Rainfall amounts shall be based on the latest available information.
- 11.3 Each detention facility shall provide for an emergency spillway designed to convey the 100 year rainfall event.
- 11.4 The minimum information submitted for a detention pond design shall be as follows:
 - a. Existing drainage area and peak flow to the facility.
 - b. Proposed drainage area and peak flow to the facility.
 - c. Inflow hydrograph.
 - d. Outflow hydrograph.
 - e. Storage-elevation plot.
 - f. Required storage volume, in acre-feet or cubic feet.
 - g. 100 year peak rainfall flow to the emergency spillway.
 - h. Statement of methodology used for detention facility design. In general all detention facilities will be checked using the storage indication method. Other methodologies are acceptable.
 - i. Underground detention is not acceptable.
 - j. Provide for low flow ditch in reservoir.
 - k. Sides shall be grassed or paved.
 - l. Primary spillways must be equipped with a trash rack. Maximum opening between bars shall not exceed four inches.
 - m. Overflow sections, such as emergency spillways, shall be sodded or paved.
 - n. Requirements for detention facilities are as follows:
 - i. Maximum water depth in pond for design storm – Four feet.
 - ii. Maximum water depth in emergency spillway – One foot.

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- iii.* Minimum (cut and fill section) dam width at the top – Five feet.
 - iv.* Maximum side slope steepness – 3:1.
 - v.* Geotechnical design of dam or embankment structures may be required by the County Engineer.
- o.* All detention facilities shall be enclosed with a minimum five foot high black, vinyl coated chain link fence. In areas highly visible from public right-of-way, the pond will be screened from view with landscape planting as referenced in Article XXI-A Section 6 (D) of the Shelby County Zoning Ordinance.

11.5 Requirements for retention facilities (permanent lakes) shall be as follows:

- a.* Due to the potential for major property damage and potential loss of life in case of failure of a dam or spillway structure, extreme care must be used in the design and construction of these features. Prior to commencing the design or construction of any of these elements, consultation with the County Engineer is required in order to establish acceptable hydrologic, hydraulic, and geotechnical design parameters. Quality control measures, designed to ensure the construction of each of these elements according to the approved plans must be specified and rigidly adhered to by the developer and contractor.
- b.* Geotechnical design of dam embankment structure or stability analysis of existing dam may be required by County Engineer.
- c.* Primary and Emergency spillways shall be designed and located to provide maximum safety to the public.
- d.* Primary spillways must be equipped with a trash rack. Maximum opening between bars shall not exceed four inches.
- e.* Where lakes are used for storm water detention, maximum fluctuation between permanent pond level and maximum pond level shall be three feet.

11.6 Detention/retention pond calculations must bear the seal and signature of a Registered Professional Engineer licensed to practice in the state of Alabama.

11.7 Maintenance responsibility of non-public improvements:

Certain facilities such as storm water drainage systems, which are not within the road right-of-way, such as detention ponds, or other storm water management facilities, ditches, sidewalks, street lights, community landscaping, etc., require on-going perpetual maintenance. The responsibility to properly maintain these improvements lies with the affected property owners and/or the development's required Homeowners Association.

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Section 12: Miscellaneous

12.1 *Names*

- a. No street name shall be used which will duplicate by spelling or sound otherwise be confused with the name of existing streets. Street names are subject of approval by Shelby County.
- b. Subdivision names and other development names shall not duplicate or be confused with existing names. Subdivision and other development names are subject to approval by Shelby County.

12.2 *Street Signage*

In order to insure that streets are signed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) and to use the highest quality materials, the county will be responsible for signing streets. The developer will be required to pay \$100 for each sign. Required signage includes, but is not limited to; stop signs, speed limit signs, street name signs, and stub street signs.

Section 13: Inspection

- 13.1 The County Engineer shall regularly inspect construction to ensure that improvements are being constructed in accordance with the approved plans and that there are no defects in materials or workmanship. If the County Engineer determines that any of the required improvements have not been properly constructed, the developer shall be responsible for correcting any defects.
- 13.2 Before construction of street and drainage the highway department inspector shall be notified no less than 48 hours in advance of any phase of operation to be started.
- 13.3 No drainage structure will be covered up until approval is given by the highway department inspector.
- 13.4 No base material shall be installed until compaction test reports have been reviewed and approved by the County Engineer.
- 13.5 The base shall be installed and inspected under the direction of the County Engineer.
- 13.6 No paving shall be installed until the base course is approved. Care must be exercised in the grading of base course to assure the appropriate crown of road.

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Section 14: Bond

14.1 Prior to the approval of the Final Plat the developer shall have installed or constructed the required improvements, or posted bond as provided for in this article.

14.2 Bond and Surety: Amount and Release

a. In the event the Planning Commission may consider that the requirements need not immediately be met by the subdivider, the requirements may be modified by the execution of a bond agreement with the subdivider. Such agreement shall state that the remaining improvements are to be installed and constructed within a specified length of time as determined by the Department of Development Services and/or the County Engineer. All grubbing, clearing, grading, and storm drainage structures shall be constructed prior to execution of a bond agreement. A bond shall be required to insure the fulfillment of such agreement and shall be by a certified check, a cashier's check, or made by a surety company authorized to do business in the State of Alabama. The applicant shall not be released from said bond except by a release in writing from the County and shall be subject to the administrative procedures established by the Departments of Development Services and Highway Department on behalf of the Shelby County Commission. Said release shall obligate the developer to a one year warranty as described in Section 14.2.d, on all materials, workmanship, and maintenance insured by the bond.

b. A bond amount shall be set at 150 percent of the estimated cost of the remaining improvements. A schedule of estimated costs for all items to be bonded shall be submitted by a Registered Professional Engineer licensed to practice in the state of Alabama, or a written contractor's estimate, for review by the Shelby County Engineer. This schedule shall clearly describe the items, quantities, unit cost and total cost of the remaining improvements. Bond shall also cover any repairs to improvements previously installed.

c. *Maintenance*

As a condition of the release of a bond, Development Services shall secure from all developers an agreement in which said developer shall agree to maintain all improvements for a period of one year after the acceptance of such improvements by the Shelby County Commission.

d. *Inspection and Acceptance*

The County Engineer shall regularly inspect construction to ensure that improvements are being constructed in accordance with the approved plans and that there are no defects in materials or workmanship. If the County Engineer determines that any of the required improvements have not been properly constructed, the developer shall be responsible for correcting any defects. Wherever a surety covers the cost of improvements, the subdivider and the surety company shall be severally and jointly liable for completing the improvements according to plans and specifications. Upon completion of the improvements, the subdivider shall file with the Planning Commission/Department of Development Services a statement stipulating the following:

i. That all required improvements are complete;

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- ii.* That the improvements are in compliance with the minimum standards specified by the County for their construction;
- iii.* That the developer knows of no defects from any cause in those improvements; and
- iv.* That the improvements are free and clear of any encumbrance or lien.

Section 15: Acceptance of Streets

Release of bond and subsequent acceptable maintenance warranty shall constitute acceptance of a street into the inventory for public maintenance. No street will be accepted for maintenance unless approved by the County Engineer.

Section 16: Design and Construction Exceptions

Any request to deviate or modify any of the engineering or construction requirements contained herein must be addressed to the County Engineer in writing. The request must clearly state the reason(s) that the request is being made. Any data or information that is used to support the request must be submitted in writing. The County Engineer has the sole authority to approve or deny the request. The County Engineer will respond in writing by approving or denying the request.

Section 17: Vacations

- 17.1 Where an existing road or other right-of-way falls within a proposed subdivision tract and the developer proposes to vacate this right-of-way, the County Engineer shall review the proposed vacation to assess its potential effect on neighboring properties, and forward recommendations to the Planning Commission for consideration, where applicable.
- 17.2 The Developer is solely responsible for compliance with Alabama State Law regarding the vacation of streets, alleys, and easements.
- 17.3 No street or easement may be vacated unless such action is recommended by the County Engineer to the Shelby County Commission.
- 17.4 Where a street or alley has been vacated, a note shall be shown on the plat indicating such and referring to the recorded instrument or vacation by deed book and page number.

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APPENDIX F – ENGINEERING STANDARDS

Section 18: Standard Drawings and Details

- 18.1 The State of Alabama Special & Standard Highway Drawings shall be utilized as a minimum design standard for all construction not covered within these appendices.
- 18.2 The following drawings represent the minimum standards accepted by Shelby County. In the event of conflict between these drawings and the State of Alabama Special & Standard Highway Drawings, the County Engineer will determine the appropriate treatment.

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APPENDIX G – FLOOD DAMAGE PREVENTION ORDINANCE

Flood Damage Prevention Ordinance incorporated by reference.

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APPENDIX H – ACCESS MANAGEMENT RESOLUTION

Access Management Resolution incorporated by reference.

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APPENDIX I – SHELBY COUNTY REGULATIONS FOR MANUFACTURED HOME COMMUNITIES

**SHELBY COUNTY
REGULATIONS
FOR
MANUFACTURED HOME COMMUNITIES**

***- Amended -
July 25, 2005***

Shelby County Subdivision Regulations

APPENDIX I – SHELBY COUNTY REGULATIONS FOR MANUFACTURED HOME COMMUNITIES

Section 1 Generally

§ 1.1 Purpose

The purpose of these regulations is to provide supplemental standards and procedures specifically relevant to the development of manufactured home communities. The standards contained in this section rectify the design standards contained elsewhere in the Subdivision Regulations to make them more compatible with the particular needs of manufactured home communities.

§ 1.2 Definitions

Manufactured home. A structure, originally designed to be transportable in one or more sections which is built on a permanent chassis, and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes plumbing, heating, air-conditioning and electrical systems contained therein.

Manufactured home lot/site. A parcel of land for the placement of a single manufactured home unit and for the exclusive use of its occupants.

Manufactured home community. A contiguous parcel of land under single or same ownership which has been planned, improved and used for the placement of two (2) or more manufactured homes for residential occupancy. The placement of manufactured homes on the property shall be by leasehold only, and no individual lots may be sold within the community without proper subdivision approval.

Manufactured home stand. That part of an individual lot/site which has been reserved or designed for the placement of one manufactured home unit.

Mobile home. See Manufactured home.

Manufactured home community street. A street which affords principle means of access to manufactured home lots/sites or auxiliary buildings from any adjacent public street.

Skirting. A durable material used to enclose the space from the bottom of the manufactured home to grade.

§ 1.3 Procedures

- (a) *Community Plan.* A manufactured home community plan shall be developed and drawn to a scale of one (1) inch to one hundred (100) feet and shall include the following:
- (1) The name of the rental community, the names and addresses of the owners and the names and addresses of the designer, engineer and/or surveyor.
 - (2) The date, scale and approximate north arrow.
 - (3) The boundaries of the rental community.

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- (4) The site plan of the community showing streets, street centerlines, direction and radius, driveways, open area, parking spaces, service buildings, water courses, easements, manufactured home spaces and other items as may be required by the Director to assure compliance with the standards contained in these regulations.
 - (5) Names of adjoining property owners.
 - (6) The identification of all gas, water and sewage lines that will service the community. Street lights and solid waste containers shall also be included.
 - (7) Surface water drainage plans.
 - (8) Topographic survey.
 - (9) Street profiles.
 - (10) Typical road section.
 - (11) Certification (seal) of registered surveyor and/or professional engineer.
- (b) *Review and Approval.* Before a permit is issued for construction of a manufactured home community, the community plan must be submitted to the Director of Planning and Development to be reviewed and approved according to the procedures contained in Article II of the *Subdivision Regulations of Shelby County*, except that recording of the community plan at the office of the Probate Judge of Shelby County shall not be required.
- (c) Should the community streets not be completed within two years of approval of the community plan, the Director shall notify the Department of Building Inspections Services that no further building or electrical permits for manufactured home units shall be released within the manufactured home community until such time as improvements are completed.

Section 2 Standards

§ 2.1 Required Setbacks, Lot Area and Storage Buildings

- (a) *Along public streets.* There shall be a 50 foot minimum building setback from the property line along all exterior park boundaries which abut a public street.
- (b) *Along rear and side property lines.* All community exterior boundaries not adjacent to a public street shall be provided with a 15 foot minimum building setback.
- (c) *Along community streets.* There shall be a minimum distance of 10 feet between the manufactured home and any abutting community streets.
- (d) *Minimum lot/site size.* Manufactured home lots/sites served by community or public water and sewer systems shall have a minimum lot width and area of Fifty (50) feet minimum width and 5,000 square feet minimum area.

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Lots/sites not served by community or public water and sewer systems may have a larger minimum area requirement as otherwise provided in these regulations or as established by the Shelby County Health Department.

- (e) *Community frontage and area requirements.* A manufactured home community shall front on a paved public street/road and shall have a minimum frontage of 50 feet and a minimum area of one acre.
- (f) *Paving, soil and ground cover requirements.* Exposed ground surfaces in all parts of every manufactured home community shall be paved, covered with crushed stone, or other solid material, or protected with grass or other vegetative cover that is capable of preventing soil erosion and of eliminating objectionable dust.
- (g) *Lot/site drainage requirements.* The ground surface in all parts of every manufactured home community shall be graded and equipped to drain all surface or storm water in a safe, efficient manner.
- (h) *Separation between manufactured homes.* Manufactured homes shall be separated from each other and from other buildings and structures by at least 20 feet. Porches and decks without tops or roof coverings may be excluded from this requirement, but such shall be suitably sized and constructed to allow proper emergency access if such are used as a main entrance.
- (i) *Separation between manufactured homes and off-site buildings.* The location of any manufactured home within a manufactured home community must be at least thirty (30) feet from any permanent residential building located outside the community unless separated therefrom by a natural or artificial barrier.
- (j) *Maximum height.* No building or structure erected or stationed in a manufactured home community shall have a height greater than 2 ½ stories or thirty five (35) feet.
- (k) *Recreation area.* There shall be provided a park and recreation area having a minimum of one hundred fifty (150) square feet for each manufactured home space. Areas shall be consolidated into usable recreation areas.

§ 2.2 Manufactured Home Community Street System and Car Parking

- (a) The entrance and exit street or streets shall be designed to provide safe and convenient access between the public street and the community interior street system.
- (b) *Community street system.* Community street systems shall meet the following standards:
 - (1) Community streets shall be platted with a space, not less than 30 feet wide, to accommodate streets, drainage structures and utilities, etc.
 - (2) Community streets that serve more than 200 vehicles per day shall be paved with plantmix asphalt or a more durable material to a width of not less than 22 feet.

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Community streets that serve no more than 200 vehicles per day for residential access only shall be paved to a width of not less than 18 feet and may be paved with double bituminous surface treatment. Vehicles per day shall be as determined in the most current publication of the Institute of Traffic Engineers concerning traffic generation.

- (3) Each manufactured home site shall be accessible from abutting streets for all essential and emergency uses by vehicular equipment, including equipment used by public protective agencies (fire, police and ambulance services).
 - (4) The street layout shall be designed to provide for the continuous flow of traffic, with cul-de-sacs (minimum radius of 50 feet) being permissible. Streets shall be designed with a horizontal and vertical alignment which meets at least a twenty (20) mile-per-hour design speed.
 - (5) Traffic control signs (stop, yield, and speed) shall be placed and maintained in good condition throughout the community where necessary.
 - (6) Each street shall have a permanent sign installed with a designated name identifying each street.
 - (7) Paving of community streets shall be completed within two years of approval of the final plat. Streets and parking areas shall be maintained by the owner, operator, and/or manager of the manufactured home community at all times.
- (c) *Parking.* Off-street parking areas or on-street parking lanes shall be provided for the use of park occupants and guests.
- (1) A minimum of 400 square feet of parking is required for each lot/site for two (2) automobiles.
 - (2) Driveways shall have a minimum width of 10 feet.
 - (3) All off-street parking areas or spaces shall have direct access to a community street. No direct driveway access shall be permitted from manufactured home lots to any exterior street.

§ 2.3 Manufactured Home Stands and Required Improvement

- (a) *Tie-Downs.* Each manufactured home shall have tie-downs or other devices securing the stability of the manufactured home based on the requirements of the manufacturer or the installation standards of the Alabama Manufactured Housing Commission.
- (b) *Foundations.* Foundations shall be installed in accordance with the standards set forth in the manufacturers set-up requirements, or the installation standards of the Alabama Manufactured Housing Commission.

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- (c) *Skirting.* Installation of skirting on all manufactured homes shall be required. Installation shall be in accordance with the manufacturers installation instructions. Acceptable materials may include masonry, stone, metal, vinyl, or other materials manufactured for the purpose of skirting.

§ 2.4 Water Supply, Sewage and Refuse Disposal, and Electrical Equipment

- (a) *Water Supply.* An adequate and safe supply of potable water shall be provided for the manufactured home community. The source of the water supply shall either be through a public water system with the community connecting to the water lines, or when such a system is not available, the manufactured home community must be serviced by a supply approved by the Alabama Department of Environmental Management or the Alabama Department of Public Health.
- (b) *Sewage disposal.* An adequate and safe sewage disposal system shall be provided in the manufactured home community. Collection systems, sewage treatment facilities or individual septic tank systems or other on-site systems shall be approved by the Alabama Department of Public Health or the Alabama Department of Environmental Management.
- (c) *Refuse disposal.* The storage, collection, and disposal of refuse in the manufactured home community shall be so conducted as to prevent health hazards, rodent harborage, or insect breeding areas and shall comply with all local, state and federal laws, rules and regulations.
- (d) *Electrical equipment and installation.* Lot/sites and communities shall have all equipment and installations designed, constructed and maintained in compliance with the requirements of the Shelby County Department of Building Inspection Services and all other local, state and federal laws, rules and regulations.
- (e) *Storm water drainage.* No manufactured home community or part thereof shall shed storm water runoff water, either as surface runoff or an outfall from storm sewerage structures, onto any adjoining land unless such runoff is contained within an existing drainage easement, ditch, structure or right-of-way. And provided further, that such existing drainage easement, ditch, structure or right-of-way provides outfall to an established drainage channel, as approved by the County Engineer.

Section 3

§ 3.1.7 General Regulations

- (a) *Nonconformities.* The lawful use of land as a manufactured home community existing at the time of the adoption of these regulations, although such use does not conform to the provisions herein, may be continued and shall not be subject to the requirements of these regulations, but if the manufactured home community is discontinued for a period of one year, it shall not then be reestablished except in conformity with these regulations. Any

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expansion or addition to an existing nonconforming manufactured home community shall be in conformity with these regulations.

- (b) *Supervision.* The owner or a duly authorized attendant or caretaker shall be in charge at all times to keep the manufactured home community, its facilities and equipment in a clean, orderly and sanitary condition.
- (c) *Violation and penalties.* Any person, firm, corporation or any agent, servant, employee, officer or contractor for any person, firm or corporation who shall violate any provision, requirement, term or condition of these regulations shall be subject to the remedies contained in *Subdivision Regulations of Shelby County, Act 82-693* of the Legislature of Alabama as amended or Chapter 11-24, Code of Alabama. 1975.
- (d) *Conflicting resolutions.* When the provisions of these regulations are in conflict with or inconsistent with other applicable regulations of Shelby County, then these regulations shall prevail.
- (e) *Variances.* Where the Planning Commission finds that extraordinary hardships may result from strict compliance with these regulations due to unusual topographic, health, public safety, or other conditions beyond the control of the applicant, it may vary the regulations so that substantial justice may be done and the public interest secured, provided, however, that such variation will not have the effect of nullifying the intent or purpose of these regulations. Any variance thus authorized is required to be entered in writing in the minutes of the Shelby County Planning Commission and the reason which justified the departure to be set forth.
- (f) *Amendments.* Any chapter, section, sub-section, or provision of these regulations proposed for amending shall be published and a public hearing held as provided by law.
- (g) *Validity.* Should any section, clause or provisions of these regulations be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of these regulations as a whole or any part thereof, other than the part so declared to be invalid, it being expressly declared that these regulations would have and is adopted without such invalid part or parts.
- (h) *Effective date.* These regulations shall take effect and be in force from and after its adoption by the Shelby County Commission this _____ day of _____, 1999.

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APPENDIX K – RESERVED
