

**2015 – 2016**

**SUBDIVISION REGULATIONS**

**For The**

**TOWN OF INDIAN SPRINGS VILLAGE,**  
**ALABAMA**

**November 17, 2015**

# TOWN OF INDIAN SPRINGS VILLAGE SUBDIVISION REGULATIONS

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**THE TOWN  
OF  
INDIAN SPRINGS VILLAGE, ALABAMA**

**SUBDIVISION REGULATIONS**

AN ORDINANCE, IN PURSUANCE OF THE AUTHORITY GRANTED BY TITLE 11, CHAPTER 52, CODE OF ALABAMA 1975, AS AMENDED, TO PROVIDE THE STANDARDS AND REGULATIONS FOR THE INSTALLATION OF PUBLIC IMPROVEMENTS AND SUBDIVISION OF LAND WITHIN THE CORPORATE LIMITS AND JURISDICTION OF INDIAN SPRINGS VILLAGE ALABAMA; TO REGULATE WITHIN SUCH LAND AREA, THE PROPER SUBDIVISION DESIGN CRITERIA, REQUIREMENTS AND STANDARDS; TO ENCOURAGE THE ORDERLY AND EFFICIENT LAND DEVELOPMENT PATTERNS OF THE TOWN; TO SUPERSEDE AND REPEAL ALL EXISTING SUBDIVISION REGULATIONS PREVIOUSLY ADOPTED; AND, TO PROVIDE METHODS OF ADMINISTRATION OF THIS ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF.

THE PUBLIC WELFARE REQUIRING IT, be it ordained by the Town of Indian Springs Village, Alabama as follows:

**THE TOWN  
OF  
INDIAN SPRINGS VILLAGE, ALABAMA**

**SUBDIVISION REGULATIONS**

**ARTICLE 1 PURPOSE AND TITLE**

**SECTION 1 - PURPOSE**

The purpose and intent of these regulations are to establish objective, community wide standards for public improvements, and the subdivision of land within the Town. These regulations are based upon the following elements:

1. Proper subdivision design criteria.
2. The impact of development upon adjacent property.
3. The definition of public and private development responsibilities.
4. Concern for the health, safety and welfare of the entire Town.
5. Encouragement of an orderly and efficient land development pattern.
6. Coordination with other applicable ordinances and plans.
7. Regulate the development of all property in the Town.

The regulations also recognize the responsibility of the Town to maintain public improvements. Proper and timely maintenance is essential to preserve the required improvements through their designed life.

**SECTION 2 - TITLE**

These regulations shall be known as the “Subdivision Regulations of the Town of Indian Springs Village,” and may be so cited.

**ARTICLE II AUTHORITY AND JURISDICTION**

**SECTION 1 - AUTHORITY**

Authority for municipal control of subdivisions within the corporate limits is granted in Title 11, Subtitle 2, Chapter 52, Articles 2 and 3 of the Code of Alabama, 1975, as amended.

**SECTION 2 - JURISDICTION**

From and after the effective date hereof, these regulations shall govern the subdivision and development of all land located in the Town of Indian Springs Village, Alabama. Any prior ordinances or subdivision regulations previously adopted or used by the Town are hereby repealed, overruled and rescinded.

Any owner of land within the limits of said subdivision jurisdiction wishing to develop or subdivide said land shall submit to the Town of Indian Springs Village, a plat of the subdivision which shall conform to the minimum requirements set forth in these regulations. No plat of a subdivision lying within such territory, or part thereof, shall be filed or recorded in the office of the Probate Judge, and no Sub-divider or Developer may proceed with improvement or sale of lots in a subdivision until such subdivision plat shall have been approved by the Town of Indian Springs Village, and said plat is filed of record in the office of the Judge of Probate of Shelby County.

### **SECTION 3 - ADMINISTRATION**

The Indian Springs Planning and Zoning Commission is hereby authorized and directed to administer and coordinate these regulations. Final approval of plats and other data shall be the responsibility of the governing body of Indian Springs Village as prescribed by law. The Town Engineer is hereby authorized and directed to enforce all provisions of these subdivision regulations.

### **ARTICLE III DEFINITIONS**

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

Except as otherwise provided herein, all words shall have the customary dictionary meaning. The present tense includes the future tense. The singular number includes the plural, and the plural includes the singular. The word "person" includes a firm, corporation, association, organization, trust, partnership, limited liability company, or other duly recognized legal entity. The word "lot" includes "plot" or "parcel." The word "building" includes "structure". The word "shall" is mandatory. The word "may" is permissive.

#### **SECTION 2 - SPECIFIC DEFINITIONS**

When used in these regulations the following words and phrases shall have the meaning given in this section;

**2.01 ALLEY** - shall mean a minor public way having a narrow right-of-way and affording a secondary means of access to service abutting properties.

**2.02 BLOCK** - shall be a tract or parcel of land entirely surrounded by public highways or streets, other than alleys.

**2.03 BUILDING SETBACK LINE** - shall mean a line parallel to the property line in front of which no structure may be erected.

**2.04 TOWN** - shall mean the Town of Indian Springs Village, Alabama.

**2.05 TOWN CLERK** - shall mean the duly designated Clerk of the Town of Indian Springs Village, Alabama.

**2.06 TOWN COUNCIL** - shall mean the Town Council of the Town of Indian Springs Village, Alabama.

**2.07 TOWN ENGINEER** - shall mean the duly designated Engineer of the Town of Indian Springs Village, Alabama, including either a self-employed contract engineer or town employee.

**2.08 TOWN SPECIFICATIONS** - shall mean all construction specifications or ordinances which have been adopted by the Town Council or as required by the Indian Springs Zoning and Planning Commission or Board of Zoning Adjustment. (Including any specifications required by state law.)

**2.09 CORNER LOT** - shall be a lot abutting upon two (2) or more streets at their intersection.

**2.10 DOUBLE FRONT LOT** - shall be a lot having frontage on two (2) non- intersecting streets as distinguished from a corner lot.

**2.11 EASEMENT** - shall mean a grant of rights by the property owner for use of a strip of land for specified purposes.

**2.12 FINAL PLAT** - shall mean a plat of a tract of land which meets the requirements of these regulations and is in form for recording in the office of the Probate Judge of Shelby County, Alabama.

**2.13 GROUP DEVELOPMENT** - shall mean a development comprising two or more structures, built on a single lot, tract, or parcel of land, which is designed for occupancy by separate families, firms, or other enterprises.

**2.14 GOVERNING BODY** - shall mean the Mayor and Town Council of the Town of Indian Springs Village, Alabama.

**2.15 HALF-STREET** - shall mean a street which does not meet the minimum right-of-way widths set forth in these regulations.

**2.16 HEALTH DEPARTMENT** - shall mean the Shelby County Department of Health, and the State of Alabama Health Department, as appropriate.

**2.17 LAND AREA** - shall mean property which is not water surface area.

**2.18 LOT** - shall mean a parcel of land intended for transfer of ownership or for building development, which shall be comprised of land area or a combination of land area and water surface area which complies with the Area and Dimensional Regulations of the Zoning District in which it is located. Each lot shall be comprised of land area in an amount equal to or greater than the minimum lot area and have the minimum lot frontage along a public or private street right-of-way or margin as required in the Zoning District in which it is located. Said land area shall be contiguous and have principal frontage upon a public street.

**2.19 MONUMENT** - Monument shall mean any permanent object serving to indicate a limit to or mark a boundary.

**2.20 OPEN SPACE** - Open Space shall be any land either publicly or privately owned which is designated as being permanently undeveloped and used for recreation, conservation, or preservation.

**2.21 OWNER'S ENGINEER** - Shall mean the engineer or registered land surveyor and in good standing with the applicable State Board of Registration of Alabama who is the agent in his or her professional capacity of the owner of land which is proposed to be subdivided or which is in the process of being subdivided.

**2.22 PLANNING COMMISSION** - Shall mean the Zoning and Planning Commission of The Town of Indian Springs Village, Alabama.

**2.23 PRELIMINARY PLAT** - Shall mean a tentative plan of proposed subdivision submitted for consideration to the Town of Indian Springs Village Zoning and Planning Commission or Governing Body.

**2.24 PROBATE JUDGE** - Shall mean the Judge of Probate of Shelby County, Alabama.

**2.25 SIDEWALK** - Shall mean a walkway constructed for use by pedestrians.

**2.26 SKETCH LAYOUT** - Shall mean a tentative plan of proposed subdivision submitted for the Owner/Developer and the Owner/Developer's Engineer to discuss and consider known development issues prior to the submittal of the Preliminary Plat to the Zoning and Planning Commission or Final Plat to the Governing Body.



**2.27 STREETS, ARTERIAL** - Shall mean streets which are used primarily for moving fast or heavy traffic.

**2.28 STREETS, COLLECTOR** - Shall mean streets which carry traffic from local streets to the system of arterial or major streets.

**2.29 STREETS, CUL-DE-SAC** - shall mean short local streets designed to have one end permanently closed; the closed end terminated by a vehicular turn-around.

**2.30 STREETS, MARGINAL ACCESS** - Shall mean streets which are parallel with and adjacent to an arterial street and which provides access to abutting properties and protection from through traffic.

**2.31 STREETS, LOCAL** - Shall mean streets used primarily to provide access from abutting properties to collector streets.

**2.32 SUB-DIVIDER** - Shall mean the person(s), firm(s), or corporation(s) engaged in the process of creating or developing a subdivision or having completed a subdivision of said land.

**2.33 SUBDIVISION** - Shall mean the division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites, or other divisions of land for the purpose whether immediate or future, of subdividing or re-subdividing. Also, when appropriate to the context, this term includes changing of lot size, alteration or relocation of private or public streets and alleys, and extension of major utility locations.

**2.34 WATER SURFACE AREA** - Water surface area shall mean property within lakes, ponds, rivers and year around-streams. Water surface area shall neither include property within storm drainage structures, (including drainage ways which periodically contain water) nor swimming pools and other structures which contain water.

**2.35 ZONING ORDINANCE** - Shall mean the duly adopted Zoning Ordinance of the Town of Indian Springs Village, Alabama, as amended.

## **ARTICLE IV PROCEDURE FOR PLAT APPROVAL**

### **SECTION 1 - GENERAL**

The procedure for review and approval of a subdivision plat consists of four (4) separate steps. The Initial Step is the preparation and submission to the Town Engineer of a sketch layout to be used to discuss known issues such as zoning, traffic, drainage, flooding and etc. The Second Step is the preparation and submission to the Planning Commission of a preliminary Plat of the proposed subdivision. The Third Step is the preparation and submission to the Planning Commission of a final plat, together with required certificates. The Fourth and Final Step is the submittal of the Final Plat to the Planning Commission to be forwarded to the Town Council for approval and to be recorded in the Office of the Probate Judge, when duly signed by the Chairman of the Planning Commission, Town Engineer, Mayor and the Town Clerk of Indian Springs Village, Alabama.

Proposed subdivisions which do not contain public improvements shall require the submission and approval of final plat only. In such cases, however, the payment of the filing fee and notification of adjoining land owners shall be required, as set forth in Section 3 of this Article.

**SECTION 2 – SKETCH PLAT** – The information required for this submittal will depend on the known issues in the area of the proposed development. The Owner/Developer’s Engineer and the Town Engineer shall discuss the requirements prior to the Step One meeting.

### SECTION 3 - PRELIMINARY PLAT APPROVAL

The application for preliminary plat approval, including two (2) full sets of prints and a digital (PDF format) of the subdivision plan(s), shall be submitted to the Planning Commission at least twenty-one (21) days prior to the Planning Commission's regularly scheduled meeting. However if a re-zoning is also included then the plans must be received by 31 days before the Planning Commission's regularly scheduled meeting. All fees are due at the time of submission.

The chairperson of the Planning Commission, prior to its review at the public hearing, shall transmit prints of the preliminary plat to the Town Engineer, Fire Department, and other Town or County Departments for review and recommendations.

Notice of the public hearing shall be sent to all adjoining landowners as their names appear upon the plats in the Shelby County Tax Assessor's Office. Such notice shall be sent at least five (5) days prior to the date of the Planning Commission meeting.

The preliminary plat which shall meet the minimum standards of design and the general requirements for the construction of public improvements set forth in these regulations, shall contain the following information:

1. Vicinity Sketch Map at a scale of one inch equals 2,000 feet showing the following:
  - a. Name and location of subdivision;
  - b. Names and addresses of owner and designer;
  - c. North point, graphic scale, and date;
  - d. Boundaries and approximate dimensions;
  - e. Amount of acreage to be subdivided;
  - f. Major traffic arteries, utilities, and community facilities (major shopping areas, schools, parks, hospitals, churches) which are pertinent to the proposed design.
  
2. Preliminary Sketch Plan of subdivision at a scale of not more than one inch equals 100 feet showing the following:
  - a. Name and location of subdivision;
  - b. Names of owner and designer;
  - c. North point, graphic scale, and date;
  - d. Amount of acreage to be subdivided;
  - e. Topography at a five-foot contour intervals;
  - f. Street plan which includes:
    - i. Location of all existing and proposed streets within the subdivision and adjacent to it;
    - ii. widths of existing and proposed rights-of-way;
    - iii. clear identification of right-of-way location and width for any street which is considered part of the Street Plan;
    - iv. street names which are subject to approval by the Planning Commission;
    - v. plan and profile of all streets;
    - vi. typical cross-section of proposed streets;
    - vii. complete curve data for the center-line of each street;
    - viii. an erosion control plan approved by the Alabama Department of Environmental Management (ADEM) and a copy of the ADEM Permit.
  - g. Blocks and lots with dimensions shown for all lot lines;
  - h. Proposed building setback line along each street;
  - i. Plans of proposed utility layouts showing feasible connections to existing or proposed utility systems. When such connections are not practical, all proposed individual water supply and/or sewage disposal systems shall meet the approval of the County Department of Health;
  - j. Location and Size of all proposed culverts, storm sewers and inlets;
  - k. Location, width, and purpose of all easements;
  - l. Location and dimension of land to be dedicated or reserved for parks, schools, open space or other public use;

- m. Any portion of the land in the subdivision subject to periodic inundation by storm drainage, overflow, or bonding shall be clearly shown and identified on the plat;
- n. The existing zoning classification of the subdivision and all contiguous land;
- o. A fire protection plan showing the size and location of all existing and proposed water lines and fire hydrants;
- p. Assurance that Section G of the Alabama Manual on Uniform Traffic Control Devices, as amended (AMUTCD) shall be adhered to with regard to traffic control during construction;
- q. The location of any masonry walls which are proposed to be owned in common by all owners of property in the residential subdivision, pursuant to Article VI, Section 7.0, of the Zoning Ordinance;
- r. Size in square feet, of each lot.

Within thirty (30) days after the final and complete submission to the Planning commission of a preliminary plat, the Planning Commission shall review the plat, and indicate its approval, disapproval or conditional approval subject to any required modifications. If a plat is disapproved or modified, the reasons for such disapproval or such modifications shall be expressed in the minutes of the meeting at which such action occurs. Failure of the Planning Commission to consider any preliminary plat within thirty (30) days after it has been finally and completely submitted to the Commission shall be considered as approval of same as submitted. (However the plat is subject to Final Plat Approval.)

No plat shall be considered to be finally and completely submitted until all required information is presented at a public hearing. The continuance of a public hearing shall delay final submission until the date of the last hearing dealing with the matter.

One (1) copy of the preliminary plat shall be retained in the Planning Commission files, and one (1) copy shall be returned to the Sub-divider at the time of approval or disapproval, with the specific notations of any changes or modifications required.

Approval of the preliminary plat by the Planning Commission shall not constitute acceptance of the final plat, except when the final plat is completed during the specified time and is in substantial accordance with the layout shown on the preliminary plat.

Approval of the preliminary plat shall lapse unless a final plat in substantial conformance therewith is submitted within twelve (12) months from the date of such approval, unless an extension of time is specifically applied for by the Sub-divider and expressly granted by the Planning Commission.

#### **SECTION 4 - FINAL PLAT**

The final plat shall conform substantially to the preliminary plat as approved; and if desired by the Sub-divider, approval may be phased; provided, however, that each phase conforms to all of the requirements of these regulations.

At least twenty-one (21) days prior to the meeting at which it is to be considered, the Sub-divider shall submit the original drawing of the plat, done in black drawing ink, along with two (2) copies, together with any street profiles or other plans which may be required by the Planning Commission or the Probate Judge of Shelby County.

The plat shall be drawn to a scale of not more than one (1) inch equals one hundred (100) feet, on sheets not larger than twenty-four (24) by thirty-six (36) inches. When more than one (1) sheet is required, an index sheet of the same size shall be filed as a key, showing the entire subdivision, with the sheets in alphabetical order.

The final plat shall meet the current Standards of Practice for Land Surveying in the State of Alabama to include the following information:

1. Vicinity Sketch Map at a scale in relation to its surroundings. The map submitted with the preliminary plat may be used.
2. Final Plan of the subdivision including the following:
  - a. Name and location of subdivision;
  - b. Name of owner and designer;
  - c. North point, graphic scale and date;
  - d. Location, width, and name of all streets, roads and other rights- of-way;
  - e. Location of all blocks and lot lines with all lot numbers in numerical order;
  - f. Building setback lines along each street;
  - g. Sufficient data to determine readily and reproduce on the ground; the location, bearing, and length of every road line, lot line, boundary line, block line, and building line, whether curved or straight; and including the radius, central angle, and tangent distance, and the length of curve for the center line of all curved roads and property lines which are not the boundary of the property being subdivided. The length of all of all dimensions shall be the nearest one tenth (.10) of one (1) foot, and bearing of all angles to the nearest one (1) minute;
  - h. Location, dimensions, and purpose of all easements;
  - i. Location and description of all monuments and iron pins;
  - j. Name and location of adjoining subdivisions and roads;
  - k. See Appendix B for required wording of final plat certification;
  - l. The location of any masonry walls which are proposed to be owned in common by all owners of property in the residential subdivision, pursuant to Article VI, Section 7.0, of the Zoning Ordinance;
  - m. Size in square feet, of each lot.

The following certifications shall be presented along with the final plat:

1. Certification showing that the applicant is the legal owner of the land, and formal dedication of streets, right-of-way and any other sites for public use.
2. Certification by a registered surveyor of the accuracy of the survey and plat and the placement of all required Monuments.
3. Certification of approval by the Town Engineer, Shelby County Engineer, or appropriate County Health Officer as required.
4. Certification by the Town Engineer that the Sub-divider has complied with one of the following alternatives:
  - a. The Owner's Engineer has submitted written certification that all improvements have been installed according to the requirements of these regulations; or,
  - b. Posted a surety bond or irrevocable letter of credit, in an amount sufficient to assure the completion of all required improvements.
5. Certification of approval to be signed by the Chairman of the Zoning and Planning Commission and Mayor of Indian Springs Village or the Town Clerk.
6. A Certification from the Town Clerk indicating that sufficient financial guarantee has been provided.

When the plat has been approved by the Planning Commission and Town Council, one (1) copy with the approval of the Planning Commission certified thereon shall be returned to the Sub-divider to be used for filing with the Probate Judge as the official plat of record. The original tracing containing all required certifications shall be returned to the Sub-divider for his records, and one (1) copy shall be retained in the records of the Planning Commission. The Planning Commission must consider a final plat within thirty (30) days after the meeting at which the final plat is introduced. Failure of the Planning Commission to act on a final plat submission within these thirty (30) days shall be considered an approval of same. If the plat is disapproved, grounds for such disapproval shall be stated in writing in the official minutes of the Planning Commission. Approval of final plat by the Planning Commission shall not constitute acceptance by the public of the dedication of any street or other public way or ground. After approval of the final plat and the construction of streets shown thereon, the Town Engineer may recommend to the Town Council that it accept these streets as public roads and take over their perpetual maintenance.

The developer shall provide the Commission a final and complete copy of any subdivision restrictive covenants.

For instances where a final plat has been previously approved by the Planning and Zoning Commission and Town Council, and a technical error, such as an incorrect dimension or angle, is discovered, the Town Clerk and Town Engineer shall review the request. If they determine that the intent of the Town's approval will not be altered by the amended map, they may approve the amended map for recording without additional formal approval from the Planning and Zoning Commission and Town Council. Before releasing the final plat for recording they shall contact the Chairman of the Planning and Zoning Commission, for his or her approval. The Town Engineer shall notify the Planning Commission and Town Council of the reason(s) for the action taken.

### REQUIREMENTS FOR PLATS TO BE SUBMITTED

	Preliminary Plat	Final Plat
Vicinity Sketch Map (scale 1" = 2,000')	X	X
Name and Location	X	X
Names and addresses of Owner and Designer	X	X
North Point, Graphic Scale, Date	X	X
Boundaries, Approximate Dimensions, and Acreage of Site	X	X
Major Traffic Arteries and Utilities	X	X
Community Facilities	X	X

#### Subdivision Plan (scale 1" = 100 max)

Name and Location	X	X
Owner and Designer	X	X
North Point, Graphic Scale, Date	X	X
Location of Streets	X	X
Street Names	X	X
Lot Lines	X	X
Lot Number	X	X
Setback Lines	X	X
Existing Utilities	X	
Proposed Utilities	X	
Proposed Culverts	X	
Proposed Storm Sewers	X	
Proposed Fire Hydrants	X	
Dimensions (lots, roads)	X	X
Angles and Bearings, monuments	X	X
Contours at 5-foot intervals	X	
Location, width and purpose of all Easements	X	X
Present Zoning	X	
Total Acreage of Subdivision	X	X
Acreage off each Lot	X	X
Certificates as Required		X
Proposed improvements required by the Town (utility extensions)	X	

## **ARTICLE V DESIGN STANDARDS**

### **SECTION 1 - STREET PLAN**

#### **1.1 GENERAL**

The arrangement, character, extent, location, and grade of all streets shall be laid out according to good land planning principles and shall be integrated with all existing and planned streets. Land abutting a proposed subdivision shall not be land-locked by the proposed subdivision.

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. Creation of multiple street intersections shall not be permitted. The street pattern shall be in conformity with a plan for the most advantageous development of the entire community.

In addition, if in the opinion of the Zoning and Planning Commission it is desirable to provide street access to an adjoining property, said street(s) shall extend by dedication to the boundary of such property. A temporary turn-around, as defined in design standards for street cul-de-sacs, shall be provided. Local streets shall be so laid out that their use by through traffic in the subdivision will be discouraged.

Subdivisions which abut or include (within the proposed area to be subdivided) any freeway or arterial street shall provide for the adequate protection of properties, and afford separation of through and local traffic.

Intersections of minor subdivision streets with major and arterial streets shall be held to a minimum.

#### **1.2 PRIVATE RESERVE STRIPS**

Private reserve strips controlling access to streets shall be prohibited

#### **1.3 LAND SUBJECT TO FLOODING**

Land subject to flooding, or land deemed to be topographically unsuitable for urban usage, shall neither be platted for residential occupancy, nor for any other uses which may increase danger to health, life, or property, aggravate erosion, or increase flood hazard.

#### **1.4 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 or half-alleys shall be prohibited.

#### **1.5 CUL-DE-SACS**

Streets designed to have one end permanently closed shall be provided at the closed end with a turn-around having a minimum right-of-way radius of fifty (50) feet, and a minimum roadway radius of forty (40) feet.

#### **1.6 STREET INTERSECTION**

Street Intersections with centerline offsets of less than one hundred and twenty-five (125) feet shall not be permitted, unless specifically approved by the Planning Commission.

## 1.7 MINIMUM STREET RIGHT-OF-WAY WIDTHS

The Planning Commission shall determine the classification of all Town streets.

The Widths of rights-of-ways for the various streets are indicated below. Widths shall be not less than as follows:

<b>STREET TYPE</b>	<b>RIGHT-OF-WAY Width (Minimum)</b>
Local Street	50 feet
Collector Street	60 feet
Alley	20 feet
Cul-de-sac (radius)	50 feet

### **Additional Width on Existing Roads:**

Subdivisions that adjoin existing roads shall dedicate additional right-of-way to meet the above minimum road width requirements.

- a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing road.
- b. When the subdivision is located on only one side of an existing road, one-half (1/2) of the required right-of-way, measured from the center line of the existing roadway, shall be provided. The entire roadway width shall be paved, unless the Planning Commission gives written approval to the contrary.

## 1.8 MINIMUM ROADWAY WIDTHS

The minimum pavement widths for the various classifications of streets shall be as follows:

<b>STREET TYPE</b>	<b>MINIMUM PAVEMENT WIDTH</b>
Local Street	22 feet
Residential Collector Street	24 feet
Commercial Collector Street	28 feet
Alley	18 feet
Cul-de-sac (radius)	40 feet

## 1.9 STREET GRADES

- a. Grades of all roads shall comply with accepted engineering practice. Road grades shall not exceed fifteen (15) percent or be less than one (1.0) percent. The Planning Commission may permit some variation from these grade requirements if such variation would not adversely affect the safety and general welfare of the public.
- b. Grades approaching intersections shall not exceed three (3) percent equivalent grade for a distance or not less than 50 feet from the center line of said intersection
- c. Roads shall be graded to a minimum line of four ( 4 ) feet back of the curb line with a slope of 1/2 inch per foot.
- d. Surface cross-drainage shall not be encouraged.
- e. All roads shall be crowned in the center and have a 1/4 inch per foot slope.

## 1.10 ALIGNMENT AND VISIBILITY

- a. Minimum radii of horizontal curves shall be not less than 250 feet.
- b. There shall be a tangent for 100 feet provided between all reverse curves.

- c. Angular Breaks in right-of-way alignment of more than two (2) degrees are not permitted.
- d. Clear horizontal visibility, measured along the centerline, shall be provided for at least 250 feet in each direction.
- e. Where an existing road or other right-of-way falls within a proposed subdivision tract and the Sub-divider proposes to abandon this right-of-way, the Zoning and Planning Commission shall review this proposal in light of its effect on neighboring properties, and forward its recommendations to the Town Council.
- f. Where there are roads and rights-of-way in existence and are proposed to be retained, they must be designed so as to eliminate all bends, crooks, and other hazardous conditions.

### **1.11 INTERSECTIONS**

- a. Road alignment shall be designed to eliminate sharp curves and street jogs. Roadway intersections which offset less than 150 feet between center lines shall be approved by the appropriate reviewing authority and the Planning and Zoning Commission.
- b. Roads shall intersect as nearly at right angles as possible and in no case at an angle of less than seventy-five (75) degrees.
- c. Minimum curb radius at all intersections shall be at least 25 feet.
- d. Local and collector streets shall have a clear sight triangle of seventy-five (75) feet from the point of intersection.

### **1.12 ALLEYS**

- a. Alleys may be required in commercial and industrial districts, to facilitate access to parking, loading and service points.
- b. Alleys are not permitted in residential districts, except when the Planning Commission determines special conditions warrant a secondary means of access.

### **1.13 STREET NAMES**

- a. No street name shall be used which will duplicate by spelling or sound or otherwise be confused with the name of existing streets. Street names are subject to the approval of the Zoning and Planning Commission and the Local Fire District Chief.
- b. Subdivision names and apartment project names should not duplicate or be confused with existing names. Subdivision and apartment project names are subject to approval by the Zoning and Planning Commission.

### **1.14 DESIGN SPEEDS**

Local Street - 30 mph  
 Collector Street - 35 mph

The minimum radius of horizontal curves, and minimum length of vertical curves, shall be based on design speed and sight distance.

A variance on the minimum design speed, listed above, must be approved by the Zoning and Planning Commission and the Town Council. The minimum design speed that may be used is 25 MPH.

### **1.15 BASE MATERIAL**

A minimum of six (6) inches of compacted graded aggregate or approved equivalent shall be required on all road beds. Additional depth of base material may be required because of anticipated traffic. Eight (8) inches of compacted graded aggregate shall be required for commercial collector streets.



A minimum 95 percent compaction for base material is required in accordance with American Society of Testing and Materials, as amended (ASTM) D698 (standard proctor density). The Zoning and Planning Commission may require compaction test results, performed by a licensed testing laboratory, prior to release of the performance bond.

### **1.16 PAVEMENT**

The Minimum pavement thickness for the various classifications of Town streets shall be as follows:

Binder Layer	Two (2) Inches
Seal Layer	One (1) Inch

If, in the opinion of the Town Engineer, the proposed street may fail or cause maintenance problems in the future, or in the case of actual street failure during construction, then a report by a Geotechnical Engineer shall be prepared and submitted by the Sub-divider to the Town Engineer for approval, prior to the proposed street being constructed or completed. Such report shall determine the minimum base and pavement thickness required for a properly constructed street, as well as “proof-rolling” requirements for subgrade and removal of unsuitable material.

## **SECTION 2 - BLOCKS**

The length, widths, and shapes of blocks shall be determined with due regard to each of the following:

1. Provisions of adequate building sites suitable to the special needs of the type of use contemplated;
2. Zoning Ordinance and/or Health Department requirements as to lot sizes and dimensions;
3. Needs for convenient access, circulation, control and safety of street traffic; and,
4. Limitations and opportunities of topography.

Block lengths should not be less than four hundred (400) feet and shall be wide enough to allow two (2) tiers of lots of appropriate depth.

Pedestrian crosswalks not less than ten (10) feet wide may be required where deemed essential by the Zoning and Planning Commission.

## **SECTION 3 - LOTS**

1. The lot size, width, depth, shape, and orientation, and the minimum building setback line shall be appropriate for the zoning classification of the subdivision.
2. Lot dimensions shall conform to the requirements of the Zoning Ordinance and the requirements of the County Health Department. In cases where requirements conflict, the more strict requirement shall govern.
3. Each lot shall front a public street. Streets in Private Subdivisions may be approved by the Planning Commission.
4. 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.
5. Side lot lines shall normally be at right angles to streets, except on curves where they shall be radial.

#### **SECTION 4 - EASEMENTS**

1. 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 fifteen (15) feet wide, unless otherwise approved by the engineering department of the specific utility.
2. Where a subdivision is traversed by an existing or proposed water course, drainageway, channel, or stream, there shall be provided a storm drainage easement or right-of-way conforming substantially with the lines of such existing or planned drainageway. The width of such drainage easement right-of-way shall be sufficient to contain the ultimate channel and maintenance way for the tributary area upstream.
3. 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.

#### **SECTION 5 - DRAINAGE AND INUNDATION**

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 storm water detention measures, as defined herein, may be required by the Town Engineer or Zoning and Planning Commission. An Erosion and Sedimentation Plan shall comply with Best Management Practices (BMP'S) of Alabama Department of Environmental Management (ADEM), as amended, until Indian Springs Village adopts an erosion and sedimentation control ordinance by separate action (the Town Ordinance will then control).

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 subdivisions into a natural drainage channel. But under no circumstance shall storage drainage be emptied into the sanitary sewer system or vice versa.

The Town Engineer and/or Zoning and Planning Commission may require whatever additional engineering information it deems necessary to make a decision on subdivisions and other developments which contain an area of questionable drainage. Lakes, ponds, and similar areas will be accepted for maintenance only if sufficient land is dedicated as a public recreation area, or if such area constitutes a necessary part of the drainage control system.

All development in the Town of Indian Springs Village shall be in compliance with all Ordinances, including any applicable and duly adopted Flood Plain requirements. The applicant is urged to contact the Town Engineer for a preliminary discussion on this matter prior to submitting any plan.

The Town of Indian Springs Village will not allow a diversion of watershed from one drainage basin to another for any subdivision or development of land within the Town limits.

#### **SECTION 6 - NON-RESIDENTIAL SUBDIVISION**

Any subdivision of land, as herein defined, shall be subject to these regulations.

#### **SECTION 7 - VACATING A STREET OR EASEMENT - DEDICATION OF A NEW RIGHT OF WAY OR EASEMENT.**

No street or easement may be vacated unless such action is recommended by the Zoning and Planning Commission to the Town Council and approved by the Town Council.

Vacation of public rights-of-way (streets and alleys) shall be accompanied by a plat showing the new property line(s) as they will exist after the vacation.

Vacation of easements shall be as follows:

1. Partial vacation - may be accomplished by a metes and bound legal description, prepared by a Registered Surveyor, of the portion to be vacated. The Applicant must provide a map, drawn to scale, showing the portion to be vacated.
2. Total vacation - shall be accompanied by a plat.

A new easement shall be accompanied by a plat showing the easement on the property. Dedication of a new right of way or easement shall be accompanied by a plat, including a dedication of a private roadway to a public roadway.

## **SECTION 8 - PROPERTY DEVELOPMENT**

Property Development - All property to be developed in the Town of Indian Springs Village shall comply with these minimum regulations.

## **ARTICLE VI REQUIRED IMPROVEMENTS**

### **SECTION 1 - GENERAL**

The Sub-divider is required to install or construct the improvements hereinafter described within this Article, prior to the release of any bond or other securities which guarantee installation of such required improvements.

All improvements required within this Article, shall be constructed in accordance with the standards set forth in these subdivision regulations. Certification of compliance is required from the Owner's Engineer as to proper completion of all required improvements prior to final plat approval. (See sample letter under Appendix D.)

All water mains, sanitary sewers and laterals, fire hydrants, and storm sewers shall be installed as necessary to prevent the future cutting of the pavement of any street, sidewalk, or other public improvement.

#### **1.1 STREETS AND ALLEYS**

All streets shall be designed in accordance with subdivision minimum standards contained in Appendix A.

#### **1.2 SIDEWALKS**

Sidewalks may be required by the Planning Commission in commercial and residential subdivisions.

#### **1.3 CURB AND GUTTER**

All curb and gutter, and valley gutters shall be designed in accordance with subdivision minimum standards contained in Appendix A.

#### **1.4 WATER MAINS**

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

#### **1.5 FIRE HYDRANTS**

Fire hydrants shall be installed along each street every 750 feet in residential districts. The water supply and pressure shall be sufficient to adequately serve the potential needs of the intended land use.

In business districts fire hydrants shall be installed every 300 feet. The North Shelby Fire District Authority (or its successor) must approve the installation of all fire hydrants.

#### 1.6 SANITARY SEWERS

Sanitary sewers shall be installed in each subdivision and approved by the appropriate regulatory agency. Septic tanks may be permitted in lieu of sewer lines, upon approval by the appropriate health department. Lot size shall not be less than the minimum standard and of satisfactory size for the proper installation of an on-site sewage disposal system as approved by the Department of Health. No building permit shall be issued until written approval has been given by the Department of Health.

#### 1.7 STORM SEWERS AND DRAINAGE

Storm sewers and drainage structures shall be designed and installed as required in accordance with Appendix A of these regulations.

#### 1.8 PROPERTY MARKERS

All property corners shall be in place in accordance with the Standards of Practice for Land Surveying in the State of Alabama, current edition.

### **ARTICLE VII GUARANTEE OF COMPLETION OF IMPROVEMENTS**

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

The Sub-divider shall be responsible for the provision of all required improvements to the subdivision. This may be accomplished by either the full installation of all required improvements by the developer at the time the final plat is to be submitted to the Planning Commission (Certification by the Owner's Engineer of Compliance is required by these regulations, see Article VI, Section I), or by the provision of a financial guarantee of performance.

##### 1.1 FINANCIAL GUARANTEE OF PERFORMANCE

The guarantee of performance by the Sub-divider shall be in the form of a Subdivision Improvement Bond, Irrevocable Letter of Credit, or Certificate of Deposit, made payable to the Town of Indian Springs Village and shall meet the following requirements:

- a. ACCEPTANCE OF GUARANTEE - The bond, irrevocable letter of credit or certificate of deposit must be approved by the Town Clerk and the Chairman of the Planning and Zoning Commission.
- b. VALUE OF GUARANTEE - The bond, irrevocable letter of credit or certificate of deposit, should be of an amount sufficient to cover the total cost of installing all improvements, including grading, paving of the streets and installation of all required utilities and fees encountered during execution of improvements.

##### 1.2 FAILURE TO COMPLETE WORK

If within twelve (12) months after filing the accepted guarantee, the Sub-divider has not completed all necessary improvements, or if in the opinion of the Planning Commission any improvements have not been satisfactorily installed, the guarantee shall be used by the Town to complete the improvements in a satisfactory manner, or the Town may take such steps as may be necessary to require performance under the guarantee, including the Town's available legal remedies.

## **ARTICLE VIII GUARANTEE AGAINST FAULTY MATERIAL**

### **SECTION 1 - GENERAL**

Final approval of street improvements shall be granted and streets accepted for maintenance by the Town of Indian Springs Village, only in accordance with one of the following provisions:

1.1 - In any case in which the Planning Commission and/or the Town Council may have reasonable doubt concerning the stability or proper construction of any improvement required herein, the Town Council may require a one (1) year maintenance bond for street construction maintenance, and a one (1) year maintenance bond for sewer lines and facilities. This bond shall be in cash or made by a surety company authorized to do business in the State of Alabama, or,

1.2 - The Town Clerk, at the direction of the Town Council, shall secure from all developers, an agreement to maintain backfill to the level of finished grade and to maintain improvements, located thereon or therein, of any excavation or fill which has been made in connection with the installation of improvements; and such agreement shall be binding on the developer for a period of one (1) year after the acceptance of such improvements by the Town of Indian Springs Village.

## **ARTICLE IX VARIANCES**

Where the Planning Commission finds that unusual hardship may result from strict compliance with these regulations due to unusual topographic or other physical conditions relating to the land, that are beyond the control of the Sub-divider, it may vary the regulations so that substantial justice may be done and the public interest secured. However, such variation shall not have the effect of nullifying the intent or purpose of the Subdivision Regulations or Zoning Ordinance. Any variance thus authorized is required to be entered in writing in the minutes of the Planning Commission and the reason which justified the departure to be set forth.

## **ARTICLE X - PENALTIES FOR TRANSFERRING LOT IN UNAPPROVED SUBDIVISION**

Whoever, (being the owner or agent of the owner of any land located within a subdivision), transfers or sells any land by reference to or exhibition of or by other use of a plat of a subdivision before such plat has been approved by the governing body of the Town and duly recorded or filed in the office of the Shelby County Probate Judge, shall forfeit and pay a penalty of one hundred dollars (\$100.00) for each lot or parcel so transferred or sold. The Town may enjoin such transfer or sale or agreement by action for injunction brought in any court or equity jurisdiction against the Sub-divider or may recover from the Sub-divider the same penalty by a civil action in any court of competent jurisdiction.

## **ARTICLE XI SEVERABILITY AND SEPARABILITY**

Should any article, section, sub-section, or provision of these Subdivision Regulations be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the Subdivision Regulations as a whole, or any part thereof, other than the part so declared to be invalid or unconstitutional. Where any provision of these Subdivision Regulations conflict with any other Zoning Ordinance or Regulation adopted by Indian Springs Village, the more restrictive provision shall apply.

**ARTICLE XII AMENDING REGULATIONS**

Any article, section, sub-section or provision of these Subdivision Regulations proposed for amending shall be published as provided by law for the publication of ordinances. Before adoption, a public hearing, as described by law, shall be held thereon. Following its adoption, a copy of the amendment shall be certified by the Planning Commission to the Probate Judge of the appropriate county.

**ARTICLE XIII EFFECTIVE DATE**

These Subdivision Regulations shall supersede all previous Subdivision Regulations and shall take effect and be in force from and after the date of their adoption.

Adopted and Approved, this the **XX** day of **XXXXXXXX**, 201**X**.

Planning and Zoning Commission  
For  
The Town of Indian Springs Village, Alabama

By : \_\_\_\_\_

Mayor and Governing Body:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

CERTIFICATION

I, \_\_\_\_\_, Town Clerk of the Town of Indian Springs Village, Alabama, hereby certify the above to be a true and correct copy of a Subdivision Regulations adopted by the Town Council of the Town of Indian Springs Village, at its regular meeting held on \_\_\_\_\_, \_\_\_\_, 2015, after public hearing, legal publication and a recommendation to the Town Council from the Zoning and Planning Commission, as same appears in the minutes of record of said Town Council meeting, and published by posting copies thereof on the \_\_\_\_\_ Day of \_\_\_\_\_, 201X, at the following public places, which copies remained posted for five days as provided by law:

Indian Springs Town Hall  
2635 Cahaba Valley Road  
Indian Springs, AL

North Shelby Fire District No. 2  
Caldwell Mill Road  
Indian Springs, AL

Sunny Food Store No. 8  
Caldwell Mill Road  
Indian Springs, AL

Town Clerk's Office  
5156 Hollow Log Lane  
Indian Springs, Al

\_\_\_\_\_  
Town Clerk  
Indian Springs Village, Alabama

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# **APPENDIX A - DESIGN STANDARDS**

## **ARTICLE I**

### **MINIMUM STANDARDS FOR SUBDIVISIONS AND DEVELOPMENT**

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.

## **ARTICLE II**

### **ENGINEERING REQUIREMENTS AND INSPECTIONS**

The Sub-divider shall furnish the Planning Commission all plans and information necessary for engineering considerations and approval for the construction of the proposed 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.

The Owner's Engineer shall be responsible for inspecting the approved public improvements, and shall certify to the Town that all such improvements were installed according to the approved plans.

## **ARTICLE III**

### **STREETS**

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 use of the land.
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.
3. Reserve strips shall not be permitted.
4. Spite strips or strips for unspecified or an acceptable purposes are prohibited.
5. Sidewalks may be required where deemed necessary for public safety.
6. Public utilities shall be installed prior to acceptance.
7. 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.
8. Sub-divider is responsible for the installation of all traffic signs, markings and traffic control devices. All street signs shall conform to the Indian Springs Village standard street sign.

### **MINIMUM REQUIREMENTS**

1. The sub-grade shall be compacted and shaped prior to application of base materials.
2. The base course shall have a compacted thickness of no less than six inches and base course materials shall be approved, as to mixture and durability of materials, by the Town Engineer.
3. All streets shall be paved a minimum width of twenty-two feet plus curbing.
4. Minimum of four-foot shoulders shall be constructed.
5. A typical roadway section with street grades shall be submitted for approval along with the drainage plan.
6. Unless authorized by the Planning Commission, grades over fifteen (15%) percent will not be authorized.



7. All intersections shall have a sufficient turning radius to accommodate traffic in a normal manner.

## **ARTICLE IV**

### **STREET MINIMUM IMPROVEMENTS**

1. Proper drainage structures shall be constructed at designated locations determined by field inspection and contour maps of the subdivision with the approval of the Planning Commission as to the size and number.
2. Catch basins and drop inlets shall be constructed if deemed necessary by the Planning Commission.
3. Combination curb and gutter shall be constructed on grades over 12 percent, or on long unbroken grades, where no cross drains are feasible to divert the flow of water from the street, at the discretion of the Planning Commission.
4. Water will not be permitted to travel down the street more than 500 feet (where at all possible) without proper drainage structures to intercept surface water.
5. A permanent type, non-skid finished wearing surface shall be applied by the Sub-divider or developer to all public streets.
6. The materials and type of materials used shall have the approval of the Town Engineer.
7. No street will be accepted for maintenance unless specifically approved by the Town Council.
8. No portion of a County Road will be accepted for maintenance by the Town by a subdivision application or subdivision approval.
9. Where subdivision streets make intersection with county roads, the intersection shall be made at a point on the county road that will provide a minimum sight distance of 250 feet in each direction, or as determined by the county street posted speed limit. Any less sight distance requirement shall be approved by the Planning Commission.

### **RIGHT-OF-WAY**

1. Right-of-way for any street, road or avenue which, in the opinion of the Planning Commission, is or might become an arterial highway shall be no less than 100 feet in width.
2. Any intersection of streets having an interior angle of less than ninety degrees shall have an easement radius if the Planning Commission considers it necessary for the safe turning of traffic.

### **ACCESSIBILITY:**

Where a proposed subdivision has no frontage on an existing public road or right-of-way, the Sub-divider must provide, and dedicate to the City, a suitable right-of way for ingress and egress. This connecting road becomes part of the street system of the proposed subdivision and is subject to all regulations regarding streets. Subdividing or development of property shall not be allowed to land-lock any adjacent property.

### **IMPROVEMENTS**

Before a Sub-divider commences to grade or pave streets or roads within a subdivision, he shall consult the Town Engineer (and if necessary, the County Engineer) and obtain approval of the proposed grades, type of paving, size of drainage structures, and any or all other engineering problems involved therein.

## **ARTICLE V**

### **DRAINAGE**

1. 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 Sub-divider makes necessary provisions to eliminate such flooding.
2. Drainage facilities shall be designed for a 25-year rainfall event, except for major drainage-ways which shall be designed for a 100-year rainfall event. Design calculations shall be based on future probable development of the entire drainage area to be served or developed. A major drainage-way is defined as having a drainage area of fifty (50) acres or more.
3. 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.
4. All existing drainage structures shall be shown on the preliminary plat and contour map.
5. All off project drainage, draining onto the subdivision, shall be shown on contour maps showing the areas in acres that the subdivision will have to accommodate.
6. 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.
7. Storm drainage facilities shall be designed by a Registered Professional Engineer in the State of Alabama. The Engineer's seal shall be on all drawings.
8. Structural capabilities for all new culverts and storm sewer pipe shall be provided.
9. If outlet velocities are greater than five (5) feet per second, some type of energy dissipation will be required. If rip-rap is used the minimum weight shall be fifty pounds per stone.
10. Typical sections of all open ditches and swales shall be provided.
11. Any new culvert or storm sewer pipe under the jurisdiction of the Alabama Department of Transportation or the Shelby County Engineer must be approved by that authority. Copies of this approval shall be provided at the time of submittal.
12. All roadway cross drain pipe shall be a minimum size eighteen (18) inches and all side drain pipe shall be a minimum size of eighteen (18) inches.
13. All drainage pipes within right-of-ways and easements shall be reinforced concrete.

## **ARTICLE VI**

### **MISCELLANEOUS**

All lot pins and markers shall be established on the ground prior to final approval of record map.

The Town will not construct any street, install any drainage or perform any maintenance work in any recognized or recorded subdivision before the subdivision is duly accepted for maintenance.

The Town will, after construction of streets and drainage is completed, accept the street and drainage for maintenance provided:

1. That it meets the minimum requirements of the Town,
2. That all necessary improvements are installed,
3. That there are no claims or liabilities against the subdivision that will be passed on to the Town, and,
4. That all improvements shown and stated on the record map shall have been installed or complied with.

Any deviation from these provisions must have written permission from the Planning Commission.

On roads with prescribed rights-of-way, but where no dedicated right-of-way exists, the building setback distance from center line of road shall be equal to 30 feet plus standard setback required in the zoning district affected.

## **ARTICLE VII**

### **REQUIRED IMPROVEMENTS BOND**

Prior to the approval of the final plat, the sub-divider shall have installed or constructed the following improvements or posted a financial guarantee not to exceed 125 percent of the cost of required improvements:

All streets shall have been constructed in conformity with the requirements set out in these regulations

All drainage shall have been constructed in conformity with the requirements set out in these regulations;

The developer or Sub-divider will forfeit the financial guarantee if improvements are not made or completed;

If the guarantee is forfeited, the bonding company or financial institution will complete the improvements or pay the Town for the completion of same.

After the subdivision has been completed and before the street acceptance letter is issued, the Town Council may require a one (1) year maintenance bond for streets, sewer lines, and drainage facilities.

## **ARTICLE VIII**

### **STANDARD DRAWINGS**

All necessary drawings and standards regarding roadway typical sections, valley gutters, combination curb and gutter, and all types of drainage structures for the development of subdivision streets available from the Town Engineer.

## **ARTICLE IX**

### **STORM WATER DETENTION**

#### **1. GENERAL:**

The natural condition of the land before development is in relative balance with the natural capacity of the receiving streams. The undeveloped conditions provide greater permeability and longer time of concentration. By modification of the surface from the irregular, pervious, and with vegetation, the areas are changed to more impervious, more effectively drained and, in most cases, denuded of vegetation. It is the intent of this section to alert the developers to possible harmful effects from any land development project on properties downstream and to provide a guideline for evaluation and control of the elements related to storm water which affect the welfare and safety of the citizens of INDIAN SPRINGS VILLAGE.

In order to provide some control of these possible harmful elements of development and reduce economic losses due to erosion and flooding, the criteria of differential runoff and storm water detention are hereby established.

Among the consequences of growth and development, two are of great relevance to storm water management:

- a. Increased runoff created by the change of the nature and properties of the surface of the ground, and
- b. Velocity of discharge of this increased runoff.

Developments which can produce an increase in the amount of storm water runoff will be required to comply with engineering standards to reduce said runoff or construct storm water detention ponds or other approved types of detention devices.

When required, the developer shall submit detailed engineering plans to the Town Engineer including historical runoff, developed runoff, detention pond details, method of discharge, and other information as required for review. The developer shall also include a description of the method of maintenance for the detention pond after the development is completed.

Development of all lands shall be as allowed by the applicable section of the Zoning Ordinance, provided that:

For a lot or parcel with existing impervious improvements prior to the date of this Ordinance the one-time maximum impervious area shall be limited to two-hundred (200SF) square feet without having to provide detention.

All lots or parcels with no existing impervious improvements prior to the date of this Ordinance shall be required to have detention accounting for all increased runoff.

## 2. TERMS:

The terms of these design criteria shall become effective for all projects under direct jurisdiction of the Town Engineer and Building Inspections Department of Shelby County, Alabama.

**Jurisdiction.** All projects which fall under the inspection, permitting, or plan review jurisdiction of the Town Engineer and Building Inspections Department on items related to storm water management, sanitary sewers and site development within the Town Limits.

**Review Fees.** Each application for a stormwater detention facility shall include a non-refundable fee of four-hundred dollars (\$400.00). The fee for a second review of a project will be \$300.00. Subsequent reviews will be \$200.00 per review.

**Liability.** The design criteria establish minimum elements of design which must be implemented with good engineering and good workmanship. Use of the information contained herein for placement of any structure or use of land shall not constitute a representation, guarantee, or warranty of any kind by the Town of INDIAN SPRINGS VILLAGE, its offices, or employees of the practicality, adequacy or safety and shall not create liability upon or cause action against any such public body, office or employee for any damage that may result pursuant thereto.

**Engineer's Seal.** All plans and specifications submitted for review and/or approval shall be prepared by, or under the direct supervision of, a registered professional engineer, licensed in the state of Alabama, and shall meet the minimum standards and requirements of the Town Engineer and other applicable authorities. Each of the plan, profile and special drawing sheets for a project shall bear a legible stamp of the Professional Engineer in charge. If the name or license number is not clear, the signature and number shall be added.

**Pre-Design Conference.** The developer and the consulting engineer are encouraged to contact the Town Engineer for a pre-design conference at the conceptual stage of a project. Such conference would be mutually beneficial to outline the complexity and scope of design, applicability of criteria, and elimination of possible items of conflict during the review process. Subsequent conferences during the preparation of plans may be arranged by the

consulting engineer or the developer to obtain preliminary, informal decisions on items in need of clarification.

**Letter of Transmittal.** In order to facilitate review of plans, all projects shall be submitted with a letter of transmittal which shall include the name of the project, name and address of the owner or developer, name, address and telephone number of the engineer and clarification as to the purpose of submittal. Documents left in the office with a Letter of Transmittal will be returned to the owner or engineer (if proper identification can be made).

**Impervious Area.** For purposes of this Ordinance, impervious area shall be defined as the developed area of the lot, including house and appurtenant structures, as well as surfaces which do not allow the free passage of water through the material into the ground. Impervious area shall include, without limitation, sidewalks, driveways, parking areas, decks and patios, unless such surfaces are constructed of materials that allow passage of water into the ground at a rate equal to the pre-developed condition.

**Differential Runoff.** The difference in rate and volume of storm water runoff from a parcel or project in its undeveloped natural condition and its developed condition is known as the Differential Runoff.

**Developments Affected.** Detention requirements are directly related to permitted land use in the Zoning Ordinance of the Town of INDIAN SPRINGS VILLAGE. The permitted densities and minimum lot areas are important factors in the anticipated runoff. New projects are subject to these detention requirements. Individual lots may be required to provide detention if building and impervious areas cause conditions that are increase off-site flows or velocities of runoff resulting in harmful effects can be anticipated if detention is not implemented.

**Phasing and Platting.** The effective acreage for a project is not limited to a fractional part of the total concept; rather, if a project is developed in phases or small plats, the total acreage of the conceptual project will be considered, whether or not the acreage is within the Town limits.

**Maintenance and Responsibility.** The Town of INDIAN SPRINGS VILLAGE will not accept maintenance responsibility for detention facilities required under this Ordinance. All required detention facilities shall be maintained in accordance with covenant and/or Deed Restrictions specified and approved by the Commission. In the event of a complaint by a member of the maintaining entity, as defined by the Covenants or Deed Restrictions, or a down stream effected landowner, the Maintaining Authority will be required to reimburse the Town of Indian Springs Village for all cost associated with the resolution of the complaint, plus twenty-five percent of said cost.

**Method of Evaluation.** Differential runoff evaluation consists of determination of rates of runoff before and after development, determination of required volume of detention and verification of adequacy of discharge and control structures. Design shall be based on matching before/ after development peak flows for 2-year, 5-year, 10-year, 25-year, 50-year and 100-year 24-hour storms for fully developed land use in accordance with the comprehensive Land Use Plan of the Town of INDIAN SPRINGS VILLAGE. This shall be based on sound engineering criteria and computations shall be submitted to the Town Engineer for review.

**Method of Detention.** The following conditions and limitations should be observed in selection and use of method of detention.

**General Location.** Detention facilities shall be located within the parcel limits of the project under consideration. No detention or ponding will be permitted within public road rights-of-way. Location of detention facilities immediately upstream or downstream of the project will be considered by special request if proper documentation is submitted with reference to practicality, feasibility and proof of ownership or right-of-use of the area proposed. Conditions for general location of detention facilities according to zoning districts shall be as follows:

- a. **Common Ground Projects.** It is preferred that detention facilities will always located in common ground. Projects developed under these procedures shall establish (in the recorded plat) maintenance and access easements for the

detention facilities and include provisions for maintenance in the Trust Indentures.

- b. **Professional, Office Park, Local Business, Community Shopping, and Other Zoning.** Detention areas in these districts will be permitted provided that maintenance and access agreements are established and recorded when required by the Town Engineer.
- c. **Multiple Residential.** Detention areas in multiple family residential zoning districts will be required provided that maintenance and access easements are established and those areas are under common ownership or maintenance obligations by deed restriction or trust indenture.
- d. **Straight Residential.** Detention areas in all single family residential zoned will be required if deemed necessary by the Town Engineer. In such cases a trust indenture shall be recorded to provide maintenance responsibility and funding. The recorded plat shall be clearly marked with the legend "Detention Area".
- e. **Single Lot Development.** Increased runoff from new impervious areas shall not be allowed by this Ordinance unless some method of either stormwater detention or landscaping is used to mitigate increases in stormwater runoff. If stormwater detention is used the design shall comply with the minimum requirements set forth in this Ordinance. If landscaping and/ or plantings are used the runoff evaluation shall be performed by a registered Engineer, and shall include plans, details and calculations demonstrating compliance with the requirements of this Ordinance.

**Sub-Surface Reservoirs.** Sub-Surface Reservoirs are permitted if a report by a licensed Structural Engineer in the State of Alabama is provided.

**Dry Reservoirs.** Wet weather ponds or dry reservoirs shall be designated with proper safety, stability and ease of maintenance features, and shall not exceed five (5) feet in depth. Maximum side slopes for grassed reservoirs shall not exceed one (1) foot vertical for three (3) foot horizontal (3:1) unless adequate measures are included to provide for the above noted features. The minimum bottom slope shall be greater than three feet on one hundred feet (3%) and the bottom shall drain freely to the base outflow structure. Standing or ponding water will not be permitted. In no case shall the limits of maximum ponding elevation be closer than thirty (30) feet horizontally from any building and less than two (2) feet vertically below the lowest sill elevation. The entire reservoir area shall be seeded, fertilized and mulched, sodded or paved prior to release of surety if required by the Town Engineer. Wet weather ponds or dry reservoirs shall be enclosed by fencing a minimum of six (6) feet high, with one (1) gate and lock provided. The applicant is encouraged to use a fencing material aesthetically compatible with the surrounding area and the development. Any area susceptible to, or designed as, overflow by higher design intensity rainfall (10 year frequency and above) shall be sodded or paved.

**Open Channels.** Normally permitted open channels may be used as detention areas provided that the limits of the maximum ponding elevation are not closer than thirty (30) feet horizontally from any buildings, and less than two (2) feet below the lowest sill elevation of any building. No ponding will be permitted within public road rights-of-way. Maximum depth of detention in open channels shall be five (5) feet. For trapezoidal sections, the maximum side slopes of the detention area of the channel shall not exceed one (1) foot vertical for two (3) feet horizontal (3:1). For design of other typical channel sections the features of safety, stability, and ease of maintenance shall be observed. The entire reservoir area of the open channel shall be seeded, fertilized and mulched, sodded, paved, or lined prior to release of escrows. The hydraulic elevations resulting from channel detention shall not adversely affect adjoining properties.

**Permanent Lakes.** Permanent lakes with fluctuating volume controls may be used as detention areas provided that the limits of maximum ponding elevations are no closer than thirty (30) feet horizontally from any building and less than two (2) feet below the lowest sill elevation of any building. Maximum side slopes for the fluctuating area of permanent lakes shall be one (1) foot vertical to two (3) feet horizontal (3:1) unless proper provisions are included for safety, stability, and ease of maintenance.

Maximum fluctuation from permanent pool elevation to maximum ponding elevation shall be three (3) feet. Special consideration is suggested to safety and accessibility to small children in the design of permanent lakes in residential areas. Viability of the permanent impoundment shall be considered. An acceptable guideline is to make that area of the permanent pool no greater than one tenth the size of the tributary drainage area. It is suggested that the minimum depth of twenty-five percent (25%) of the permanent pool area be no less than eight (8) feet. Allowances for silting under denuded soil conditions (during construction) for a period no less than one (1) year is also recommended. The entire fluctuating area of the permanent reservoir shall be seeded, fertilized and mulched, sodded or paved prior to release of surety if required by the Town Engineer. Any area susceptible to or designed as overflow by higher design intensity rainfall (10 year frequency) shall be sodded or paved.

**Parking Lots.** Detention is permitted in parking lots to maximum depth of eight (8) inches. In no case should the maximum limits of ponding be designed closer than ten (10) feet from a building unless water proofing of the building and pedestrian accessibility are properly documented. The minimum freeboard from the maximum ponding elevation to the lowest sill elevation shall be one (1) foot.

**Other methods.** Other methods of detention such as seepage pits, french drains, etc., are discouraged. If other methods are proposed, proper documentation of soils data, percolation, geological features, etc., will be needed for review and consideration.

**Verification of Adequacy.** Analysis of all elements of design is always performed by the Engineer. The following is the minimum information required for a detention pond submittal:

- a. Existing drainage area and peak flows to the detention facility.
- b. Proposed drainage area and peak flows to the detention facility.
- c. Inflow hydrograph for each design storm.
- d. Outflow hydrograph for each design storm.
- e. Storage- elevation and discharge- elevation calculations.
- f. Required storage volume for each design storm.
- g. Statement of methodology used for the detention facility design.
- h. Routing calculations for each design storm.
- i. A downstream hydrologic assessment shall be made to a point where the drainage area controlled by the detention facility comprises ten per cent (10%) of the total drainage area. For example, if the detention pond controls five (5) acres, peak flows shall be checked downstream until the drainage area is fifty (50) acres.
- j. For all projects, routing calculations shall be submitted in legible tabulated form.
- k. Proof of adequacy of volume of retention and sizing computations for low-flow structures shall also be submitted. Features of stability and safety may also need to be documented if the scope of the project requires special attention in this area of design.

**Control Features.** Detention facilities shall be provided with obvious and effective control structures. Plan view and sections of the structure with adequate detail shall be included in plans. Low-flow pipes shall not be smaller than eight (8) inches in diameter to minimize maintenance and operating problems, except in parking lot and roof retention where minimum size of opening shall be designed specifically for each condition. The low-flow pipe shall be provided with a bar-screen on a minimum 2:1 slope to reduce blockage by debris. The overflow opening or spillway shall be designed to accept the total peak runoff of the improved tributary area.

**Discharge Systems.** Sizing of the system below the control structure shall be for the total improved peak runoff tributary to the structure with no allowance for detention.

**Maintenance.** Detention facilities, when mandatory, are to be built in conjunction with the storm sewer installation and/or grading. Since these facilities are intended to control increased runoff, they must be fully operational soon after the clearing of the vegetation. Silt and debris connected with early construction shall be removed periodically from the detention area and control structure in order to maintain close to full storage capacity. The responsibility of maintenance of the detention facilities shall remain with the developer until such time as applicable escrows are released. Upon release of escrows, the maintenance responsibility shall be vested in the Trustees of the subdivision, by virtue of the trust indenture. The indenture of trust shall clearly indicate responsibility for maintenance in cases of projects without common ground. The property Owner or designated representative shall submit a covenant setting forth obligations to maintain the detention facility. Such covenants shall be approved by the Town Engineer and Town Attorney prior to submittal to the Planning Commission for approval. Certificates of Occupancy shall not be issued until such covenants have been approved and recorded. The covenant shall run with the property until the detention facility is no longer required. Release of the covenant shall occur only after approval by the Town Engineer, Town Attorney, Planning Commission and Mayor and Town Council. The Town Engineer shall enforce the provisions of the maintenance covenant and shall have the power and authority to cause the facility to be properly maintained. Under such condition, the Town shall have the right to place a lien on the property until the Town's obligation has been terminated.

### 3. APPEALS:

The Planning and Zoning Commission for the Town of INDIAN SPRINGS VILLAGE (the "Commission") shall be the governing body to determine suitability of alternate methods, materials, or construction, to permit interpretations of the provisions of this Code and to hear appeals from decisions of the Town Engineer under this Code. The Commission shall use reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Town Engineer with a duplicate copy to the appellant. The Commission may recommend to the Town Council such new legislation as it determines is necessary to carry out the purposes of this Code.

The Commission shall address appeals at its regular scheduled meetings.

Any person (1) whose application for a storm water detention permit has been denied, suspended or revoked; or (2) whose request for the use of an alternate material or method of construction has been refused by the Town Engineer; or (3) who may consider that the provisions of this Code do not cover the point raised or that any particular provision would cause a manifest injury or damage to be done, may appeal to the Commission by serving written notice on the Town Engineer. Such notice shall be at once transmitted to the Commission, which shall arrange for a hearing on the issue raised. If the appellant is requesting to use alternate materials or types of construction, the appellant shall pay all expenses for necessary tests made or ordered by the Commission.

Notice of appeal shall be in writing and filed within thirty (30) days after a decision is rendered by the Town Engineer. Such written notice shall be accompanied with the non-refundable sum of One Hundred Dollars (\$100.00) payable to the Town of INDIAN SPRINGS VILLAGE.

In the case of storm water detention which, in the opinion of the Town Engineer is unsafe or dangerous, the Town Engineer may, in his order, limit the time for such appeal to a shorter period. Appeals hereunder shall be on forms provided by the Town Engineer.

The Commission, when so appealed to and after a hearing may vary the application of any provision of this Code to any particular case when, in its opinion, the enforcement thereof would do manifest



injustice, and would be contrary to the spirit and purpose of this Code or public interest, or when, in its opinion, the interpretation of the Town Engineer should be modified or reversed.

A decision of the Commission to vary the application of any provisions of this Code or to modify an order of the Town Engineer shall specify in what manner such variation or modification is made, the conditions upon which it is made, and the reasons therefore.

Every decision of the Commission shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity. It shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the Town Engineer and shall be open to public inspection; a certified copy shall be sent by mail or otherwise to the appellant.

The Commission shall, in every case, reach a decision without unreasonable or unnecessary delay.

If a decision of the Commission reverses or modifies a refusal, order, or disallowance of the Town Engineer, or varies the application of any provisions of this Code, the Town Engineer shall immediately take action in accordance with such decision.

## **ARTICLE X**

### **EROSION CONTROL**

#### **1. GENERAL:**

Pre-Construction and Post-Construction erosion control requirements are specified in the Storm Water Management Plan of the City of INDIAN SPRINGS VILLAGE. These requirements are applicable to all subdivision developments, including the construction of individual commercial or residential properties.

The Illicit Discharge Detection & Elimination (MCM 3), Construction Site Stormwater Runoff Control Program (MCM 4), and Post Construction Stormwater Management (MCM 5) require the development, implementation and enforcement of a program to reduce, to the maximum extent practicable, pollutants in any storm water runoff to the MS4 from construction activities that result in a total land disturbance of greater than or equal to one acre and activities that disturb less than one acre but are part of a larger common plan of development or sale that would disturb one acre or more. ADEM terms these sites as qualified construction sites. Any "Erosion and Sediment Control Ordinance" that is adopted by the City of Indian Springs must be addressed by all grading, landscaping operations and any commercial or industrial existing or proposed developments.

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**APPENDIX B - REQUIRED WORDING FOR FINAL PLAT CERTIFICATION**

The following wording shall be on all final plats:

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The undersigned \_\_\_\_\_, A Registered Land Surveyor in the State of Alabama, and \_\_\_\_\_, Owner, 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; that this plat or map is a true and correct map of lands shown therein and known as \_\_\_\_\_ showing the subdivisions into which it is proposed to divide said lands, giving the length, and angles of the boundaries of each lot and its number, showing the streets, alleys and public grounds, giving the length, width and name of each street, as well as the number of each lot and block, and showing the relations of the lands to the government survey; 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 also certifies that it is the owner of said lands and that the same are not subject to any mortgage.

**RESOLUTION:**

Be it resolved by the Mayor and the Town Council of the Town of Indian Springs Village, Alabama, that the assent of this body be, and the same hereby is given to the dedication of the streets, alleys and Public Grounds as shown on this plat or map which said plat or map is certified to have been made by \_\_\_\_\_, as Surveyor, at the instance of \_\_\_\_\_, as \_\_\_\_\_, and has been exhibited to this Council, said plat or map being further identified by a recital of the approval of this Council, signed by the Town clerk, of even date herewith. But this shall not be construed as an assumption of dominion by the Town of Indian Springs Village over any street, alley or public grounds shown on said plat or map or impose liability upon the Town of Indian Springs Village for the upkeep of same.

I, \_\_\_\_\_, Town Clerk of the Town of Indian Springs Village, Alabama, hereby certifies the foregoing to be a true and correct resolution that the Mayor and Town Council of the Town of Indian Springs Village, Alabama have duly adopted at a meeting of said council on this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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## APPENDIX C - PRELIMINARY AND FINAL PLAT CHECKLISTS

### FINAL PLAT CHECKLIST

The following checklist has been derived from the Subdivision Regulations adopted by Indian Springs Village. It is intended as a guide for final plat approval. Refer to the Regulations for all specific requirements.

Plat requirements:

- ( ) Original drawing in ink, on cloth or film
- ( ) Referenced to an accepted section corner
- ( ) All items shown on the preliminary plat except:
- ( ) Contours may be eliminated unless otherwise specified
- ( ) Rights-of-way, easements and property lines shall be shown with accurate dimensions and bearings; deflection angles; radii, arcs, and central angles of all curves
- ( ) Accurate grades on all streets and roadways
- ( ) Purpose for which sites are dedicated or reserved
- ( ) Minimum building setback lines
- ( ) Location and description of monuments
- ( ) Reference to adjacent, recorded subdivisions
- ( ) Space for approval by Town Engineer and Planning Commission
- ( ) Deed book and page number for street or alley vacation
- ( ) Three copies of survey on all existing structures
- ( ) Three copies of any protective covenants
- ( ) Certifications

### PRELIMINARY PLAT CHECKLIST

The following checklist has been derived from the Subdivision Regulations adopted by Indian Springs Village. It is intended as a guide for preliminary plat approval. Refer to the Regulations for all specific requirements.

Plat requirements

- ( ) Title
- ( ) Graphic scale
- ( ) Written scale
- ( ) North arrow
- ( ) Date
- ( ) Name and registration number of Surveyor
- ( ) Topography - USGS or US Coast and Geodetic Survey sea level datum
- ( ) 5% or less grades-one foot intervals
- ( ) 5% to 10% grades-two foot intervals
- ( ) Greater than 10%-five foot intervals unless otherwise specified
- ( ) Names of all streets, highways or roads
- ( ) Rights-of-way and easements, and purposes of easements
- ( ) Widths of rights-of-way
- ( ) Widths of roadways and pavements
- ( ) Location of existing and proposed utilities
- ( ) Lot lines, lot and block numbers
- ( ) Purpose of subdivision
- ( ) Proposed street lights and signs: location, size and type
- ( ) Proposed public facilities
- ( ) Quarter section, township and range with ties to quarter sections or sections close to proposed subdivision

- ( ) Owners name and address; mortgages; Sub-divider
- ( ) Names and addresses of adjoining lots or parcels
- ( ) Certificate or letter from State and/or County Health Department indicating approval of proposed water supply and sanitary facilities
- ( ) Show and identify any land subject to inundation by storm drainage, overflow or pounding of local storm water
- ( ) Other information as required by the Planning Commission
- ( ) Vicinity sketch
- ( ) Certificate or letter from Public Utilities and Fire District

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**APPENDIX D -SAMPLE LETTER - COMPLETION BY OWNER'S ENGINEER**

STATE OF \_\_\_\_\_

\_\_\_\_\_COUNTY

The undersigned, \_\_\_\_\_, a licensed engineer in the State of Alabama, on behalf of \_\_\_\_\_ (owner), hereby certifies to the Town of Indian Springs Village pursuant to the subdivision regulations, that all required improvements have been fully and completely installed in \_\_\_\_\_ subdivision as applied for and approved by the governing body of the Town of Indian Springs Village. Further, the undersigned engineer certifies that the improvements have been constructed in accordance with the standards set forth in the subdivision regulations of the Town of Indian Springs Village and that all requirements for the subdivision of the land has been completed and that the approval of a final plat on the subdivision by the governing body of the Town of Indian Springs Village is appropriate.

(Printed Name of Owner's Engineer) (Signature of Owner's Engineer)

BEFORE ME, the undersigned authority, a Notary Public in and for the said State and County, personally appeared \_\_\_\_\_, who, certifies that he/she executed the foregoing certification acknowledging that the same is true; and that after reading the same, and with a full understanding of the terms and effect thereof, executed the same as required by the subdivision regulations of the Town of Indian Springs Village, Alabama.

SWORN TO AND SUBSCRIBED BEFORE ME, this the \_\_\_\_\_ day of \_\_\_\_\_,

NOTARY PUBLIC

(SEAL)

My Commission Expires: \_\_\_\_\_