

Appendix B: Community Planning Resources

Auburn, AI Model Stream Buffer Ordinance

Section 412. Natural Resource Protection Standards.

- A. All residential and nonresidential development shall be preceded by the identification of any environmental or natural feature described in Sections 413 through 420 and shall meet the specified standards of environmental protection.
- B. Site alterations, regrading, filling and clearing or planting vegetation prior to approval of the subdivision plats and/or site plans for development shall be a violation of this Ordinance. Reference in this section to “open space” is intended to mean the term as it is defined by Article II and described in Section 421.

Section 413. Stream Buffer.

413.01. Purpose. The purpose of this Section is to establish minimal acceptable requirements for the design of buffers to ensure that the stream and adjacent land will fulfill their natural functions; to reduce land development impacts on stream water quality and flows; and to provide for the environmentally sound use of Auburn’s land resources.

413.02. Definitions. For the purpose of this section, the following words or phrases shall be defined as specified below.

- A. *Perennial stream:* See Article II, Definitions—Stream, Perennial
- B. *Intermittent stream:* A stream that flows at least six months out of a year but does not flow during part or all of the summer and may carry water during or after a rainstorm.
- C. *Ephemeral stream:* A stream channel or reach of stream channel that carries surface water runoff for short durations as a result of precipitation events. The channel bottom is always above the groundwater table.
- D. *Best Management Practices (BMPs):* Conservation practices or management measures that control soil loss and reduce water quality degradation caused by nutrients, animal wastes, toxics, sediment, and runoff.

413.03. Streams Determination. Perennial and intermittent streams are identified through site inspection by the City Engineer or his designee and/or US Geological Survey (USGS) maps. Perennial streams are those which are normally depicted on a USGS map with a solid blue line. Intermittent streams are normally depicted on a USGS map with a dotted blue line. Perennial and intermittent streams not identified on the USGS map as described herein may be added to a development site plan by the City Engineer and/or his designee based on the determination by a qualified professional that the stream satisfies the USGS definition for said streams. Ephemeral streams are streams assessed and determined by the City Engineer and/or his designee through stream delineation done on the development site as reported by a qualified professional.

413.04. Buffer description, width, and permitted uses. Stream buffers shall be required on each side of all perennial and intermittent streams as defined in Section 413.02 and further described in Section 413.03. Stream buffers width shall vary based on the size of the upstream drainage basin. Table 4.31 specifies the buffer required based on the drainage area for a particular stream above the most downstream point on the development being considered. The USGS 7.5 minute 1”:2000’ quadrangle maps, in conjunction with the Soil Survey Maps of Lee County and the City of Auburn Geographic Information System (GIS), will serve as tools to delineate the size of drainage basins and specify the corresponding buffer width.

The stream buffer is comprised of three zones: *Streamside Zone, Managed Use Zone, and Upland Zone.* Buffer zones’ function, vegetation and permitted uses vary by zone as described in the Table 4.32.

TABLE 4.31

Stream Buffer Width Based on Drainage Area

Drainage Area (Watershed) Designation	Streamside Zone	Managed Use Zone	Upland Zone	Total Buffer Width on each side of Stream
< 100 acres	25 feet	None	10 feet	35 feet
≥ 100 acres	25 feet	None	20 feet	45 feet
≥ 300 acres	25 feet	20 feet	10 feet	55 feet
≥ 640 acres	25 feet	50 feet	25 feet	100 feet

If an ephemeral stream remains after construction has been completed, and all or a portion of that stream falls within the stream buffer of an intermittent or perennial stream, then that ephemeral stream shall be revegetated on both sides of the stream in accordance with the targeted vegetation of the corresponding buffer zone. Appropriate stream bank stabilization measures shall be designed if warranted by excessive velocities in the ephemeral stream. If the ephemeral stream remains after construction and falls outside of an intermittent/perennial stream buffer, then that ephemeral stream shall be grassed and/or revegetated in accordance with the surrounding vegetation at a width of 25 feet on each side of the ephemeral stream. Ephemeral stream channels and banks shall be stabilized as appropriate for the predicted stream velocities. These measures are performed in order to preserve and protect water quality.

TABLE 4.32

Stream Buffer Description and Permitted Uses

Characteristics	Streamside	Managed Use Zone	Upland Zone
Function	Protects the physical and ecological integrity of the stream ecosystem	Protects key components of the stream and provides distance between upland development and the streamside zone	Prevents encroachment and filter runoff from residential and commercial development
Vegetative Target	Undisturbed natural vegetation	Mature vegetation and native trees; exotic vegetation and underbrush may be removed and maintained	Lawns, gardens, shrubs, and pervious landscaping features
Uses	Very restricted- Permitted uses limited to: flood control structures, utility easements*, natural footpaths, crossings and approaches for paved roadways, and pedestrian paths and bikeways.	Restricted- Permitted uses limited to: all uses allowed in the Streamside Zone as well as storm water best management practices (BMPs), biking and hiking paths (with natural or pervious surfaces), greenway trails, and limited tree clearing approved by the City Engineer.	Restricted- Permitted uses limited to: all uses allowed in the Streamside and Managed Use Zones, as well as, grading for lawns, gardens, and gazebos and accessory structures. No septic systems, principal structures or impervious surfaces are allowed.

**As deemed necessary and approved by the City Engineer*

413.05. Applicability. The buffer requirements shall apply to all perennial and intermittent streams defined in Section 413.02. Buffer widths for streams are measured horizontally on a line perpendicular to the surface water, landward from the top of the bank on each side of the stream. The top of bank is the landward edge of the stream channel during high water or bank full conditions at the point where the water leaves the stream channel and begins to overflow onto the floodplain.

All properties shall be subject to the buffer width requirements except those properties that are an existing lot of record and/or included on an approved preliminary subdivision plat and the lot or lots cannot meet the requirements described in this Section. *(Effective date 5/02/06 pursuant to Ordinance Number 2389)*

413.06. Minimize Intrusion. Any uses allowed in Table 4.32 shall be designed and constructed to minimize the amount of intrusion into the stream buffer and to minimize clearing, grading, erosion, and water quality degradation.

413.07. Land in the Stream Buffer. Land in stream buffers shall not be used for principal structures. All new platted lots shall be designed to provide sufficient land outside of the stream buffer to accommodate primary structures. Stream buffers should be delineated before streets and lots are laid out to minimize buffer intrusion and to assure adequate buildable area on each platted lot.

Land within the stream buffer can serve to meet the minimum lot size requirements.

413.08. Setback Requirements. For all lots within a development requiring a stream buffer, setbacks can be 100% within the stream buffer.

413.09. Buffer Impact. When the application of the buffer zones would result in the loss of buildable area on a lot (See Section 203 for definition of “lot”) that was recorded prior to the amendment of this ordinance, modifying the width of the buffer zones may be allowed, through an administrative process, as determined by the City Engineer.

Modification and mitigation of the stream buffer width are also available to landowners or developers of newly platted lots or subdivisions where there are exceptional situations or physical conditions on the parcel that pose practical difficulty to its development and restrict the application of the regulations of this ordinance. There must be proof of such circumstances by the landowner.

The landowner or his designated representative proposing any of the impacts shall prepare and submit for approval a written request and a site plan showing the extent of the proposed impact and must specify a proposed mitigation technique. Mitigation techniques are included in Section 413.10.

The City Engineer and other appropriate city staff members shall review and render a decision on any buffer encroachment and mitigation technique with regard to the stream buffer requirements. Amendment to the stream buffer width may be allowed in accordance with the following criteria:

- A. The proposed encroachment and mitigation is in accordance with the purpose and intent of this section of the ordinance.
- B. The proposed lot and structure conforms to all other zoning and development regulations.
- C. Encroachments into the buffer areas shall be the minimum necessary to achieve a reasonable buildable area for a principal structure and necessary utility.
- D. The landowner or his designated representative submitted an acceptable written statement justifying the need for the buffer impact.
- E. The landowner or his designated representative submitted an acceptable mitigation plan in accordance with cited mitigation techniques.

- F. Attention has been given to maintaining natural vegetation and eliminating run-off.

In no case shall the reduced portion of the buffer area be less than the width of the Streamside Zone (25 feet).

413.10. Stream Buffer Mitigation Techniques. The following techniques are available to landowners for mitigation of buffer impact.

- A. *Installation of Structural BMPs.* The installation of an on-site structural BMP (i.e. bioretention, extended detention/retention, rain gardens, stormwater wetlands, etc.) will allow for stream buffer impacts on the specific site. The structural BMP shall be designed to achieve pollutant (nutrients, herbicides, pesticides, sediment and other illicit discharges) removal to the maximum extent practicable. The BMP shall remain outside the Streamside Zone. A detailed BMP design plan must be submitted to the City Engineer for approval along with a long-term maintenance plan.
- B. *Controlled Impervious Surface.* The landowner may commit to and provide a specific site development plan that limits the overall site impervious surface ratio equal to or less than 25%.
- C. *Open Space Development.* The landowner may submit a specific site development plan which preserves an undisturbed, vegetative area on-site or near the development site as open space equal to 200% of the buffer encroachment area. The open space preserved must promote water quality protection.
- D. *Stream Restoration:* The landowner may restore and preserve the buffer area on any stream of equivalent or greater drainage area the condition of which is determined to be qualified for restoration by the City Engineer on a 1:1 basis in linear feet of stream. This restoration shall include stream bank improvements and Streamside and Managed Use Zone re-vegetation.
- E. *Stream Preservation:* The landowner may purchase, fee simple, other stream segments within the city limits at equivalent or greater drainage area on a 1:1 linear foot basis and convey fee simple and absolute title of the land to the City.
- F. *Wetland Restoration:* On a 2:1 acreage basis for disturbed stream and buffer area (2 acres of wetland for each acre of disturbed area), the landowner may provide a combination of the preservation and/or restoration of wetlands with protective easements, and the implementation of structural or non-structural BMPs to achieve pollutant removal to the maximum extent practicable.
- G. *Greenways:* The landowner may allocate and donate open space within the city limits through fee simple to the City of Auburn for preservation and use as common open space.
- H. *Wider Buffer Widths:* A developer may add additional widths to buffer areas where encroachment occurs in other areas on a development site and may obtain an acre for acre credit based on the stream buffer zone impacted. A 2:1 credit could be obtained by determination of the City Engineer in the event additional streamside buffer is set aside for encroachment of the managed use and upland stream buffer zones.
- I. *Other Mitigation Techniques:* Other creative mitigation techniques and plans may be considered by the City Engineer.

413.11. Vegetation Preservation. The buffer shall provide for the preservation and enhancement of natural vegetation or planting. No live vegetation may be removed from the Streamside and Managed Use Zones for preparation of land for uses permitted in Table 4.32 unless approved by the City Engineer.

The City Engineer may grant approval of the removal of exotic vegetation (i.e. privet, kudzu, etc.) provided that a vegetation restoration plan is submitted and approved prior to the disturbance of the vegetation. The purpose of such plan is to ensure that native vegetation is restored to the Streamside Zone.

Where a developer or lot owner removes live vegetation from the buffer strip, in violation of this section, the City Engineer shall require native vegetation of reasonable diameter in size to be planted so as to create a buffer area which is in compliance with this section. A vegetation restoration plan must be submitted and approved by the City Engineer prior to restoration.

413.12. Vegetation Restoration Plan. A vegetation restoration plan shall include the following information:

- A. Scaled map of lot showing buffer delineation (copy of the survey is acceptable).
- B. Square footage of the actual area disturbed or proposed disturbed area.
- C. Proposed vegetation to be removed from the buffer.
- D. Proposed location, number, and species of plants to be planted in the disturbed area (See list of plant species).
- E. Type of ground cover to be placed in the disturbed area (i.e. mulch, pine straw, etc.).
- F. Proposed planting schedule and deadline for completion of restoration activities.

413.13. Buffer Delineation. The following buffer delineations are required:

- A. Stream boundaries including each buffer zone must be clearly delineated on all grading plans, subdivision plats, site plans and any other development plans.
- B. The outside boundaries of the *Managed Use Zone* of the stream buffer must be clearly marked on-site by flagging or fencing prior to land disturbing activities.
- C. The outside boundary of the *Managed Use Zone* must be permanently marked at highway stream crossings.
- D. Stream and buffer boundaries including the delineation of each buffer zone must be specified on all surveys and recorded plats and noted on individual deeds.
- E. Stream buffer requirements must be referenced in homeowners association documents.

413.14. Approved Permits. Where a landowner or his representative obtain permits from Alabama Department of Environmental Management (ADEM) or the U. S. Army Corp of Engineers for proposed impact to the stream or stream buffers then these approved mitigation impacts and plans would supersede the applicable requirements of these sections of the ordinance. The regulations that these permits do not affect shall be applicable to the proposed development site.

Additional information on the Auburn, AL Ordinances may be found at the following link.

<http://www.auburnalabama.org/>

Auburn, AI Model Conservation Subdivision Ordinance

G. Design Standards for Conservation Subdivisions

1. Dimensional Standards:

Each lot shall have frontage on a public street.

Minimum Lot Area: The minimum lot size is as follows:

Within the Watershed:

Option 1: *Conservation Subdivision*

Minimum lot size for lots without sewer-- 1.5 acres

Minimum lot size for lots with sewer --- 10,890 square feet

Option 2: *Conventional Subdivision*

Minimum lot size for lots without sewer-- 3 acres

Minimum lot size for lots with sewer --- Same as the minimum lot size for specified for the underlying zoning district.

Outside the Watershed:

There is no minimum lot size requirement outside the watershed area. However, the density allowed by the underlying zoning district or specified in these regulations limits the maximum site density.

Minimum Lot Width: 50 feet

Minimum Yards:

Front /Side Street: 20 feet (*porch is included*)

Side: 10 feet

Rear: 20 feet

2. Maximum impervious surface: The overall impervious surface ratio (ISR) of a conservation subdivision in the Lake Ogletree Subwatershed should not exceed 10 percent of the gross area. If the ISR must exceed 10 percent, then appropriate stormwater Best Management Practices (BMPs) shall be incorporated on the development site outside the required Open Space (See Item 8 under this section).

Outside the watershed areas, the overall ISR shall be determined by the underlying zoning district. If the development site is located outside the watershed but within the planning jurisdiction, there shall be no ISR requirement.

3. Street Design

Street Width: Minimum right-of-way (ROW) widths, measured from lot line to lot line; and minimum street width, measured from back-of-curb to back-of-curb, shall be as follows:

Design Factor*	Alley (one way)	Local	Cul-de-Sac	Residential Loop One Way/Two Way
B/C to B/C Width	Not Required	26 feet	26 feet	15 feet/27 feet
Pavement Width	11 feet	22 feet	22 feet	11 feet/22 feet
ROW	25 feet	50 feet	50 feet	varies
Minimum centerline radius	100 feet	200 feet	200 feet	100 feet
Maximum Grade	15%	5%/15%	5%/15%	5%/15%
Design Speed	15 mph	25 mph	25 mph	15 mph
Sidewalk Location	Not Required	Optional/Pervious	Optional/Pervious	Optional/Pervious
Public/Private	Public/Private	Public	Public	Public

*Curb and gutter required where profile grades exceed 5%

All other street classifications shall conform to design requirements found in Article IV, Section C.

Street Layout: The use of interconnected streets and alleys shall be used throughout the development site. Street design such as loop streets is preferred to the use of cul-de-sacs.

4. Cul-de-sac Streets: Cul-de-sacs shall be permitted where topographic features or configuration of property boundaries prevent street connections. In such cases, a planter island shall be incorporated in the center of the terminus. The planter island shall have a minimum radius of 20 feet and shall be reinforced with a mountable rolled curb, at a minimum. Other alternatives to the cul-de-sac shall include an eyebrow or crescent with an island and a one-way loop (See Figure 1).

5. Shared Driveway: Common/shared driveways are encouraged to reduce impervious surface. All shared driveways must be constructed in accordance with standards approved by the City Engineer.

6. Sidewalk/Trail System: Sidewalks shall be installed along one side of the street within a conservation subdivision. Pedestrian trails shall also be permitted in a conservation subdivision. Sidewalks or trails must provide pedestrian access to all existing and planned bicycle and/or greenway networks that run through and adjacent to the development site.

Trails shall be planned, designed and constructed to avoid or minimize degradation of natural resources. Trails shall be soft-surface except where necessary to prevent erosion and/or resource damage. To the extent possible, trails shall provide for pedestrian, bicycle, and/or other non-motorized uses.

All trails and sidewalks shall be designed in accordance with current American Association of State Highway & Transportation Officials (AASHTO) standards. Sidewalks and trails may be constructed of pervious concrete and other porous materials provided the runoff through the material will not be directed towards the subgrade of the traveled lane portion of a roadway. Sidewalks shall be no less than four feet in width.

The City may consider the installation of an alternating sidewalk/trail system in lieu of sidewalks. Such system must incorporate well-connected sidewalks and trails that link each residential lot with on-site open space, recreational facilities, and other amenities within the development site. A sidewalk/trail plan for the entire development site must be submitted to the City Engineer for approval. The plan shall include a map depicting the proposed location of all sidewalks and trails throughout the development site. The plan shall be submitted with the initial set of construction plans for the proposed development site.

7. Other Design Standards

See Article IV, Design Standards, for other street, sidewalk, block and lot standards.

8. Stormwater Treatment Design Standards.

Within the Lake Oglethorpe Subwatershed, each development site overall impervious surface ratio (ISR) should not exceed 10 percent of the gross area. Stormwater Best Management Practices (BMPs) shall be required for water quality control if the total ISR is projected to exceed 10 percent for the development site. For development sites with an ISR above 10 percent, stormwater treatment BMPs shall be designed and installed in a manner to achieve the targeted pollutant removal efficiencies found in the City of Auburn Engineering Design Manual.

Outside the watershed areas, the overall ISR shall be determined by the underlying zoning district. If the development site is located outside the watershed but within the planning jurisdiction, there shall be no ISR requirement.

The applicant shall submit a Stormwater Management Plan if the total ISR for the development site is projected to exceed 10 percent. The focus of this plan is to describe how the site will be developed in order to achieve the pollutant target removal efficiencies found in the manual. The project engineer shall prepare the stormwater plan that includes a water quality/water quantity report, a water quality site development analysis, the location of all structural and nonstructural stormwater treatment BMPs, procedures for implementing non-structural stormwater treatment practices along with a proper maintenance plan. All stormwater management measures shall be incorporated into the design of the conservation subdivision. Stormwater BMP measures shall be designed in accordance with standards outlined in the City of Auburn Engineering Design Manual. The manual includes design standards and target pollutant removal efficiencies for a variety of stormwater BMPs. See the manual for further details on BMP design guidelines.

The maintenance plan shall contain specific preventative maintenance tasks and an inspection schedule of all stormwater management techniques installed on the development site. The name of a person or persons responsible for preventative and corrective maintenance (including replacement) of the stormwater BMP techniques shall be stated in the maintenance plan. If the maintenance plan identifies a person other than the developer as having the responsibility for maintenance, the plan shall include documentation of such person's agreement to assume this responsibility. Responsibility for maintenance shall not be assigned or transferred to an owner of individual property within a conservation subdivision development, unless such owner owns the entire development.

The Stormwater Management Plan shall be reviewed as a part of the subdivision plat review process and must be submitted with the construction plans.

~~ARTICLE VI.~~ **ARTICLE VII. ADMINISTRATION**

APPENDIX

How to Design a Conservation Subdivision

A conservation subdivision should be designed in accordance with the following suggested process:

1. Identify all Potential Conservation Areas. Determine which areas will be designated as primary and secondary conservation areas and note these areas as permanent open space. This delineation will help identify where the areas for development are located on the development site.
2. Location of House Sites. Draw the house footprint outside the conservation areas based on the permitted density calculations. House sites should generally be located to enjoy views of the conservation areas but should not be in close proximity to pose negative impacts on these areas. As a general rule, house sites should be at least 100 feet from any Primary Conservation Areas.
3. Alignment of Streets and Trails. Streets should be designed to provide vehicular access to each house and bear a logical relationship to topographical conditions. Streets should be designed outside the conservation areas; however, trails can be located within these areas (See Section E (3)(c)).
4. Drawing the Lot Lines. The final step of the process is to draw the lot lines.

Figure 1 is an illustration of the four-step conservation subdivision design process.

All persons who desire shall have an opportunity of being heard in opposition to or in favor of such ordinance.

Publication Date: Sunday, January 21, 2007

Additional information on the Auburn, AL Ordinances may be found at the following link.
<http://www.auburnalabama.org/>

ARTICLE I

PURPOSE, REPEALS, ENACTMENT AND SHORT TITLE

1-1 PURPOSE

The City of Daphne, Alabama, pursuant to the authority granted by Title 11, Subtitle 2, Chapter 52, Articles 1 through 4, Code of Alabama, 1975 and 1986 Cumulative Supplement, in order to promote the health, safety, convenience, order, prosperity, and general welfare of the residents; to lessen congestion in the street; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land, to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, and parks; to facilitate initiation of the Comprehensive Plan, and other public requirements, hereby ordains and enacts into law an official Land Use and Development Ordinance in accordance with the laws of Alabama. In their interpretation and application, the provisions of this Ordinance shall be:

- (a) Considered as minimum requirements.
- (b) Liberally construed in favor of the governing body.
- (c) Deemed to neither limit nor repeal any other powers granted under state statutes.

1-2 REPEALS AND ENACTMENT

An Ordinance of the City of Daphne establishing rules and regulations for zoning, platting, and subdividing land which rules and regulations define the legal authority; classify land; establish zoning districts requirements; prescribe procedures for plat review; set standards and specifications for streets, utilities, and other public improvements in subdivisions; and, prescribe methods for enforcement, exceptions, and amendments.

1-3 SHORT TITLE

This Ordinance shall be known and may be cited as the "Land Use and Development Ordinance" for the City of Daphne.

**ARTICLE II
LEGAL STATUS**

2-1 AUTHORITY

The rules and regulations set forth herein are hereby adopted in accordance with Title 11, Subtitle 2, Chapter 52, Articles 1 through 4 of the Code of Alabama, 1975, (as amended), and 1986 Cumulative Supplement are as follows:

- (a) Zoning:
Zoning authority is specifically contained in Title 11, Subtitle 2, Chapter 52, Articles 1 and 4 of the Code of Alabama, 1975, (as amended), and 1986 Cumulative Supplement.

- (b) Subdivisions:
Subdivision authority is specifically contained in Title 11, Subtitle 2, Chapter 52, Articles 1, 2, and 3 of the Code of Alabama, 1975, (as amended), and 1986 Cumulative Supplement.

2-2 JURISDICTION

- (a) Zoning:
This Ordinance shall be in force and effect for zoning purposes within the corporate limits of the City of Daphne as presently or hereinafter established.

- (b) Subdivisions:
This Ordinance shall be in force and effect for the subdivision of all land which is situated inside the corporate limits of the City of Daphne, as well as, all land which lies in the extraterritorial planning jurisdiction of the City of Daphne, as presently or hereinafter established.

ARTICLE III OFFICIAL PLANS AND MAPS

3-1 IMPLEMENTATION

This Ordinance shall be implemented in accordance with the Comprehensive Plan. A copy of the plan is filed in the office of the City Clerk and Zoning Administrator and/or Director of Community Development.

3-2 FUTURE LAND USE MAP

The Future Land Use Map as contained in the Comprehensive Plan shall serve as a guide for the future development of Daphne. To the extent practical, it shall be followed in the administration of this Ordinance.

3-3 OFFICIAL ZONING DISTRICT MAP

The Future Land Use Map as contained in the Comprehensive Plan, as well as all official maps, are to be utilized and construed only as visual aids for the City and/or any of its Departments, agencies, or Commissions in the furtherance of City duties and goals and are not solely to be relied upon by any party.

The Zoning District Map, Exhibit A, the latest edition, is hereby adopted and made a part of this Ordinance. It shall be filed in the office of the Zoning Administrator and/or Director of Community Development and the City Clerk to show thereon the date of adoption of said Ordinance. All Official maps shall be used as a tool in determining the permissible use of land. Zoning should always be verified by Zoning Administrator or Director of Community Development.

3-4 AMENDMENTS TO THE OFFICIAL ZONING DISTRICT MAP

If, in accordance with the provisions herein, revisions are made in the zoning district boundaries or any other information portrayed on the Zoning District Map, changes shall be made on the Map immediately following the amendment and upon approval of the City Council. Unauthorized alterations to Zoning District Map shall be considered a violation of this Ordinance and subject to penalties as prescribed herein.

3-5 FILE OF PROPERTIES REZONED, VARIANCES GRANTED, SUBDIVISIONS APPROVED

The Zoning Administrator and/or Director of Community Development shall maintain a file or registry of properties rezoned, variances granted, and subdivisions approved under the authority of this Ordinance in conjunction with all pertinent requirements and/or conditions thereto.

3-6 OFFICIAL OLDE TOWNE DISTRICT MAP

The Olde Towne District Map, Exhibit B, the latest edition, is hereby adopted and made a part of this Ordinance. This map shall be signed by the Mayor and attested by the City Clerk. It shall be filed in the office of the Zoning Administrator and/or Director of Community Development and the City Clerk to show thereon the date of adoption of said Ordinance.

3-7 AMENDMENTS TO THE OFFICIAL OLDE TOWNE DISTRICT MAP

If, in accordance with the provisions herein, revisions are made in the district boundaries or any other information portrayed on the Olde Towne District Map, changes shall be made on the Map immediately following the amendment and upon approval of the City Council. Unauthorized alterations to the Olde Towne District Map shall be considered a violation of this Ordinance and subject to penalties as prescribed herein.

3-8 OTHER OFFICIAL MAPS

The Official Street Map, Exhibit A-2, the latest edition, is hereby adopted and made a part of this Ordinance. The Village Overlay District Map, Exhibit C, the latest edition, is hereby adopted and made a part of this Ordinance. The Official Eastern Shore District Overlay Map, Exhibit D, the latest edition, is hereby adopted and made a part of this Ordinance. The Residential High Rise District Boundary Map, Exhibit E, latest edition, is hereby adopted and made a part of this Ordinance. The Jubilee Retail Overlay District Map, Exhibit F, latest edition, is hereby adopted and made a part of this Ordinance.

3-9 AMENDMENTS TO THE OFFICIAL MAPS

If, in accordance with the provisions herein, revisions are made in the zoning district boundaries or any other information portrayed on the Village Overlay District Map, the Official Eastern Shore District Overlay Map, or the Official Street Map, the Residential High Rise District Boundary Map or the Jubilee Retail Overlay District Map, changes shall be made on the individual map immediately following the amendment and upon Official Maps shall be considered a violation of this Ordinance and subject to penalties as prescribed herein.

Additional information on the Daphne, AL Ordinances may be found at the following link.
<http://www.daphneal.com/residents/community-development/documents-information/>

1

GENERAL PROVISIONS

1.1 Authority

These regulations are enacted in accordance with the authority granted to the Semmes Planning Commission by the Legislature of the State of Alabama in Title 11, Chapter 52, Code of Alabama, 1975, as amended.

1.2 Jurisdiction

From and after the date of legal adoption and certification to the Probate Judge of Mobile County, Alabama as required by Law, these regulations shall govern each and every subdivision of land within the Semmes corporate limits and expanding 5 miles outside the corporate limits. The 5 mile extra-territorial jurisdiction is subject to change as a result of the following actions:

1. Annexations
2. Jurisdictional agreements entered into with neighboring authorities.

1.3 Purpose

The purpose of these regulations is to establish procedures and guidelines for the development of subdivisions or proposed additions to existing subdivisions within the planning jurisdiction of Semmes, Alabama, in order to regulate the size of lots, the planning and provide for appropriate design and construction of infrastructure and other public facilities. It is the intent of these regulations to harmoniously relate the development of the various tracks of land to the existing community and to obtain the best design possible for each tract of land being subdivided while promoting the public health, safety, economy, good order, appearance, convenience and general welfare within the planning jurisdiction of Semmes.

The Subdivision Regulations are also designed to be used by the Planning Commission to attempt to keep the area compatible with current overall ambience of the area. The purpose of these subdivision regulations is to promote the health, safety, morals, and general welfare of present and future residents alike. It is also the purpose of these regulations to promote coordinated, ecologically sensitive, and aesthetic development in the City of Semmes and its jurisdiction in accordance with the Comprehensive Plan and all other plans and programs adopted by the City. The regulations shall achieve:

1. Govern the subdivision of land within its jurisdiction.

City of Semmes

2. Provide for the proper arrangement of streets in relation to other existing or planned streets in accordance with the Comprehensive Plan.
3. Provide adequate open space and provisions for traffic.
4. Provide adequate open space and provisions for utilities.
5. Provide adequate open space and access for fire-fighting apparatus.
6. Provide adequate open space and provisions for recreation.
7. Provide adequate open space and provisions for light and air.
8. Provide minimum standards to avoid congestion of population.
9. Provide appropriate standards for the grading and improvement of streets, water and sewer, other utilities, and other facilities.
10. Establishment of minimum requirements and procedures to control the adverse effects of increased storm water runoff associated with both future land development and existing developed land. Proper management of storm water will minimize damage to public and private property, ensure a functional drainage system, reduce the effects of development on land and stream channel erosion, assist in the attainment and maintenance of water quality standards, enhance the local environment associated with the drainage system, reduce local flooding, maintain as nearly as possible the pre-developed runoff characteristics of the area, and facilitate economic development while mitigating associated flooding and drainage impacts.
11. Promote good civic design and arrangement in accordance with the Comprehensive Plan.

1.4 Policy

It is hereby declared to be the policy of the **City of Semmes** to consider the subdivisions of land and the subsequent development of the subdivided land as subject to the control of the **Semmes Planning Commission** pursuant to the authority granted to the City by Alabama Law.

Any owner of land which lies within the area of jurisdiction of the City of Semmes who wishes to subdivide or re-subdivide such land into two (2) or more lots, parcels, plats, or other divisions of land for the purpose of sale (whether immediate or future), transfer, or lease of lots for building development, shall submit to the City of Semmes Planning Commission a plat of the subdivision which shall conform to the established requirements set forth in these regulations.

City of Semmes

No subdivider shall proceed with any improvements or with the installation of utilities in a proposed subdivision until such subdivision plat shall have been reviewed and approved by the City of Semmes Planning Commission.

These regulations shall hereafter be known, cited and referred to as the Subdivision Regulations of the City of Semmes, Alabama.

1.5 Application of Regulations

No subdivider shall proceed with the sale, transfer, or lease of lots, or the erection of buildings, excluding required public improvements and utility structures, within a proposed subdivision until such subdivision has been granted Final Plat approval entered in writing on the plat and signed by the City Engineer, the Chair of the City of Semmes Planning Commission and the Mobile County Engineer (if subdivision is located within the extraterritorial jurisdiction of the City of Semmes) and recorded in the Office of the Probate Judge of Mobile County in accordance with the procedures prescribed in these regulations. Any changes that are required by Mobile County Engineering prior to their Final Plat approval must also be re-routed through the Semmes City Engineer and the Chair of the Semmes Planning Commission for signatures before recording with the Office of the Probate Judge of Mobile County.

1.6 Interpretation

In their interpretation and application, the provisions of these regulations shall be held to be the established requirements for the protection of our rural character and promotion of the public health, safety, and general welfare of our citizens. Where any provision of these regulations impose restrictions different from those imposed by any other provision of these regulations, or any other ordinance, rule or regulation, or other provisions of law, whichever provisions are more restrictive or impose higher standards shall control.

The City of Semmes Definitions of Words as Phrases as amended from time to time and approved by the City shall provide the meanings of all words and phrases in this document. It is hereby adopted by reference.

1.7 Minimum Standards:

The provisions and requirements of these regulations shall be considered minimum standards. There may be cases in the course of subdivision consideration and approval that due to the site characteristics meeting minimum standards may not adequately protect local and public property, residents, public infrastructure, public investment, and the life and safety of the City. Therefore, it is the designer's responsibility to exceed minimum requirements as necessary. Additionally, the City and its staff reserve the right to require that minimum standards are exceeded based on professional judgment and professional engineering standards.

City of Semmes

1.8 Responsibilities:

Responsibility of Subdivider:

The subdivider shall be responsible for providing all engineering services, including plans and specifications in conformity with these regulations and construction observation inspection and supervision as is necessary to assure that improvements are installed in conformity with plans, city standards and the requirements of these regulations. The subdivider shall provide the City with all engineering plans required in conjunction with any applicable state, federal or local laws or regulations. Where the Planning Commission deems additional or supplemental engineering data to be necessary for the purpose of assuring the City's interests are protected, all costs shall be borne by the subdivider. The subdivider is responsible for payment of all fees and charges in full.

Responsibility of the City of Semmes:

The City shall, after final plat approval, plat recording and upon receipt of all test reports, maintenance surety, as-built plans and certification and other requirements of these regulations, by resolution of the City Council accept the streets and drainage within the public right-of-way for maintenance. The City Council shall only accept for public maintenance the right-of-ways that are located within the corporate limits of the City of Semmes, Alabama, as may be amended from time to time. The City may cause the inspection of any or all parts of the improvements during and after construction and require the correction of any improvements for maintenance.

**Additional information on the
Semmes, AL Ordinances may be
found at the following link.**
[http://www.cityofsemmes.org/index.
html](http://www.cityofsemmes.org/index.html)

Table B.1

LEED for New Construction and Major Renovations Credit Options

Category	Credit Number	Credit Name	Points Possible	Possible LID BMP
Sustainable Sites	5.1	Site Development, Protect or Restore Habitat	1	Appropriate native plant selection, protect sensitive areas
	5.2	Site Development, Maximize Open Space	1	Minimize construction footprint
	6.1	Stormwater Design, Quantity Control	1	Multiple LID BMPs
	6.2	Stormwater Design, Quality Control	1	Multiple LID BMPs
	7.1	Heat Island Effect, Non-roof	1	Shade from trees, light colored pervious paving
	7.2	Heat Island Effect, Roof	1	Vegetated roof
Water Efficiency	1.1	Water Efficient Landscaping, Reduce by 50%	2	Rain barrels, cisterns, select appropriate plant species
	1.2	Water Efficient Landscaping, No Potable Use or No Irrigation	4	Soil amendments, capture/reuse
	2.1	Innovative Wastewater Technologies, Reduce potable by 50%	2	Capture/reuse
	3.1	Water Use Reduction, 30% Reduction	2	Capture/reuse
	3.2	Water Use Reduction, 35% Reduction	3	Capture/reuse
	3.3	Water Use Reduction, 40% Reduction	4	Capture/reuse
	3.1	Material Reuse, 5%	1	Multiple LID BMPs
Materials & Resources	3.2	Material Reuse, 10%	1	Multiple LID BMPs
	4.1	Recycled Content, 10%	1	Multiple LID BMPs
	4.2	Recycled Content, 20%	1	Multiple LID BMPs
	5.1	Regional Materials, 10%	1	Multiple LID BMPs
	5.2	Regional Materials, 20%	1	Multiple LID BMPs
Total Possible Points:			22	

Source: Low Impact Development Center, Inc. Low Impact Development Manual for Southern California: Technical Guidance and Site Planning Strategies. 2010. World Wide Web. Last accessed: Feb. 13, 2013. <http://www.casqa.org/LID/SoCalLID/tabid/218/Default.aspx>

Table B.2

LEED for Neighborhood Development Credit Options

Category	Credit Number	Credit Name	Points Possible	Possible LID BMP/Strategy
Smart Location & Linkage	8.1	Steep Slope Protection	1	Vegetated swales, native plants
	9.1	Site Design for Habitat or Wetland Conservation	1	Native plants, infiltration basins, dry ponds, constructed wetlands
	10.1	Restoration of Habitat or Wetlands	1	Restore vegetation
	11.1	Conservation Management of Habitat or Wetlands	1	Preserve existing vegetation and sensitive areas
Neighbor-hood Patter & Design	1.1	Compact Development	1-7	Minimize impervious areas
	6.1	Reduced Parking Footprint	2	Decrease size of parking spaces, pervious pavement
	7.1	Walkable Streets	4-8	Planting trees, curb bump-outs
	12.1	Access to Open Spaces	1	Minimize impervious areas
	13.1	Access to Active Spaces	1	Minimize impervious areas
	15.1	Community Outreach and Involvement	1	Informative signs on public LID structures, meetings

Source: Low Impact Development Center, Inc. Low Impact Development Manual for Southern California: Technical Guidance and Site Planning Strategies. 2010. World Wide Web. Last accessed: Feb. 13, 2013. <http://www.casqa.org/LID/SoCalLID/tabid/218/Default.aspx>

Table B.3

Sustainable Sites Initiative Prerequisite and Credit Options.

Category	Credit Number	Credit Name	Points Possible	Possible LID BMP/Strategy
Site Selection	Prerequisite 1.2	Protect floodplain functions		Protect sensitive areas
	Prerequisite 1.3	Preserve wetlands		Protect sensitive areas
	Prerequisite 1.4	Preserve threatened or endangered species and their habitats		Protect sensitive areas
	Credit 1.5	Select brownfields or greyfields for redevelopment	5-10	LID can be used on these sites
	Credit 1.6	Select sites within existing communities	6	LID can be used for redevelopment
	Credit 1.7	Select sites that encourage non-motorized transportation and use of public transit	5	LID can be used for redevelopment
Pre-Design Assessment and Planning	Prerequisite 2.1	Conduct a pre-design site assessment and explore opportunities for site sustainability		LID site assessment process
	Prerequisite 2.2	Use an integrated site development process		LID site planning strategies
Site Design – Water	Prerequisite 3.1	Reduce potable water use for landscape irrigation by 50 percent from established baseline		Plant adapted vegetation Capture/reuse
	Credit 3.2	Reduce potable water use for landscape irrigation by 75 percent or more from established baseline	2-5	Plant adapted vegetation Capture/reuse
	Credit 3.3	Protect and restore riparian, wetland, and shoreline buffers	3-8	Protect sensitive areas
	Credit 3.5	Manage stormwater on site	5-10	Multiple LID BMPs
	Credit 3.6	Protect and enhance on-site water resources and receiving water quality	3-9	Multiple LID BMPs
	Credit 3.7	Design rainwater/stormwater features to provide a landscape amenity	1-3	Multiple LID BMPs
	Credit 3.8	Maintain water features to conserve water and other resources	1-4	Multiple LID BMPs

Low Impact Development Center, Inc. Low Impact Development Manual for Southern California: Technical Guidance and Site Planning Strategies. 2010. World Wide Web. Last accessed: Feb. 13, 2013. <http://www.casqa.org/LID/SoCalLID/tabid/218/Default.aspx>

Sustainable Sites Initiative Prerequisite and Credit Options--Continued

Category	Credit Number	Credit Name	Points Possible	Possible LID BMP/Strategy
Site Design – Soil and Vegetation	Prerequisite 4.2	Use appropriate, non-invasive plants		Revegetate disturbed areas
	Prerequisite 4.3	Create a soil management plan		Amend soils
	Credit 4.4	Minimize soil disturbance in design and construction	6	Minimize impervious areas Minimize construction footprint
	Credit 4.5	Preserve all vegetation designated as special status	5	Protect existing vegetation
	Credit 4.6	Preserve or restore appropriate plant biomass on site	3-8	Protect existing vegetation Revegetate disturbed areas
	Credit 4.7	Use native plants	1-4	Revegetate disturbed areas
Site Design – Soil and Vegetation	Credit 4.8	Preserve plant communities native to the ecoregion	2-6	Protect existing vegetation
	Credit 4.9	Restore plant communities native to the ecoregion	1-5	Revegetate disturbed areas
	Credit 4.10	Use vegetation to minimize building heating requirements	2-4	Vegetated roofs
	Credit 4.11	Use vegetation to minimize building cooling requirements	2-5	Vegetated roofs
	Credit 4.12	Reduce urban heat island effects	3-5	Minimize impervious areas Vegetated roofs Light-colored pervious pavement
Site Design – Materials Selection	Credit 5.2	Maintain on-site structures, hardscape, and landscape amenities	1-4	Minimize impervious areas
Site Design – Human Health and Well-Being	Credit 6.7	Provide views of vegetation and quiet outdoor spaces for mental restoration	3-4	Multiple LID BMPs
	Credit 6.8	Provide outdoor spaces for social interaction	3	Vegetated roofs
Monitoring and Innovation	Credit 9.2	Innovation in site design	8	LID Site Design Process
Total Possible Points:			127	