

## **ARTICLE III. APPLICATION PROCEDURES**

### **A. Purpose**

The purpose of this article is to establish an orderly and expeditious procedure for reviewing and acting upon applications for subdivision approval in accordance with these regulations.

### **B. Subdivision Approval Required**

No person or entity being the owner or agent of the owner of any land located within a subdivision, shall transfer, sell or agree to sell any land by reference to or exhibition of or by other use of a plat of subdivision, before such plat has been approved as set forth herein. A description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from requiring subdivision approval as set forth above.

### **C. Lot Layout**

Whenever a subdivision is proposed within the jurisdiction of these regulations, resulting in 25 or more lots at complete build-out, the subdivider or developer shall contact the Planning Department of the City of Auburn and submit a Lot Layout in accordance with these regulations. When a subdivision is proposed to be constructed in phases and the entirety of such phases will result in 25 or more lots, a Lot Layout is required. The Planning Department may require consultation with the Engineering Services Department and the Water Resource Management Department. In this way the developer can obtain the advice and assistance of the Planning Department and other City departments, and facilitate the subsequent preparation and review of the preliminary subdivision plat.

The subdivider must present a lot layout containing all information listed below. An electronic copy (pdf) of the Lot Layout shall be submitted to the Planning Department.

- a. A completed application and a deed and/or completed Authorization to Act as Applicant Form.
- b. A vicinity map, to scale, showing the location of the proposed subdivision and its relationship to the surrounding area.
- c. Survey data showing the dimensions and bearings of the boundaries of the subdivision; section and corporate lines; and contours at five (5) foot intervals based on City of Auburn Datum or National Geodetic Survey Sea Level Datum, unless required by the City Engineer to submit contours at lesser intervals. In some cases the City Engineer may require spot elevations in sufficient number to provide necessary drainage information.
- d. The title or name under which the proposed subdivision is to be recorded; the name and address of the owner or owners; and the name and seal of the registered land surveyor or engineer responsible for the plat.
- e. Notations giving the scale of the drawing(s), true north arrow, datum, benchmarks, bearing base, and date.
- f. The location of existing streets, buildings, railroads, bridges, sanitary sewers, drainage facilities, water mains, and any public utility easements on both the land being subdivided and on the adjoining land. Aerial photos, the City's digital files and similar sources may be used to determine the location of these facilities and structures.
- g. The names and/or Lee County Road Numbers, locations, right-of-way widths and other dimensions of proposed streets, alleys, easements, open spaces, and reservations.

- h. Lot lines, lot numbers, tabulations stating gross and net acreage of the subdivision, acreage of existing and proposed public areas within the subdivision, number of residential lots, and area of each lot.
- i. The location of all stream, rivers, lakes, 100-year floodplains, wetlands if available or known, waters of the United States, wooded areas, buildings or structures, and other significant natural and built features on the tract.
- j. Sites to be reserved or dedicated for parks, recreation areas, schools or other public uses; sites, if any, for multi-family dwellings, commercial uses, churches, industry, or other uses exclusive of single-family dwellings.
- k. Implementation of any portion of the Major Streets, Water and/or Sewer Plans planned by public authorities for construction on or adjacent to the tract.
- l. Conceptual plans of proposed drainage, stormwater management, and utility layouts and showing feasible connections, when possible, to existing and proposed utility and drainage systems.
- m. Potential connections of open space with existing and planned greenspace, trails, and open space on adjacent properties.

The Lot Layout is intended to serve as an initial step in the subdivision process. Subsequent meetings may be called between City staff and the developer to discuss required corrections, impacts and/or issues resulting from the proposed subdivision. This step is included in the review process because it allows the subdivider and local officials to discuss the proposed subdivision in an informal setting, and to correct any design errors and/or problems during the early stages of the project.

Staff shall be allowed a review period for Lot Layouts of not less than fourteen (14) days prior to the regular submission date for preliminary plats to be considered by the Planning Commission.

Upon receiving favorable consideration by the Planning Department, the subdivider may proceed to prepare the preliminary plat for the subdivision. However, neither the subdivider nor the Planning Commission shall be bound by the lot layout; and it is expressly understood that favorable consideration by the Planning Department at the lot layout stage of the process shall under no circumstances be construed as preliminary or tentative approval.

#### **D. Preliminary Plat**

1. Purpose. The purpose of the Preliminary Plat is to provide a basis for plans for the construction of the subdivision and its improvements. To this end, during preparation of the Preliminary Plat the Subdivider should consult with the Planning Department, the City Engineer, and other officials and agencies concerned with the subdivision of land and the improvements placed thereon.

2. Filing and Review. The Subdivider shall file with the Planning Director three (3) copies of the Preliminary Plat together with the Attendant Items required herein, with written application for approval at least sixteen (16) days prior to the Planning Commission meeting at which it is to be considered. Prior to Planning Commission review, the Preliminary Plat shall be reviewed by the Planning Director and will be referred for review and report to the City Engineer; Water Resource Management, Environmental Services and Public Safety Departments; the County Health Officer and County Engineer, as appropriate; and other appropriate officials. The review shall take into consideration, in addition to the requirements set out in these regulations, conformance of the subdivision design to the Comprehensive Plan and the particular requirements and conditions affecting installation of improvements.

3. Information Required. The preliminary plat shall be drawn at a scale of one inch equals one hundred (100) feet, or other appropriate scale as approved by the Subdivision Administrator; and the sheet size shall not be larger than 24 inches by 36 inches. Where necessary the plat may be presented on several

sheets accompanied by an index sheet showing the entire subdivision. In addition to all information required for the Lot Layout, the plat shall provide a purpose statement; names of adjoining subdivisions; and the names and mailing address of the owners or record of the adjoining parcels of land as they appear on the current tax records in the Office of the Tax Assessor of Lee County.

For projects having a gross site area of one acre or more, the applicant may submit a Project Engineer's Statement in lieu of the utility plans specified in the preceding paragraph. This statement shall be signed and sealed by a registered professional engineer in the State of Alabama. It shall attest to the adequacy of available utilities to service the subdivision, and declare that stormwater runoff from the site can and will be managed in accordance with City of Auburn regulations. The City Engineer shall furnish blank copies of the Project Engineer's Statement upon request; the wording of such statement shall not be altered in any way by the applicant. In those cases where a request for reduced street improvements is being made in accordance with Section V-B-2, profiles of all proposed streets, and such other information as required by the City Engineer to determine whether or not the proposed development meets the requirements of Section V-B-2.

4. City Specifications. All sanitary sewers, storm sewers and drainage facilities, water lines, street grading and paving, fire protection and related improvements shall be designed by a registered engineer to meet the requirements of the City of Auburn, Alabama.

5. Notice and Hearing. Preliminary plats shall be considered by the Planning Commission at a public hearing. Notice of the time and place at which a preliminary plat will be considered shall be sent to the subdivider and to the person(s) identified on the plat as the owner(s) of the land. The owners of all abutting property shall also be notified by certified mail of the hearing at least five (5) days prior to such hearing.

6. Preliminary Plat Approval. The Planning Commission shall approve, approve conditionally, or disapprove such Preliminary Plat within thirty (30) days after the submission thereof. If approved conditionally the conditions and reasons therefore shall be stated; and if necessary the Planning Commission may require the Subdivider to submit a revised Preliminary Plat. If any of the requirements are modified or waived, the reasons for such shall be specified. If the Planning Commission should disapprove the Preliminary Plat, the reasons for such action shall be stated and, if possible, recommendations made on the basis of which the proposed Subdivision would be approved. One (1) copy of the Preliminary Plat as acted upon by the Planning Commission shall be retained in its office, one (1) copy forwarded to the City Engineer, and one (1) copy returned to the Subdivider.

7. Effect of Approval. Approval of a Preliminary Plat shall not constitute acceptance of the plat of the proposed subdivision but shall be deemed only as an expression of approval of the plan submitted as a guide to preparation of the Final Plat, which Final Plat will be submitted for approval and recorded upon fulfillment of the requirements of these regulations and the conditions of tentative approval. Approval of a Preliminary Plat shall be effective for 18 months, unless, upon application by the Subdivider, the Planning Commission grants an extension. If the Final Plat has not been submitted for final approval within this time limit, the Preliminary Plat shall again be filed for tentative approval; provided, however, that if a Final Plat of a part of the subdivision shall have been submitted and approved within the 18-month period, the tentative approval of the Preliminary Plat shall automatically be extended for a period of 18 months from the date of approval of such Final Plat of part of the subdivision, and the same automatic extension shall govern in subsequent cases of submission of a Final Plat of part of the subdivision; provided, further, that at any time after the expiration of the initial 18-month period during which the Preliminary Plat approval is effective, the Planning Commission may notify the Subdivider of changes it will require to meet new or changed conditions. A corrected Preliminary Plat with all conditions fulfilled shall be submitted prior to the construction or installation of any improvements.

Approval of the Preliminary Plat and Engineering Plan and receipt of a permit from the Engineering Services Department shall constitute authorization, subject to obtaining the necessary State and Federal permits, that the subdivider may proceed with the construction of any improvements in accordance with applicable City codes, regulations and specifications approved by the City's Engineering Division; and

with the staking of the lots in preparation for the Final Plat. The subdivider shall not begin any construction without first notifying the City Engineer, Planning Director, Water Resource Management Director, and the County Engineer if appropriate.

### **E. Engineering Plan**

An Engineering Plan is required after approval of a Preliminary Plat and prior to the construction and installation of any improvements. The Engineering Plan shall be submitted to the City Engineer and shall be prepared in accordance with the regulations, requirements and specifications of Section 1.0 – General Information, of the Auburn Engineering Design and Construction Manual.

### **F. Final Plat**

1. Purpose. The purpose of the final plat, together with all the information and attendant items required herein, is to provide an accurate record of street and property lines and other elements being established on the land, and the condition of their use. The final plat shall conform substantially to the preliminary plat as approved.

2. Submission and Review. The final plat shall be drawn upon mylar film, on sheets measuring no more than twenty-four (24) by thirty-six (36) inches; and at a scale of one inch equals one hundred (100) feet or other appropriate scale as approved by the subdivision administrator. Where necessary the final plat may consist of several sheets, accompanied by an index sheet showing the entire subdivision. Five (5) prints shall be submitted.

3. Information Required. The Final Plat shall contain the following information:

- a. A diagram to scale showing the general location of the subdivision.
- b. Primary control points approved by the City Engineer or County Engineer, as appropriate; or description and ties to such control points; to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
- c. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way; property lines of lots and other sites with accurate dimensions; bearings, tangent distances, radii, central angles, arc lengths, and degrees of all curves; and the location and description of all monuments. All survey data shall be according to the *Minimum Technical Standards for Land Surveying in the State of Alabama*, latest edition as published by the Alabama Society of Professional Land Surveyors. At least two (2) corners of the subdivision shall be referenced to the State Plane Coordinate System if an established and proven point is within one half (1/2) mile of the subdivision.
- d. Title, scale, north point, and date.
- e. Name and right-of-way width of each street or other public right-of-way.
- f. Numbers to identify each block and lot; and the area of each lot.
- g. The location, dimensions, and purpose of any easements.
- h. The purpose for which sites other than residential lots may be used.
- i. Names of owners of record of adjoining land.
- j. Certification of title showing that the applicant is the owner of the land within the subdivision.
- k. Statement by the owner dedicating street rights-of-way and any sites for public use.

- l. Statement by a registered land surveyor certifying that the plat meets the requirements of the Minimum Technical Standards for Land Surveying in the State of Alabama, latest edition as published by the Alabama Society of Professional Land Surveyors.
- m. Space for certificate of approval by the Planning Director; the City Engineer; and, if appropriate, the County Engineer.
- n. Certificate of acceptance by the City Council of any land, right-of-way, or easements dedicated to the City.
- o. Certificate by the City Engineer that the subdivision meets all the requirements for required street and utility improvements.
- p. Certificate by the County Health Officer when individual sewage disposal and/or water systems are to be installed.
- q. Existing structures shall be located on the plat and fully dimensioned so that conformance with any applicable regulations can be verified.
- r. Note prohibiting structures, ungated fences, and trees on easements. The note shall read "No permanent structures may be constructed or placed on easements. Fences may be erected perpendicularly across the easement provided there is a minimum twelve (12) foot wide access gate installed. If the gate is to be locked there must be a City approved lock installed in conjunction with the owners lock. No canopy trees shall be planted within ten (10) feet of utilities."
- s. Indemnity note for obstructions placed in easements. The note shall read: "By placing obstructions within or encroaching onto the easement, the property owner(s) does for itself, its successors, and assigns agree to indemnify, hold harmless and defend the City of Auburn, its officials, representatives, agents, servants and employees from and against all liability and loss which may be sustained as a result of claims, demands, costs or judgments arising out of the location of the obstruction within the easement including its reasonable costs in defending against any such claims and further agrees to release and discharge the City of Auburn from any damages to the obstruction arising from utility maintenance work within the easement or any damages to the obstruction resulting from its placement in the easement."
- t. All lots with finished grade elevations that are less than 12-inches above the nearest upstream sanitary sewer manhole rim elevation shall be individually identified on the final plat as having potential sewer backflow issues and the following note shall be added to the plat:

"The indicated lots have potential sewer backflow issues due to the finished grade elevation being less than 12-inches above the nearest upstream sanitary sewer manhole rim elevation. These lots are required to have backflow prevention devices installed on the customer's sewer service line if the finished floor elevation is less than 12-inches above the nearest upstream sanitary sewer manhole rim elevation. The property owner, successors, and assigns for each lot of record as indicated shall be fully responsible for the maintenance and repair of this backflow prevention device and shall indemnify, hold harmless, and defend the City of Auburn for any backflows that occur due to improper maintenance, use, or omittance of this device."
- u. Delineation of all stream and wetland buffers, including each buffer zone in accordance with the City of Auburn Zoning Ordinance.
- v. Gross and net acreage of the property and number of lots proposed

4. Attendant Items. The Final Plat shall be accompanied by the following items, as appropriate:
- a. A copy of the protective covenants, if any, as they are to be recorded. If the subdivision contains common open space, retention ponds or other amenities for the use of the residents of the subdivision, provisions shall be made for a homeowner or residents association or other means for maintaining the common open space or other amenity.
  - b. A statement signed by the City Engineer that the subdivider has complied in full with one of the following alternatives:
    1. All streets shown on the plat have been graded and improved; and all sewage, water, lighting, and drainage facilities have been installed in accordance with the requirements of these regulations, with the action of the Planning Commission in giving tentative approval to the subdivision, and in accordance with City specifications.
    2. An engineering estimate of the costs of any required improvements yet to be constructed must be submitted and approved by the City Engineer prior to the submission of the bond instrument.
    3. A performance bond with commercial surety in an amount equal to one hundred twenty-five percent (125%) of the costs outlined in the engineer's estimated cost of all improvements, approved as to form by the City Attorney and with surety satisfactory to the Planning Commission, securing the design and installation of these improvements, utilities, and facilities within the period fixed by the Planning Commission.
    4. An irrevocable letter of credit drawn on an approved bank and payable to the City, in an amount equal to one hundred twenty-five percent (125%) of the costs outlined in the engineer's estimate, adequate for the completion of all improvements, utilities, and facilities. When the City is considering the acceptance of a bank letter of credit as security for any debt owed to the City or any contingent debt owed to the City, the Finance Director/Treasurer shall review the proposed issuing bank's credit rating, the terms of the letter of credit agreement and any additional criteria to the extent warranted by the terms of the transaction at hand and the conditions of the then-existing credit markets and economy to determine whether or not the City will accept the letter of credit from the financial institution. Additional terms and conditions needed for the acceptance shall be as outlined in Resolution No. 11-22 adopted by the City Council of the City of Auburn on February 15, 2011.
    5. A bank certificate of deposit issued by a bank covered by FDIC insurance in an amount equal to one hundred twenty-five percent (125%) of the costs outlined in the engineer's estimate, adequate for the completion of all improvements, utilities, and facilities. The certificate of deposit must be titled in the name of the City.
    6. An assessment petition, approved by the City Attorney, whereby the City is placed in an assured position to make these improvements and to install these utilities and facilities at any time and without any cost to the City.
  - c. Receipt of a certificate from a registered land surveyor that permanent monuments of suitable size and material have been placed for each lot corner in the subdivision, and that a satisfactory survey defines such permanent monuments in relation to located section corners or fractional corners of the Survey of Public Lands.
  - d. The initial Subdivision Completion Bond, as described in items b.3 through b.5 above, may remain valid throughout subsequent phases of the development, provided the following requirements are met:
    1. Upon request for approval of a plat for an addition to the development, the developer must request an inspection be performed and submit a revised engineer's estimate of unfinished improvements from the previous phase and improvements that are planned for the new phase.
    2. A new bond amount will be computed based on the engineer's estimated total cost of all unfinished improvements and planned improvements.

3. The new total will be compared to the amount of the original bond amount and a difference determined.
  4. An amended letter of credit, surety, or bank certificate of deposit must be submitted to cover the total of the amount outstanding from the previous development plus the new development. The expiration date of the new letter of credit, surety, or bank certificate of deposit will be at least 12 months from the date issued.
  5. During the bond renewal process, the City will inspect the development to determine if substantial progress has been made. If the City determines at the time of inspection that no contributing factors prevent the developer from completing the bonded items, the City will allow the bond to be renewed for only 12 months. During this bond renewal process, the City will consider the acceptance of the Letter of Credit as outlined in (b)4 above. If at the end of the bonding period the development has not been substantially completed, the City may liquidate the bond, letter of credit, or bank certificate of deposit to pay for the cost of making the improvements.
  6. No phase of a subdivision will be permitted to carryover outstanding improvements for more than 4 years after the date of issuance of the bond instrument. If at the end of 4 years the improvements have not been substantially completed as determined by the City Engineer, the City of Auburn may liquidate the bond and/or letter of credit to pay the cost of making the improvements in that phase.
  7. If the Subdivision Completion Bond is not renewed or amended by its expiration date, requests for approval of plats for subsequent phases of the development will not be considered until such time as the bond is renewed or amended.
  8. In cases where ownership of a subdivision is transferred, the City of Auburn will continue to hold the bonds and/or letters of credit of the original developer until a bond is received from the new owner, at which time the City of Auburn will release the original owner's bonds and/or letters of credit to the original owner.
  9. Under exceptional circumstances and after receiving a written request from the owner, the City of Auburn will consider a one time only reduction in the bond amount, even though not all improvements have been made. The amount of the reduced bond must be sufficient to cover the unfinished improvements.
- e. For a development on which the City holds a bond that was approved prior to July 26, 2007, the City may elect to notify the developer of the need to complete the development. If, after notification is given, the developer fails to show satisfactory progress toward completing the work, as determined by the City Engineer, the City may liquidate the bond instrument to pay for the cost of making the improvements.
  - f. For a development on which the City holds a bond that was approved prior to March 11, 2021, the City may elect to extend the bonding period for up to four (4) years as outlined in d6 above.
  - g. A Pump Station Completion and Warranty Bond shall be required in accordance with Section 3.5, Sanitary Sewer Pump Station and Force Main Design of the Auburn Water Resource Management Design and Construction Manual for any subdivision that includes a sanitary sewer pump station.

#### **G. Action on Final Plat**

Final approval of the plat will be given upon (1) fulfillment of all conditions attached to, and in conformance with, the Preliminary Plat; and (2) certification of the proper installation of the improvements and compliance with Articles IV and V of these Regulations. The Planning Commission shall act upon the Final Plat within thirty (30) days of its submission, and shall communicate in writing to the subdivider the action taken.

Failure of the Planning Commission to take action on the Final Plat within thirty (30) days after its submission shall be deemed to be approval of such Final Plat. If the Final Plat is disapproved the

grounds for disapproval shall be stated in the minutes of the Planning Commission, and in the Resolution setting forth the Planning Commission's action, a copy of which shall be transmitted to the applicant.

Approval of the Final Plat by the Planning Commission shall not be deemed to constitute or affect an acceptance by the public of the dedication of any street or other proposed public ways or lands shown on the Final Plat and located within the corporate limits of the City of Auburn. In such cases, acceptance of dedicated lands by the City Council must occur prior to recording the Final Plat.

#### **H. Recording of Final Plat**

Approval of the Final Plat by the Planning Commission shall be null and void if such Final Plat is not recorded in the office of the Judge of Probate of Lee County within eighteen (18) months after the date of approval, unless an application for an extension of time is made in writing and is granted by the Planning Commission during this eighteen (18) month period.

#### **I. Copies of Recorded Plat**

The applicant shall file with the Planning Department one (1) mylar, one (1) paper copy, an 11" x 17" reduction, and an electronic copy (pdf) of the Final Plat as recorded in the Office of the Judge of Probate of Lee County. In addition, an as-built drawing of the subdivision on CD in an autocad-compatible format shall be filed with the Water Resource Management Department in accordance with Section 1.0 – General Information of the Auburn Engineering Design and Construction Manual.

#### **J. Combined Preliminary and Final Plat**

A subdivider may submit a combined request for both Preliminary Plat and Final Plat approval. In such cases all requirements for both Preliminary and Final Plat approval must be met.

#### **K. Administrative Subdivision**

1. Purpose. For the purposes of this section an administrative subdivision is a resubdivision involving not more than four (4) contiguous lots fronting on an existing street, and which requires no new streets; and when in the opinion of the City Engineer no engineering service is required. Except as otherwise specified the resubdivision and the plat thereof shall conform to all the requirements of these regulations.

2. Submission and Review. No Preliminary Plat or Engineering Plans are required to be submitted for an administrative subdivision. However, the subdivider should consult with the Engineering and Planning Staff, and with other appropriate officials, prior to submission of the mylar and copies for signatures.

3. Information Required. The administrative plat shall contain the following information:

- a. A diagram to scale showing the general location of the subdivision.
- b. Primary control points approved by the City Engineer or County Engineer, as appropriate; or description and ties to such control points; to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
- c. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way; property lines of lots and other sites with accurate dimensions; bearings, tangent distances, radii, central angles, arc lengths, and degrees of all curves; and the location and description of all monuments. All survey data shall be according to the Minimum Technical Standards for Land Surveying in the State of Alabama, latest edition as published by the Alabama Society of Professional Land Surveyors. At least two (2) corners of the subdivision shall be referenced to the State Plane Coordinate System if an established and proven point is within one-half mile of the subdivision.
- d. Title\*\*, scale, north point, and date.



- e. Name and right-of-way width of each street or other public right-of-way. All right-of-way or boundary features should include appropriate deed references and/or notes identifying source of information.
- f. Numbers to identify each block and lot (Lot number revisions must be accompanied by "A", "1" or other designation indicating a revision; and the area of each lot.), gross acreage of the subdivision.
- g. The location, dimensions, and purpose of any easements.
- h. The purpose for which sites other than residential lots may be used.
- i. Names of owners of record of adjoining land with the tax parcel ID number.
- j. Certification of title showing that the applicant is the owner of the land within the subdivision.
- k. Statement by the owner dedicating street rights-of-way and any sites for public use.
- l. Statement by a registered land surveyor certifying that the plat meets the requirements of the Minimum Technical Standards for Land Surveying in the State of Alabama, latest edition as published by the Alabama Society of Professional Land Surveyors.
- m. Space for certificate of approval by the Planning Director; the City Engineer; and, if appropriate, the County Engineer.
- n. Certificate of acceptance by the City Council of any land, right-of-way, or easements dedicated to the City.
- o. Certificate by the City Engineer that the subdivision meets all the requirements for required street and utility improvements.
- p. Certificate by the County Health Officer when individual sewage disposal and/or water systems are to be installed.
- q. Existing structures shall be located on the plat and fully dimensioned so that conformance with any applicable regulations can be verified.
- r. Note prohibiting structures, un-gated fences, and trees on easements. The note shall read "No permanent structures may be constructed or placed on easements. Fences may be erected perpendicularly across the easement provided there is a minimum twelve (12) foot wide access gate installed. If the gate is to be locked there must be a City approved lock installed in conjunction with the owners lock. No canopy trees shall be planted within ten (10) feet of utilities."
- s. Indemnity note for obstructions placed in easements. The note shall read: "By placing obstructions within or encroaching onto the easement, the property owner(s) does for itself, its successors, and assigns agree to indemnify, hold harmless and defend the City of Auburn, its officials, representatives, agents, servants and employees from and against all liability and loss which may be sustained as a result of claims, demands, costs or judgments arising out of the location of the obstruction within the easement including its reasonable costs in defending against any such claims and further agrees to release and discharge the City of Auburn from any damages to the obstruction arising from utility maintenance work within the easement or any damages to the obstruction resulting from its placement in the easement."
- t. The applicant shall be responsible for indicating the likely presence/absence and approximate extent(s) of all regulated waters including: Waters of the United States, Waters of the State of Alabama, and/or waters that may be subject to the applicability of the City of Auburn Stream Buffer Ordinance within the property boundaries. For administrative plats, the applicant may use National

Wetlands Inventory data and/or City of Auburn GIS data in lieu of a jurisdictional area delineation and survey to show the approximate boundaries of regulated waters on the subject property. The following note shall be included with all administrative plats in which regulated waters are present: " The stream and wetland buffers as shown are for illustrative purposes only. An actual delineation may be required upon application for development approval." Wetland delineations and/or stream and wetland buffers are not required to be shown on a remnant parcel. Applicants wishing to apply for development plat approval shall include a jurisdictional area delineation by a qualified professional and a survey of all regulated waters completed by a registered land surveyor in the State of Alabama.

- u. Remnant property less than 20 acres shall be accounted for and given a lot number and comply with all such requirements for lots. Large remnant property (more than 20 acres) shall be referenced in the notes by deed reference outlining the source property acreage and the remaining property acreage.

\*\*New names are permitted but a reference to the parent plat (or property) must be included in the new name. When property is to be developed in a subdivision that is between two existing subdivisions, either parent name can be retained or a new name developed.

4. Approval Authority to grant final approval to subdivision plats complying with paragraph K(1) above, pursuant to Section 52, Title 11, Code of Alabama 1975, shall be vested in the Planning Director and City Engineer. Formal approval can be granted by the Planning Director and the City Engineer, in which case such action shall be reported at the next regular meeting of the Planning Commission. However, the Planning Director may require that an administrative subdivision be presented to the Planning Commission for consideration for approval and dedication.

The Subdivision Administrator shall have the authority to approve and accept easement dedications, and shall have the same authority with regard to right-of-way dedications for the widening of existing streets. However, plats establishing new roads or extending existing roads shall be submitted for Planning Commission approval and dedication.

The procedure for approval is as follows:

1. Applicant submits one copy of the proposed subdivision to the Planning Department for review by City staff.
2. Planner will return comments, if applicable, to the applicant.
3. After revisions are made, the applicant returns the application, deed, fees and three (3) paper copies and one (1) reproducible [mylar or vellum] to the Planning Department.
4. The plat is routed for signature by the City Engineer and Planning Director.
5. The plat is returned to the applicant for recording.
6. The required recorded copies (an electronic copy (pdf), one (1) full size, one (1) 11" X 17" reduction, one (1) reproducible) must be turned in to the Planning Department.

#### **L. Recording of Administrative Plat**

Approval of the Administrative Plat by the staff shall be null and void if such Administrative Plat is not recorded in the Office of the Judge of Probate of Lee County within eighteen (18) months after the date of the approval, unless an application for an extension of time is made in writing and is granted by the Planning Director and City Engineer during this eighteen (18) month period.

#### **Copies of Recorded Plat**

The applicant shall file with the Planning Department one (1) mylar, one (1) paper copy, a reduced 11" X 17" copy and an electronic copy (pdf), of the Administrative Plat as recorded in the Office of the Judge of Probate of Lee County.