

**AMENDMENT TO EXISTING SUBDIVISION REGULATIONS RELATING
TO
PRIVATE SUBDIVISION REGULATIONS**

Randolph County, Alabama

PURPOSE AND POLICY

These Regulations are intended to supplement the existing Subdivision Regulations pertaining to smaller private subdivisions as defined herein. The purpose of these Regulations is to deal primarily with insuring maintenance of the roads and infrastructure in private subdivisions as defined herein to insure the safety, health and access of the Property Owners to subdivision lots.

The added purpose for this amendment to the existing Subdivision Regulation is to insure that the maintenance of the roads and other infrastructure will in perpetuity be the responsibility of the Property Owners and/or Homeowners Association or Property Owners Association collectively and not Randolph County or the Randolph County Commission.

All existing subdivision rules and regulations not in conflict with this amended private subdivision regulation shall remain in full force and effect and any existing subdivision regulation not in conflict shall be required to be met by developers and/or landowners with respect to private subdivisions as defined herein.

The 2007 Subdivision Flowchart attached hereto as Exhibit "A" shall remain as the model by which private Subdivision Regulations shall be administered through the Randolph County Commission and Randolph County Engineer.

The requirements of these private Subdivision Regulations are intended to allow Randolph County, subdivision owners or other services to safely access the roads in the subdivision to provide police, fire, trash pickup, emergency, school bus service or other services.

These regulations apply to subdivisions being defined as having a number of lots being more than three (3) and less than twenty (20).

All fees to be charged to the owner or developer of a private subdivision shall be in accordance with Subdivision Regulation 1-2(3).

DEFINITIONS

For purposes of these private Subdivision Regulations the following definitions shall apply:

The term "DEVELOPER" shall be defined as: The owner of land proposed to be subdivided. The owner may designate a person, firm or corporation to be his or her representative in subdividing property. The designation of a person, firm or corporation by the owner of the proposed land to be subdivided does not relieve the owner of any duties or responsibilities with respect to the subdivision.

"HOMEOWNERS ASSOCIATION OR PROPERTY OWNERS ASSOCIATION" – An association formed by lot owners in a private subdivision as defined herein governed by County Engineer approved covenants and restrictions which shall have duties and responsibilities relating to the single subdivision as originally platted by the owner or developer of subdivided land.

HOMEOWNERS ASSOCIATION OR PROPERTY OWNERS ASSOCIATION

A Homeowners Association or Property Owners Association must be provided for and required in the Restrictive Covenants of a private subdivision which covenants shall be recorded in the Randolph County Courthouse subject to approval by the County Engineer prior to the final plat of the private subdivision being recorded.

MAINTENANCE AND RESPONSIBILITY OF ROADS, STRUCTURES AND DRAINAGE

As long as the subdivision maintains a Homeowners Association or Property Owners Association functioning according to the Restrictive Covenants as hereinabove established, the roads, structures and drainage shall be maintained by the Homeowners Association and/or Property Owners Association and/or the Property Owners .

Should the Homeowners Association or Property Owners Association cease to exist and/or function the roads, structures and/or drainage shall continue to be maintained by the Property Owners in the subdivision to the standards approved for the original roads, structures and drainage as originally approved by the County Engineer.

OWNERSHIP OF ROADWAYS

Platting of a subdivision pursuant to these private Subdivision Regulations does not divest the owners of the lots in the subdivision of ownership of the platted

roadways. Any lot owner who is served by the roadways platted shall own an interest in the roadway equal to that person, firm or corporation's percentage ownership of the original platted lots. The percentage of ownership shall be determined by their percentage of acreage ownership and not by their percentage of lot ownership.

RIGHTS OF WAY AND SET-BACKS

Right of Ways (ROW) are reduced to 50 foot minimum in private subdivisions. Right of way or easement widths in excess of the standards designated in these regulations shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Such slopes shall not be in excess of three horizontal to one vertical.

ROAD SPECIFICATIONS

The minimum width for driving surfaces is 16 feet, with a 4 foot shoulder.

Cul-de-sacs require 50 feet of road surface (25 feet radius) and must exist at the end of roads with no outlets.

Drainage requirements will be designed and built to withstand a 25 year storm as defined in the Randolph County General Subdivision Regulations.

Design of culverts under roads will use either concrete pipe or pipe conforming to the HDPE pipe specification and approved by the County Engineer.

For HDPE pipe, the following specifications are required:

HDPE pipe shall meet specifications AASHTO 252, AASHTO 294 or ASTM F2306.

Installation shall meet the ASTM D2321, Standard Practice for Underground Installation of Thermoplastic Pipe for Sewers and other Gravity-Flow Applications.

For concrete, the installation standard shall be ASTM C1479-13, Standard Practice for Installation of Precast Concrete Sewer, Storm Drain, and Culvert Pipe.

Compaction tests, as defined in the General Subdivision requirements will be complete successfully prior to approval of the final plat of the subdivision by the County Engineer. The Engineer's approval will appear on the final plat prior to being recorded.

Driving surfaces must be covered with aggregate or pavement prior to completion of the roads.

Requirements for subdivisions along and adjacent to government-maintained roads will have the following additional requirements:

No subdivision shall be approved unless the area to be subdivided shall have frontage on, or access from:

An existing state, county or city road, or

Public road shown upon an approved plat recorded in the Randolph County Probate Judge's office.

Any such street or highway must be suitably improved with the width and right of way required by these Subdivision Regulations, or it must be secured by an improvement guarantee required under these Subdivision Regulations.

Where a subdivision borders on or contains an existing or proposed arterial, the County Commission may require that access to such arterial be limited by one of the following means:

The lots are to be divided so as to back onto the arterial and front onto a parallel minor road, with no access to be provided from the arterial, and screening to be provided in a strip of land along the rear property line of such lots.

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

A marginal access or service road (separated from the arterial by a strip of land and having access to the arterial at suitable points.)

CLARIFICATION SIGN

A sign, legible from a vehicle shall be placed at the entrance of the subdivision stating, "This is a private subdivision. Roads and infrastructure will be maintained by the Property Owners ."

FINAL PLAT NOTATION

A final plat of the subdivision shall be recorded in the Randolph County Courthouse and shall state: "THIS IS A PRIVATE SUBDIVISION, AND ALL THE ROADS, STRUCTURES AND DRAINAGE SHALL BE MAINTAINED BY THE PROPERTY OWNERS AND/OR HOMEOWNERS ASSOCIATION AS HEREINABOVE STATED."

HEALTH DEPARTMENT REQUIREMENT

The subdivision plans and final build shall meet the requirements of the Randolph County Health Department.

APPLICATION TO EXISTING SUBDIVISIONS

Any subdivision heretofore developed meeting the definitional section of a private subdivision as defined herein which has already been created, platted or in existence not in compliance with this new private subdivision regulation shall be governed by and subject to all provisions of these regulations.

2007 SUBDIVISION FLOWCHART

