SUBDIVISION REGULATIONS

Foley

September 17, 2025

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ARTICLE I. Purpose, Policy, Title and Interpretation

1.1 - Purpose

The purpose of these regulations is to establish procedures and standards for the development of subdivisions or proposed additions to existing subdivisions within the Corporate Limits and the Planning Jurisdiction of Foley, Alabama, in an effort to regulate the minimum size of lots, the planning and construction of all public streets, public roads, drainage structures, and to require the proper placement of public utilities.

1.2 - Policy

A. It is hereby declared to be the policy of the City of Foley, Alabama, to consider the subdivisions of land and the subsequent development of the subdivided land as subject to the control of the City of Foley Planning Commission pursuant to the authority granted to the City by the Code of Alabama (Refer to 2.1- Authority).

B. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace. Land shall not be subdivided until proper provision has been made for drainage, water, sewage disposal and streets, and approval has been granted in accordance with the procedures prescribed in these regulations.

C. Any owner of land, which lies within the area of jurisdiction of the City of Foley Planning Commission, who wishes to subdivide or re-subdivide such land into two or more lots, plats, sites, or other divisions of land for the purpose (whether immediate or future) of sale, lease, or building development shall submit to the City of Foley Planning Commission for approval, a plat of the subdivision, which shall conform to the minimum requirements set forth in these regulations except as specifically exempted herein.

D. No subdivider shall proceed with any construction improvements or with the installation of utilities in a subdivision until such subdivision plan shall have been reviewed and granted Preliminary Plan approval by the City of Foley Planning Commission and detailed construction plans have been approved by the City Engineer.

E. No subdivider shall proceed with the sale of lots or the erection of buildings,

excluding required public improvements and utility structures, within a subdivision until such subdivision plat shall have been granted Final Plat approval entered in writing on the plat and signed by all required parties and recorded in the Office of the Probate Judge of Baldwin County or bonded in accordance with the procedures prescribed in these regulations.

1.3 - Title

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

1.4 - Interpretation

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. In the event there is some inconsistency or ambiguity as to the interpretation or meaning of some aspect of these regulations, the more stringent interpretation by the Applicant is intended.

ARTICLE II. Authority and Jurisdiction

2.1 - Authority

These Subdivision Regulations are adopted pursuant to state and local law including, but not limited to, *Code of Alabama*, §11-52-1, *et seq.*, §11-52-30, *et seq.,* and §11-24-6. These following regulations governing the subdivision of land are hereby adopted by the Foley City Planning Commission by resolution. A copy of these regulations shall be certified to the Probate Judge of Baldwin County, Alabama, and to the City Clerk of Foley, Alabama.

2.2 - Jurisdiction

These Subdivision Regulations shall apply to all subdivisions of land, as defined herein, located within the Corporate Limits of the City of Foley, as amended from time to time, and the Planning Jurisdiction, within 1.5 miles of the Corporate Limits, or as amended from time to time.

2.3 - More Stringent Regulations Apply in the Planning Jurisdiction

In the event that the City of Foley Planning Commission is exercising any planning jurisdiction over an area outside the City of Foley Corporate Limits pursuant to an agreement with Baldwin County, in those areas outside the Corporate Limits of the City, the more stringent of the *Baldwin County Subdivision Regulations* or these Subdivision Regulations shall apply.

2.4 - Effective Date

Effective October 1, 2025, these Subdivision Regulations shall replace all prior versions or editions of the *City of Foley Subdivision Regulations*. For any pending subdivision developments that received Preliminary Plan/Plat approval under a prior version of the Subdivision Regulations, and which have not expired, such developments may proceed under the prior version of the Subdivision Regulations.

ARTICLE III. Definitions

3.1 - Usage

For the purpose of these regulations, certain numbers, abbreviations, terms and words used herein shall be used, interpreted, and defined as set forth in this section. Unless the context clearly indicates the contrary, words used in the present tense include the future tense; words used in the plural number include the singular number; the word "herein" means "in these regulations;" the word "regulations" means "these regulations."

A "person" includes a natural being, corporation, a partnership, any form of business entity, an incorporated association of persons such as a club, or any combinations thereof; "shall" and "must" are always mandatory; "should" and "may" are suggestive; a "building" includes a "structure" and includes any part thereof; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

3.2 - Words and Terms Defined

Abutting/contiguous property: Any property that is immediately adjacent to, touching, or separated from such a common border by a right-of-way, alley, or easement.

ADEM: The Alabama Department of Environmental Management.

ALDOT: The Alabama Department of Transportation.

Alley: A public right-of-way or private easement primarily designed to serve as a secondary access to the side or rear of properties whose principal frontage is on some other street.

Applicant: The owner or designated representative of land proposed to be subdivided. Consent shall be required from the legal owner of the premises.

Arterial: (See *Street, Arterial*).

Base flood: The flood having a one percent chance of being equaled or exceeded in any given year. This is the regulatory standard also referred to as the "100-year flood."

Base flood elevation: The computed elevation to which floodwater is anticipated to

rise during the base flood.

Block: A parcel of land bounded on all sides by streets or other public spaces such as parks, greenways, or water bodies, designed to contain building lots and define the scale and connectivity of the public realm. Block dimensions are regulated to promote walkability and context-appropriate urban form.

Buffer: Land which is maintained in either a natural or landscaped state and is used to screen and/or mitigate the impacts of development on surrounding areas, jurisdictional wetlands, properties, or right-of-way.

Building line: (See *Setback line*).

Building site: The land occupied or to be occupied by a structure and its accessory structures including open spaces, required yards, and parking.

Build-to line: A line, typically parallel to the street right-of-way, that defines where the front facade of a building must be located.

City Council: The City Council of the City of Foley, Alabama.

City Engineer: The duly appointed registered engineer of the City of Foley, Alabama.

Civic Open Space: A publicly accessible outdoor space permanently intended for gathering, recreation, ecology, or community expression. Civic open spaces may include formal and informal public realms within developments and are required to be open and visually prominent.

Common driveway: A private driveway located to provide a single access to multiple lots from a publicly maintained street.

County: Baldwin County, Alabama.

Collector Streets: (See *Streets, Collector*).

Corner Lot: (See *Lot, Corner*).

Cul-de-Sac: (See *Streets, Cul-de-Sac*).

Curb or Curb Line: The inside vertical face of a masonry curb, the center line of a valley gutter, or the edge of the pavement where no curb or gutters exist.

Dedication: The transfer of property from private to public ownership.

Density, gross: The number of dwelling units per acre. It is calculated by dividing the total number of dwelling units by the total area of the subject property.

Density, net: The number of dwelling units per habitable acre. It is calculated by dividing the total number of dwelling units by the area of the subject property that excludes delineated wetlands, lakes, ponds, and stormwater detention / retention facilities except those that meet the requirements for dual-purpose stormwater civic open spaces (5.5 G).

Design Engineer: A licensed professional engineer in the State of Alabama, qualified by education and experience to perform services of design in the area of their expertise. For these regulations, the design engineer is the consultant who is responsible for the design of the development and is retained by and/or is an agent for the owner/developer.

Developer: The owner or designated representative of land proposed to be subdivided. Consent shall be required from the legal owner of the premises.

Development: Includes, but is not limited to, the design work of lot layout, the construction of drainage structures, the construction of buildings and public use areas, the planning and construction of public streets and public roads, and the placement of public utilities. Developments include, but are not limited to, subdivisions.

Deviation: An approved and acceptable change from the provisions of the Subdivision Regulations.

Double frontage lot: (See *Lot, through*).

Drainage Study: An engineering analysis of existing and proposed drainage conditions along with any proposed infrastructure improvements, per the design standards set forth in the *City of Foley Land Development Ordinance*.

Easement: A grant by a property owner of the use of land for a specified purpose(s) by the general public or a corporation, or person(s); or as created by operation of law. No title to real property is conveyed.

Environmental Permit: The environmental permit includes the construction best management practices plan, tree survey, and landscape plan for land disturbing activities over 1/2 acre, as approved by the Environmental Division.

Expressway: (See *Street, Expressway*).

Final Plat: A plat of a tract of land which meets the requirements of these regulations and is in proper form for recording in the Office of the Probate Judge of Baldwin County, Alabama.

Flood or flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from:

A. The overflow of inland or tidal waters;
B. The unusual and rapid accumulation of runoff of surface waters from any source;
C. Mudflow; or
D. Collapse or subsidence of land along the shore of a lake or similar body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels that result in a flood as defined above.

Flood insurance rate map (FIRM): An official map of a community on which the Federal Emergency Management Agency has delineated both the areas of Special Flood Hazard Areas (SFHAs), the Base Flood Elevations (BFEs) and the risk premium zones applicable to a community.

Flood Ordinance: Current flood-related codes and ordinances adopted by the City of Foley and/or Baldwin County applicable to the property in question.

Floodplain: Any land area susceptible to being inundated by floodwaters from any source.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface more than a designated height. For the purpose of these regulations, floodways shall be defined as follows:

A. The floodways as identified or delineated in the Flood Insurance Study for Baldwin County, Alabama.
B. Along small streams and watercourses. All lands lying within 25 feet of the top of the bank of the channel (measured horizontally), unless the developer demonstrates to the satisfaction of the City of Foley Planning Commission that a lesser distance (but not less than 15 feet) is adequate based on the watershed characteristics and probable storm runoff for the base flood.

Generalized Wetland Map: Refers to the National Wetland Inventory (NWI) Maps, the Baldwin County Digital Wetland layer, and/or any other digital data depicting the general locations of wetlands or hydric soils and their degree of functionality within the jurisdiction of Baldwin County.

Half-Street or Half-Alley: A street or alley along the perimeter of a development that only a portion of the required width is constructed. The intent is that the other portion of said street or alley will be constructed at some later date by an abutting property owner, if the abutting property is developed.

Health Department: The Baldwin County Health Department.

Immediate Family Member: A property owner's spouse, parent, grandparent, child, grandchild, and/or sibling. Adopted or step-related individuals of the same status of an owner are also the owner's immediate family members.

Jurisdictional Determination: An official, written statement or map regarding wetlands and uplands signed by the U.S. Army Corps of Engineers (USACE).

Jurisdictional wetland: A wetland area that is regulated by the U.S. Army Corps of Engineers under §404 of the Clean Water Act. It can meet the definitional requirements for wetlands (i.e. hydrophytic vegetation, hydric soils, and hydrology) as determined by the U.S. Corps of Engineers,1987 *Federal Wetland Delineation Manual*.

Land subject to flood: For the purpose of these regulations, land subject to flood shall be defined as follows:

A. The lands identified as having special flood hazards by the Office of Federal Insurance and Hazard Mitigation. The lands identified as subject to inundation by the base flood and all lands lying below the base flood elevations as demonstrated by the maps and charts contained in the Flood Insurance Study for Baldwin County, Alabama, as prepared by the Federal Emergency Management Agency, Offices of Federal insurance and Hazard Mitigation, and all subsequent revisions thereto, which are made a part of these regulations.
B. Along Small Streams and Watercourses. All lands lying within 100 feet of the top of the bank of the channel (measured horizontally) unless the developer demonstrates to the satisfaction of the City of Foley Planning Commission that the property in question is free from the danger of inundation by the base flood or that adequate remedial measures have been taken to allow the watercourse to safely accommodate the base flood. The developer shall submit such data or studies based on the watershed characteristics, probable runoff, and other topographic and hydraulic data prepared by a licensed professional engineer as the City of Foley Planning Commission may reasonably require to adequately make its determination of the flood susceptibility of the property.
C. Other low lying property that accumulates stormwater and retains for a significant period, due to the topography of the land.

Licensed Engineer: An engineer properly licensed, registered and in good standing in the State of Alabama.

Licensed Land Surveyor: A land surveyor properly licensed, registered and in good standing in the State of Alabama.

Lot: A tract, parcel, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.

Lot area: The total square footage area within the lot lines of a lot.

Lot, corner: A lot abutting upon 2 or more streets at their intersection or upon 2 parts of a street which form an interior angle of less than 135 degrees. The point of intersection of the street lines is the corner.

Lot depth: The mean (average) horizontal distance between the front and rear lot lines, measured at right angles to the street lines.

Lot, flag: A lot with a minimum 50 foot access provided to the bulk of the lot by means of a narrow corridor unless otherwise noted in adopted regulations.

Lot, interior: A lot other than a corner lot.

Lot line: The boundary line of a lot.

Lot line, front: On an interior lot, the lot line abutting a street; on a corner lot, the shorter lot line abutting a street; on a through lot, the lot line abutting the street providing the primary means of access to the lot; on a flag lot, the interior lot line most parallel to and nearest the street from which access is obtained.

Lot line, rear: The lot line opposite and most distant from the front lot line.

Lot line, side: Any lot line other than a front or rear lot line. A side lot line of a corner lot separating a lot from a street is called a side street lot line. A side lot line separating a lot from another lot is called an interior lot line.

Lot of record: A lot which is part of a recorded plat or a plot described by metes and bounds, the map and/or description of which has been recorded according to Alabama Law.

Lot, through: A lot, but not a corner lot, that abuts upon two streets, the frontages being noncontiguous.

Lot width: The horizontal distance between side lot lines, measured at the minimum front setback line, as required by either the *City of Foley Subdivision Regulations*, or the *City of Foley Zoning Ordinance*.

Master Plan: The master plan for the physical development of the unincorporated areas of Baldwin County as adopted by the Baldwin County Commission or the Foley City Council (also known as the Comprehensive Land Use Plan).

Minor street: (See *Street, Local).*

Minor subdivision: A subdivision involving not more than 5 contiguous lots, including remnant parcels, fronting on an existing publicly maintained street, and which requires no new streets or installation of main sewer and/or water lines; and when in the decision of the City staff no engineering service is required for any drainage or public improvements, except sidewalks.

Manufactured Dwelling (MD): Also known as a "mobile home," is a single-family detached housing built to the National Manufactured Housing Construction and Safety Standards Act of 1974, including manufactured homes and mobile homes. All manufactured housing must be certified by the Alabama Manufactured Housing Commission before occupancy.

Manufactured Dwelling (MD) Park: A tract of land under unified control which has been developed in accordance with a development plan meeting all requirements of these Regulations, which is intended for use by three or more mobile/manufactured dwellings on a long term occupancy basis.

Monument: A permanent object serving to indicate a limit or to make a boundary.

Nonresidential subdivision: A subdivision with an intended use other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of these Regulations.

Open Space: (See *Civic Open Space).*

Owner: Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.

Parcel: A contiguous area of land described in a single description by a deed or other instrument or as one of a number of lots on a plat or plan, separately owned and capable of being separately conveyed.

Place Types: A framework for classifying locations in the City of Foley according to their form which includes their physical appearance, character, and function. The Place Type Map includes Nodes, Neighborhoods, Corridors, Overlay Districts, and Special Use Districts.

Planned Development: Any type of development that creates sites or units under common ownership rather than fee-simple lots. Examples include RV parks,

manufactured home parks, multi-occupancy commercial or residential units, and condominiums.

Planning Commission: The City of Foley Planning Commission.

Planning Jurisdiction: That area located outside of the Corporate Limits of the City of Foley but inside the planning jurisdiction of the Foley Planning Commission pursuant to *Code of Alabama*, §11-24-6 and the agreement between the City of Foley, the Foley Planning Commission, and the Baldwin County Commission, as amended from time-to-time.

Pre-application Meeting: A preliminary meeting to discuss a proposed subdivision or planned. The information submitted shall include the location of the proposed subdivision in relation to the surrounding area; existing features such as highways, drainage facilities, waterways, wetlands; other significant natural and built features; the general topography of the site; the proposed streets, lots, and blocks and other appropriate information.

Preliminary Plan: The first stage of application and approval by the Planning Commission for a subdivision.

Probate Judge: The Judge of Probate of Baldwin County, Alabama.

Public Hearing: An advertised public meeting involving the City Council or the Planning Commission and all interested parties.

Record plat: A plat of a proposed subdivision meeting the conditions of the Final Plat approval, if any; and containing signatures on all of the required certifications and signature blocks.

Recreational Vehicle (RV): A motorized or towable vehicle designed for temporary human habitation, including travel trailers, motorhomes, camper vans, truck campers, and similar vehicles.

Recreational Vehicle (RV) Park: A tract of land under unified control which has been developed in accordance with a development plan meeting all requirements of these Regulations, and which is intended for use by three or more travel trailers on a temporary basis - not to exceed 90 days.

Regulating Plan: A detailed plan required for all Planned Developments (PDs) that establishes the street network, lot and block structure, building placement, permitted building types, open space locations, and transitions to surrounding areas. The regulating plan serves as the controlling framework for the physical form and

character of development and must be consistent with the *Comprehensive Plan* and adopted *Place Type Map*.

Resubdivision (also known as a "replat"): Any change to any previously approved and recorded subdivision plat or portion thereof.

Right-of-Way: A strip of land separate and distinct from the lots adjoining such right-of-way and not included within the dimensions or areas of such lots, which is occupied or intended to be occupied by a street, crosswalk, railroad, road, electric line, oil or gas pipeline, water main, sanitary or storm sewer main, cable television line, telephone or telecommunication lines or for another special use.

Setback line: A line defining the limits of a yard in which no principal building or structure may be located.

Sidewalk: A right-of-way intended primarily for pedestrians, excluding self-propelled vehicles.

Sight Distance: The maximum extent of unobstructed vision (in a horizontal plane), along a street located at any given point on the street.

Single tier lot: A lot which backs upon a street, a railroad, a physical barrier, or a residential or nonresidential use, and to which access from the rear of the lot is usually prohibited.

Special flood hazard areas: An area having special flood, mudflow, or flood-related erosion hazards and shown on a Flood Hazard Boundary Map (FHBM) or a Flood Insurance Rate Map (FIRM).

Street: The full right-of-way of a thoroughfare which affords the principal means of access to abutting property.

A. Expressway or freeway: A facility which has the main function to accommodate a high volume of traffic for a considerable distance through the prohibiting of ingress and egress except at controlled intervals. A freeway involves complete control of access while an expressway permits access at grade intersections at infrequent intervals.

B. Arterial: A street that connects areas which produce large numbers of trip generations. An arterial functions to move traffic and to provide access to land uses, particularly high trip-generating non-residential activities. Arterials may be further classified as Principal or Minor.

C. Collector: A collector street has the primary function of collecting traffic from an area and moving it to the arterial street system while also providing substantial service to abutting land use. Collectors may be further classified as Major or Minor.

D. Local street: A local street is one whose primary function is to service abutting land use. This includes cul-de-sacs, marginal access streets, residential access streets, country lanes and single purpose streets.

E. Marginal access street: A road separating abutting land areas from arterial streets. A service road in commercial areas intended to remove terminal traffic from arterials and allow them to fulfill their high volume, high speed function. An access street in residential areas intended to remove local traffic from arterials and to buffer abutting residential lots from the detrimental effects of highway traffic by use of park strips, screen plantings or other measures, as well as to limit the number of direct driveway accesses to arterials for safety purposes.

F. Cul-de-sac: A minor street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

G. Single purpose street: A two-directional one-lane local street. A major subdivision shall not be permitted to take access from a single purpose street.

Subdivider: Any person who (1) having an interest in land, causes it, directly or indirectly, to be divided into a subdivision or who (2) directly or indirectly, sells, or offers to sell, or advertises for sale any interest, lot, parcel, or plat in a subdivision, or who (3) is directly or indirectly controlled by, or under direct, or indirect, common control with any of the foregoing.

Subdivision: The division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, or lease, or of building development. Such term includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

Subdivision, minor: (See *Minor Subdivision*).

Surveyor: (See *Licensed surveyor*).

Traffic Impact Study: As set forth in City Ordinance 1025-08.

Watercourse: Any depression serving to give direction to a flow of water, having a bed and well-defined banks. The flow of water need not be on a continuous basis, but may

be intermittent, resulting from the surface runoff of precipitation.

Wetlands: Wetlands are areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions as delineated by the Corps of Engineers. Wetlands generally include swamps, marshes, bogs, and similar areas.

Yard, front: An open, unoccupied space on the same lot with the principal building, extending the full width of the lot and situated between the right-of-way line and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front lines of the building and the right-of-way line. On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

Yard, rear: An open space on the same lot with the principal building, such space being unoccupied except possibly by an accessory building, extending the full width of the lot between the rear line of the main building projected to the side lines of the lot and the rear lot line. On all corner lots the rear yard shall be at the opposite end of the lot from the front yard.

Yard side: The yard extending along a side lot line, from the front yard to the rear yard.

ARTICLE IV. Application Procedure & Approval Process

4.1 - General

Whenever any subdivision of land is proposed, before any contract is made for the sale or lease of any part thereof, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the Applicant/Developer shall apply for and obtain approval of such proposed subdivision in accordance with the following procedures:

A. Pre-application meeting: Before submitting a Preliminary Plan, the Applicant shall meet with staff to discuss the proposed subdivision. Refer to §4.4. For projects in Foley's Planning Jurisdiction, consult City of Foley staff regarding Baldwin County requirements.

B. The preparation and submission to the Planning Commission of a Preliminary Plan of the proposed subdivision. The Preliminary Plan applies to the initial design phase for Final Plats or Final Site Plans. Refer to §4.5.

C. Following Preliminary Plan approval, apply for any permits required for the installation of improvements. Refer to the *City of Foley Land Disturbance Ordinance* (LDO).

D. The preparation and submission to the City of Foley Engineering Department of a Final Plat or Final Site Plan, with required certificates. This Final Plat or Final Site Plan becomes the document to be recorded in the Office of the Judge of Probate, Baldwin County, when duly signed. Refer to §4.6



4.2 - Exemptions from Subdivision Procedural Requirements

The subdivisions in §4.2 are exempt from the Preliminary Plan and Final Plat procedural requirements, and can apply for an Exempt Subdivision Verification letter, provided that all resulting lots meet minimum lot size, lot width, and road and access criteria, and further provided that the parcel of land being subdivided has not been previously subdivided by any exempt means.

An exemption under this section shall not apply to a subdivision or resubdivision that results in a "major change" (as defined in §4.5.(I) to a recorded subdivision. Major changes require Planning Commission approval.

A. Types of Exemptions

1. Subdivision of land by testamentary or intestate provisions;
2. Subdivision of land by court order including, but not limited to, judgments of foreclosure;
3. Family Split (Corporate Limits). The sale, deed, or transfer of land by the owner to an immediate family member. Each parcel shall have at least 30 feet of frontage on a publicly maintained right-of-way. The total number of lots is limited to five or fewer. The Planning Director or designee shall not issue an Exempt Subdivision Verification without first requiring the following documents to verify that each proposed grantee is an immediate family member: (i) An affidavit executed by each proposed grantee certifying their relationship as an immediate family member to the owner/grantor, and (ii) A copy of a birth certificate or equivalent document verifying the family relationship between the grantee and the grantor.
4. Family Split (Planning Jurisdiction). The sale, deed, or transfer of land by the owner to an immediate family member. Each parcel shall have its own ingress/egress and utility access or easement that runs with the land of not less than 30 feet in width. The Planning Director or designee shall not issue an Exempt Subdivision Verification without first requiring the following documents to verify that each proposed grantee is an immediate family member: (i) An affidavit executed by each proposed grantee certifying their relationship as an immediate family member to the owner/grantor, and (ii) A copy of a birth certificate or equivalent document verifying the family relationship between the grantee and the grantor.
5. The public acquisition by gift or purchase of portions of parcels of land for the widening or opening of streets, public rights-of-way, or for other public uses;
6. The division of land wherein the size of each and every resulting parcel of land equals or exceeds ten (10) acres and involves no street or other public improvements. Each parcel shall have at least 60 feet of frontage on a

publicly maintained right-of-way or private street built to City standards;

7. A "one-time" split of a single parcel into two parcels, if, and only if, the parcel existed and has not been divided since July 1, 1991. Sufficient documentation of property status as of July 1, 1991, must be submitted along with a request for exemption.

8. The relocation of a common property line between two parcels where no new parcels are created, or the deletion of property lines resulting in a reduction in the number of lots. The revised parcels shall meet minimum lot size and width requirements and frontage requirements. The revised parcel(s) shall have at least 30 feet of frontage on a publicly maintained right-of-way.

Applicants must provide Restrictive Covenants and/or approval from their Homeowner's Association to ensure the exemption meets previously recorded documents.

B. Exemptions in Recorded Subdivisions

In the case of an exemption involving a lot or lots which are included within a previously recorded subdivision plat, a new plat will be required to reflect the re-subdivision of the lots, and such new plat shall be recorded in the Baldwin County Office of the Judge of Probate. The new plat reflecting the re-subdivision of such lot or lots shall contain the following dedication and certificates (refer to Appendix A for sample certificates):

1. Licensed Surveyor's Certificate and Description of Land Platted;

2. Notarized Owner's Dedication;

3. Certificate of Approval by the Subdivision Property Owners Association (if applicable);

4. Certificate of Approval by the City of Foley Engineer;

5. In the Planning Jurisdiction, Certificates of Approval by the Baldwin County Engineer and Baldwin County Planning Director

C. Application Procedure

A Request for an Exempt Subdivision Verification Letter and supporting documentation to substantiate any claim of exemption shall be submitted to Planning & Development Services. Owners of exempt subdivisions shall not be required to submit a plat to the City of Foley Planning Commission nor pay any of the required fees. Exemption from the requirement for approval to subdivide does not constitute exemption from the requirements of other applicable regulations including but not

limited to state law, zoning regulations, ordinances, Health Department requirements or, if located within the planning jurisdiction of the City, the regulations of Baldwin County. **Any person who appears to Planning & Development Services staff to be abusing the exemption process or attempting to circumvent the intent and substance of these regulations shall have their request denied and shall be required to submit a formal subdivision request to the Planning Commission.**

4.3 - Special Subdivisions and Planned Developments

For application procedures and design standards for:

Minor Subdivisions and Rural Subdivisions:	§5.9
Planned Developments in the Planning Jurisdiction:	§5.10
Manufactured Home Parks, RV Parks:	§5.11

4.4 - Pre-Application Requirement

A. Applicability

Applicants who seek approval within Foley's Corporate Limits or Planning Jurisdiction for all proposed subdivisions or Planned Developments shall first apply for a Pre-Application Meeting with Planning & Development Services and the City Engineering Department. Exempt Subdivisions typically do not require a Pre-Application Meeting but one may be required to help staff understand the request and determine whether the proposed development meets the criteria for exemptions.

City staff will consider the proposed development and provide a tentative recommendation based on the information provided and the interpretation and application of these regulations. Neither the Applicant, City staff members, nor Planning Commission shall be bound by the pre-application review or recommendation. It is expressly understood that favorable consideration by City staff at the pre-application stage shall not be construed as preliminary or tentative approval by the Planning Commission. An Applicant who has had a Pre-Application Meeting may submit a Preliminary Plan application in accordance with the reviewed pre-application plan. Major revisions to the Preliminary Plan from the version reviewed at the Pre-Application Meeting may require another Pre-Application Meeting. No Preliminary Plan application will be reviewed or placed on the agenda without the Pre-Application Meeting having first occurred.

B. Pre-Application Meeting

A complete application for a Pre-Application Meeting review shall:

1. Be submitted to Planning & Development Services in the currently accepted format;
2. Contain the name and address of the Applicant seeking Pre-Application review;
3. Contain the Personal Property Identification Number (PPIN) of each parcel proposed to be subdivided or developed;
4. Be accompanied by a digital file of the proposed subdivision layout that includes the information below:
    a. Total acreage of the parcel to be subdivided or developed;
    b. Identification of the Zoning Districts and associated Place Types applicable to the property, and an explanation of how the development/subdivision complies with both;
    c. Location of all proposed lots, units, spaces, etc. and their dimensions (area in square feet or acres and proposed length of lot lines);
    d. Location and size of required civic open space;
    e. Estimated width and location of all front, side, and rear setbacks;
    f. Location of proposed stormwater management facilities;
    g. Location of known or potential wetlands and waterbodies;
    h. Name of all existing roads adjacent to the subject property;
    i. Location of proposed internal roads.

4.5 - Preliminary Plan

A. Purpose

The Preliminary Plan is the City of Foley's binding planning and design instrument that defines a subdivision or Planned Development's physical layout and improvements. It establishes the location and relationships of streets, blocks, lots, open spaces, and civic elements. The Preliminary Plan prioritizes design of the public realm and form prior to submission of detailed engineering plans.

All Final Plats, Final Site Plans, construction plans, building permits, and development activity must conform to the approved Preliminary Plan. Only *de*

minimis changes, as defined in §4.5(I), may be approved administratively. All other changes must be submitted to the Planning Commission for approval. The Preliminary Plan must demonstrate general compliance with the City of Foley *Zoning Ordinance*, *Subdivision Regulations, Land Disturbance Ordinance, Comprehensive Plan*, *Place Type Map* and other applicable standards.

B. Submittal and Review Process

Applications for Preliminary Plans, including Minor Subdivisions, shall:

1. Be submitted to Planning & Development Services in the currently accepted format and be accompanied by the required fees according to the current fee schedule;

2. Be submitted in accordance with the published Planning Commission application deadline schedule. Deadlines and meeting dates may vary based on holidays or extenuating circumstances;

3. Include:
   a. Preliminary Plan (or Minor Subdivision Final Plat) as outlined in the current checklist (Appendix B). The checklist may be modified at the discretion of Foley's Planning Commission;

   b. Preliminary Engineering Plan as outlined in §4.5(C).

   c. Place Type Narrative for subdivisions and Planned Developments as outlined in §4.5(D);

   d. Regulating Plan for Planned Developments as outlined in §4.5(E);

   e. Any additional documents as required by the *Zoning Ordinance*, *Land Disturbance Ordinance* or other relevant regulations (e.g., tree survey, photometric plan, landscape plan, wetland delineation)

   f. Two (2) copies of mailing labels for adjacent property owners.

C. Preliminary Engineering Plan

For all subdivisions and Planned Developments other than Minor Subdivisions, the Plan should include the following:

1. Drainage / Stormwater

   a. Approximate location and size of proposed major drainage features and conveyance systems (e.g., ponds, swales);

   b. Location of existing dams, stormwater management areas, water impoundments, related spillway(s), and/or outlet control structures;

c. Identify off-site stormwater sources and existing downstream drainage structures;

d. Location of wetlands and waterways;

e. Show and identify flood zones and floodways;

f. Show topography of the entire property and full width of all adjacent rights-of-way (contour intervals will be appropriate to the local terrain).

2. Utilities

a. Location of existing and proposed streets, buildings, trails, and railroads on tract being subdivided and on adjacent land within 100 feet of the tract;

b. Utility corridors, transmission lines, and public utility easements;

c. Location of existing or proposed water wells or lift stations.

3. Road design

Submit street cross-section plans that include:

a. Proposed right–of–way and travel lane widths;

b. On-street parking (if applicable);

c. Curb and gutter type;

d. Sidewalks and multi-use paths;

e. Street trees, berms, and landscaping;

f. Lighting and street furniture (e,g., benches, trashcans, bike racks);

g. Utilities and stormwater features.

4. Traffic Analysis Summary

Provide a Traffic Analysis as an early-stage evaluation of trip generation, access, street layout, and network connectivity used to inform street and block design. Distinct from a detailed traffic impact study, it is used to identify transportation issues and design and mitigation responses before engineering is finalized.

a. Show the subdivision's internal circulation, external connectivity, and general traffic impacts on the surrounding network.

b. Provide trip generation data using the ITE *Trip Generation Manual* (estimated daily and peak-hour trips) and trip distribution.

c. Describe traffic calming and street connectivity measures when certain conditions are met.

d. Show existing and proposed turn lanes, if applicable.

D. Place Type Narrative:

The Narrative is required for all subdivisions and Planned Developments. It describes how the proposed subdivision or development supports the Place Type framework established by the *2025 Comprehensive Plan* and *Place Type Map*. It accompanies the Preliminary Plan and addresses the following:

1. Context-Sensitive Design

   a. Describe how the proposed subdivision meets the intent of its Place Type(s) as defined in the *Comprehensive Plan* and *Place Type Map*.

   b. If adjacent to a different Place Type, identify how lot size, street types, building form, and open space will transition between types. Explain any modifications made to buffer incompatible forms, enhance connectivity, or maintain neighborhood scale and character.

2. Street Typology

   a. Describe how streets and paths align with the adopted *Place Type Map* and *Transportation Continuity Plan*.

   b. Address the goals of walkability, connectivity, and compatibility within the development and adjacent Place Types.

3. Block and Lot / Site Layout

Identify how the proposed lots / site types (e.g., single family detached, townhouse, cottage, large lot, mixed-use etc.) meet the Place Type goals for diverse housing types.

4. Zoning Requirements

Specify any requested variances from the *Zoning Ordinance* (§23.9) or deviations from the *Subdivision Regulations* (§6.6).

5. Additional Information

To protect the public health, safety, and general welfare, the City may require additional submittals when, in the judgment of the Planning Commission or City staff, further documentation and analysis is needed to fully evaluate the potential impacts of the proposed development. This determination may be based on the

nature of the project, its relationship to surrounding areas, or other relevant planning, environmental, or infrastructure considerations.

E. Regulating Plan (for Planned Developments only)

A Regulating Plan is a legally binding zoning framework that replaces or supplements base zoning for Village or Neighborhood Center development. It must explicitly incorporate the intent and character envisioned by the Place Type. The Regulating Plan geographically, graphically and textually establishes the physical form, public space structure, and spatial organization of the development, including:

1. The configuration of blocks and thoroughfares;
2. Designated building types and their placement;
3. Street sections and frontage types;
4. Civic open space typologies and their relationship to buildings and frontages;
5. Locations for civic and institutional buildings.
6. Permitted and prohibited land uses, building envelopes (heights, setbacks, transparency, and massing), parking placement, and connectivity elements.
7. Transitions between land use zones within the development and between adjacent Place Types.
8. Include a map of zoning classifications, usage and building type districts, internal circulation (vehicular and pedestrian), external connectivity, stormwater management, and civic open space.

F. Preliminary Plan Review and Approval

1. Preliminary Plans and Minor Subdivision shall be submitted to Planning & Development Services for review in coordination with the City Engineer, Fire Chief, and other applicable City or County officials.
2. The Planning Commission may take the following actions within 30 days after the date of its regularly scheduled meeting at which a public hearing was held:

    a. Approve the plan with conditions;

    b. Recommend changes and request resubmittal; or

    c. Deny the plan.

    The Applicant will be notified in writing of the Planning Commission's decision regarding the Preliminary Plan. Plans that require zoning changes or Planned Development approval must also be approved by the City Council.

3. An approved Preliminary Plan authorizes the Applicant to apply for a Land Development Permit (LDP) through Foley's Engineering Department.

4. No site work can begin until detailed construction plans have been approved by the City Engineer and all required permits have been obtained. Refer to the *City of Foley Land Disturbance Ordinance* for permit and application requirements.

G. Effective Period of Preliminary Plans

An approved Preliminary Plan is valid for 24 months from the date of Planning Commission approval. Administrative Final Plat or Final Site Plan approval must be obtained from the Planning Director and City Engineer before the expiration date of the Preliminary Plan. Any plan not receiving final approval within the period of time set forth herein shall be null and void and the Applicant shall be required to submit a new Preliminary Plan subject to all current zoning, subdivision, and other applicable regulations.

H. Preliminary Plan Extensions

The Planning Commission may extend the effective period of the Preliminary Plan up to one year (12 months) upon written request from the Applicant. To request an extension:

1. The extension request shall be submitted in writing before the Preliminary Plan expires.

2. An LDP (Land Disturbance Permit) must be issued and construction must begin before approval for the Preliminary Plan expires.

3. The request must state the reasons an extension is being requested. Extensions may be granted only upon a demonstration to the satisfaction of the Planning Commission that the need for an extension results from an event that the Developer could not have anticipated and controlled which makes commencement or continuation impossible or impracticable.

I. Modification of an Approved Preliminary Plan

An Applicant wishing to revise, amend, alter, or otherwise change an approved Preliminary Plan shall submit a request to Planning & Development Services detailing the proposed modification. The Planning Director and City Engineer will determine if the proposed modification is a major or minor (*de minimis*) change.

A major change is any modification that affects the intent and/or character of the development. Major changes require Planning Commission approval and include, but are not limited to, the following:

1. Changes to the location or dimensions of major streets;

2. Changes to the external boundaries of the subdivision/development;
3. Changes in block structure or street hierarchy;
4. Relocation or modifications of stormwater facilities;
5. Increase in the number of lots/sites or reduction in lot size;
6. Reduction in the amount of civic open space.

A minor change is any modification that does not affect the intent or character of the development. Minor (*de minimis*) changes may be administratively approved by the Planning Director and City Engineer. Minor changes include, but are not limited to, the following:

1. Minor internal lot line adjustments;
2. Change in alignment, location, direction, or length of minor streets;
3. Shifts in infrastructure within the right-of-way;
4. Slight relocation of civic open space;
5. Reduction in the number of lots/units.

4.6 - Final Plats / Final Site Plans

A. Types of Applications:

1. Final Plat: A Final Plat is required to divide lots or parcels into fee simple lots. The Final Plat must be approved and recorded with the Baldwin County Probate Office before lots can be conveyed or sold.
2. Final Site Plan: A Final Site Plan is required for developments that will remain under common ownership but will be divided into sites or units for lease or building development. Examples include multi-occupancy dwellings (e.g., townhouses, apartments, condominiums, build-to-rent housing developments, manufactured housing parks, recreational vehicle parks), multi-occupancy commercial space (e.g., shopping centers), mixed-use or commercial developments (storage warehouses, recreational vehicle parks). Condominiums require a Final Site Plan and additional condominium documents pursuant to *Code of Alabama* §35-8.

B. Submittal and Review Process

The Developer may apply for a Final Plat or Final Site Plan upon completion of all required improvements to the subdivision as approved for the Land Disturbance Permit. This may be accomplished by either the full installation of required improvements or provision for a financial guarantee of performance for

improvements not completed for Performance Bonds and Maintenance Bonds §4.6(F). Subdivision infrastructure must meet all applicable regulations as outlined in the City of Foley *Land Development Ordinance*, *Alabama Manual for Design and Construction Standards*, the *Environmental Ordinance* and other applicable ordinances. The City Engineer shall be authorized to sign all copies of the Final Plat.

Applications for Final Plats and Final Site Plans shall:

1. Be submitted to Planning & Development Services in the currently accepted format and be accompanied by the required fees according to the current fee schedule;
2. Include all required documents and a Final Plat or Final Site Plan with the information on the current Plan/Plat Checklist (Appendix B). The checklist may be modified at the discretion of Foley's Planning Commission;
3. Comply in all respects with the approved Preliminary Plan, except for modifications approved by the Planning Director, City Engineer, or Planning Commission;
4. Be submitted within two (2) years of the date of Preliminary Plan approval (or new date granted by extension);
5. For subdivisions located in Foley's Planning Jurisdiction that require the installation of improvements, before applying for Final Plat:
    a. Obtain and submit a "No Deficiency Letter" from the Baldwin County Engineer;
    b. Submit an Itemized Engineer's Cost Estimate which includes all required improvements specified in the construction plans approved for the Subdivision Permit and/or Commercial Turnout Permit to the County Engineer. Submit applications to both Foley's Planning & Development Services and Baldwin County's Planning and Zoning Department.

C. Final Plat / Final Site Plan Submittal Format

1. Submit two (2) sets of full sized as-built plans, plus one (1) electronic version in Adobe PDF format to Foley's Engineering Department and schedule a final inspection at least 15 business days prior to Final Plat / Final Site Plan submittal.
2. Submit a copy of the Final Plat / Site Plan in digital format accompanied by a transmittal letter which lists the files being submitted, a description of the data in each file, a level/layer schematic of each design file, and a statement conveying rights to the City of Foley for the data to be used for GIS purposes. Text, parcels, and roads must be grouped together on separate layers. A separate miscellaneous layer may be used for other information. All data

submitted shall use NAD 1983 Alabama State Plane West Zone Coordinates in US Survey Feet. Digital files must display, by text, said state plane coordinates for all points specified as monuments.

D. Recording of Final Plat / Final Site Plan

1. Once all signatures have been obtained, the Owner/Developer must record the Final Plat or Final Site Plan along with all applicable covenants, deed restrictions, and property owners association documents with the Baldwin County Probate Office. Lots may not be sold, leased, or conveyed until the Final Plat or Final Site Plan has been recorded.

2. Failure to record a Final Plat or Final Site Plan within **90 days** of approval shall result in an automatic revocation of the approval and the Owner/Developer shall be required to submit a new Final Plat /Final Site Plan application and fee.

3. The Owner/Developer shall furnish the City of Foley a copy of the said plat / site plan upon recording.

E. Irrevocable Performance Bond

1. If an irrevocable performance bond is being used in lieu of the infrastructure being complete, the required infrastructure shall be completed to a minimum of 85% of the improvements and all required sidewalks shall be in place.

2. A draft irrevocable performance bond must be submitted to the City Attorney for review at least fifteen (15) days prior to Final Plat approval.

3. The irrevocable bond shall be from the owner of said subdivision and in an amount no less than one hundred and fifty percent (150%) of the cost of the required improvements;

4. The irrevocable performance bond shall be effective until such time as the maintenance bond is issued or one year from date of issuance.

5. All irrevocable performance bonds shall contain an "Evergreen Clause" stating:

   "This bond/letter of credit expires on_____, but will automatically extend without amendment for an additional two year period from the expiration date, or any future expiration date unless at least thirty (30) days prior to such expiration date we notify you by overnight courier, that this bond/letter of credit will not be extended. Upon receipt by you of such notice, you may draw on us hereunder by means of your sight draft for an amount

outstanding at the time of drawing."

F. Irrevocable Maintenance Bond

1. Upon 100% completion of the improvements, an irrevocable financial guarantee for maintenance of infrastructure must be provided for review by the City Attorney.

2. At the time of approval by the City Attorney, the irrevocable bond shall become effective and shall extend for a period of at least two (2) years from the date of issuance.

3. The irrevocable bond shall be from the owner of said subdivision and in the amount of twenty-five percent (25%) of the total cost for the performance of all site work on said subdivision to cover such infrastructure such as drainage, utilities, stabilization to include vegetation, and streets.

4.7 - Release of Surety

A. Irrevocable Performance Bond / Letter / Line of Credit

1. Upon completion of all said improvements to include drainage, utilities, stabilization to include vegetation, and streets, the owner shall request to the City for release from the irrevocable performance bond and issuance of the irrevocable maintenance bond / letter / line of credit.

2. The City shall evaluate the improvements to meet and/or exceed standards and specifications as detailed by the design engineer. If the requirements have been met, the City shall release the owner from further obligations under said irrevocable performance bond/letter/line of credit.

3. If it is determined that the requirements have not been met within one year then the irrevocable performance bond / letter / line of credit may be extended, for a one year period to allow the owner additional time to correct the deficiencies which prohibited the release of the irrevocable bond / letter / line of credit. If a site contractor is unable and/or unwilling to satisfy the deficiencies as determined by the City, the bond shall be forfeited with the bond being payable to the City of Foley for the direction of such work and/or activities necessary for the completion of the required improvements. The owner of the property shall be liable for any additional cost incurred.

B. Irrevocable Maintenance Bond / Letter / Line of Credit

1. After two years from the issuance of the irrevocable maintenance bond /

letter / line of credit, the owner shall request to the City for release from the maintenance bond.

2. The City shall evaluate the improvements to determine if infrastructure improvements have been maintained as required.

3. If the requirements have been met under the irrevocable bond / letter / line of credit, the City shall release the owner from further obligations under said irrevocable maintenance bond / letter / line of credit.

4. If it is determined that the requirements have not been met the irrevocable bond / letter / line of credit may be extended, upon request, for one six (6) month interval to allow the owner additional time to correct the deficiencies which prohibited the release of the bond. If a site contractor is unable and/or unwilling to satisfy the deficiencies as determined by the City, the irrevocable bond / letter / line of credit shall be forfeited with the irrevocable bond / letter/ line of credit being payable to the City of Foley for the direction of such work and/or activities necessary for the maintenance of the required improvements. The owner of the property shall be liable for any additional cost incurred.

ARTICLE V. Design Standards

5.1 - Design Standard References

All referenced standards are from the most recent adoption of the *City of Foley's Land Development Ordinance* (LDO) and *Subdivision Regulations* (SDR). Design standards apply to all subdivisions.

Minimum Design for Roadway Construction:	LDO; Section 3-5.2
Curbs & Gutters:	LDO; Section 3-5.3
Intersection, Tangents, & Horizontal Curves:	LDO; Section 3-5.4
Cul-de-Sac & Dead End Roads	LDO; Section 3-5.5
Rights-of-Way:	LDO; Section 3-5.6
Common Driveways:	LDO; Section 3-5.7
Roadway Name & Signage:	LDO; Section 3-5.8
Sidewalks:	LDO; Section 3-5.9
Minimum Lighting Requirements:	LDO; Section 3-5.10
Landscape Buffers & Street Trees:	SDR: Section 5.8
Traffic Impact Study:	LDO: Section 3-4
Special Subdivisions (Minor, Rural):	SDR: Section 5.9
Planned Developments (General, Manufactured Home Parks, RV Parks):	SDR: Section 5.10

5.2 - Place Types

A. Definition of Place Types

The City of Foley's *2025 Comprehensive Plan* implemented the use of Place Types as a form-based framework to guide new development, infill, and re-development. Place Types provide design parameters for the physical appearance, character, and function of places in the context of the broader community. Place Types are described in the *Comprehensive Plan* and their locations are identified in the *Place Type Map*. Place Types include the following: Nodes (Downtown, Village Centers, Neighborhood Centers), Neighborhoods (Core, General, Suburban, Edge), Corridors (Commercial, Suburban, Rural), Overlay Districts, Conservation Districts, and Special Use Districts. Refer to

Appendix D.

B. Conformity with Place Type Map

All subdivision applications shall demonstrate consistency with the *Comprehensive Plan*, *Place Type Map* and the *Transportation Continuity Plan* through the coordinated layout of blocks, streets, thoroughfares, open spaces, and frontages. Compliance with these plans shall be documented through subdivision design and, where applicable, a Regulating Plan.

C. Alternative Compliance (Deviations): Deviations from design requirements may be granted by the Planning Commission when requested in accordance with §6.6.

5.3 - Context Sensitive Streets & Blocks

A. Purpose

The purpose of this section is to ensure that the design of streets and blocks within subdivisions responds appropriately to the surrounding context, as defined by the *Comprehensive Plan* and *Place Type Map*. These standards are intended to promote walkable, connected, and functional neighborhoods that support a mix of transportation modes, enhance public safety, and reinforce community character.

B. Applicability

These regulations apply to all new subdivisions and Planned Developments that require a Final Plat or Final Site Plan within the City of Foley's Corporate Limits and Planning Jurisdiction. The design of all streets and blocks shall be guided by the applicable Place Types as designated in the 2025 *Comprehensive Plan*.

C. General Design Principles

1. Context-Sensitive Design
   Street and block patterns shall be compatible with the surrounding built and natural environment, including existing development patterns, topography, hydrology, and Place Type designations. Smaller blocks and lots in Foley's Downtown, Village Centers, and Neighborhood Centers will transition to progressively larger blocks and lots as one moves toward Foley's rural edges. Edge Neighborhoods will have large lots and retain their rural form and character.

2. Hierarchy of Streets
   A hierarchy of street types (e.g., arterial, collector, local, alley) shall be used

based on the proposed functional classification in Foley's 2024 *Transportation Continuity Plan* with specific attention to "Complete Streets" principles and fire/emergency access. Developments will promote walkability and interconnectivity within and between Place Types. Street cross-section requirements will be determined by the Place Type and *Master Street Plan*. Refer to Figure 5.1 for an illustration.

3. Multi-Modal Accommodation
   Complete Streets are designed to safely and comfortably accommodate muli-

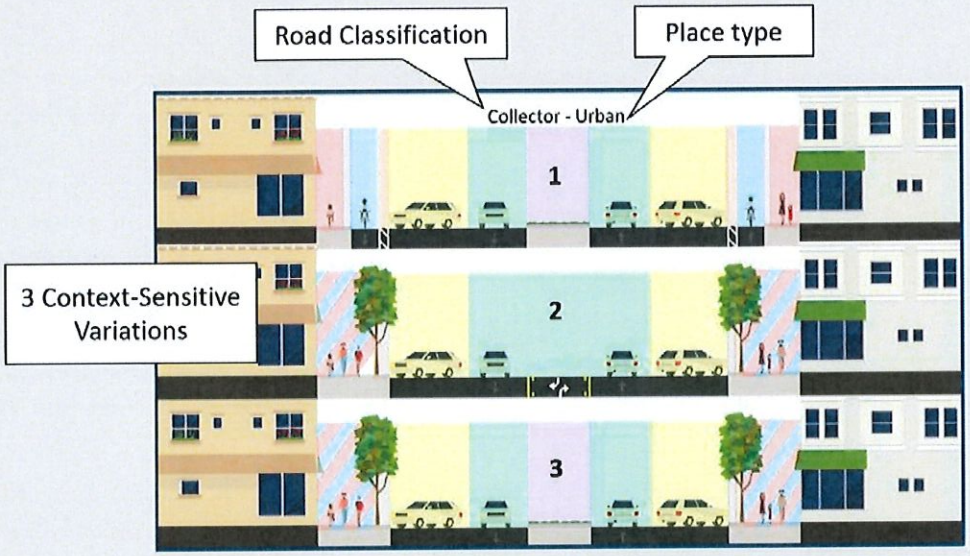


Figure 5.1 How to Determine Road Typology

modal use (pedestrians, cyclists, drivers, and public transit users of all ages and abilities), with right-of-way design adjusted to context.

D. Block Standards

1. Block Length and Perimeter
   Block length is determined by Place Type and ranges from 400 to 1,000 feet (Table 5.1 and 5.2); and the maximum block perimeter ranges from 2,000 feet to 3,000 feet unless natural constraints or existing development patterns justify a deviation approved by the City Engineer. Refer to Figure 5.2.

   a. Deviations of up to 15% beyond the maximum block lengths may be approved by the Planning Commission if the Applicant demonstrates that:

      i. Natural topography, existing trees, or built site constraints warrant adjustment;

ii. The overall block structure and pedestrian connectivity are preserved.

b. Blocks longer than 600 feet must include mid-block pedestrian paths (§5.6), alleys, or other walkable features to mitigate extended block length.

c. Paths or trails shall be designed with appropriate safety features where they cross streets.

d. Alleys for rear access to lots are required by some Place Types (Table 5.1 and 5.2).

e. In Foley's Planning Jurisdiction where an existing zoning classification allows lots smaller than 40,000 square feet, developments shall meet the block requirements of the Suburban Neighborhood Place Type (Table 5.1).

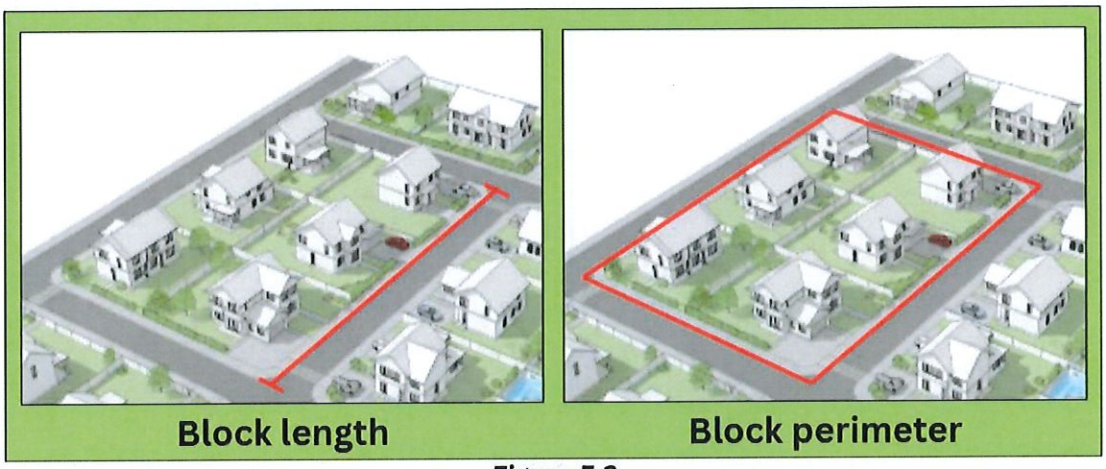


Figure 5.2

2. Block Shape and Orientation

a. Except in Edge Neighborhoods, blocks should generally be rectangular but may be adjusted to fit topography or site constraints.

b. Orientation should promote solar access and facilitate building frontages that activate public spaces, including civic open space.

TABLE 5.1

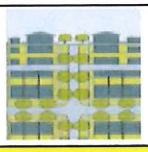
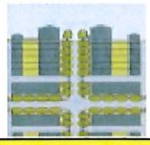
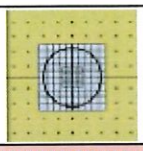
Note: All requirements in this Table are subject to calibration for local context				
NEIGHBORHOODS	**EDGE**	**SUBURBAN**	**GENERAL**	**CORE**
Location (See Place Type Map)	Periphery of Foley, Planning Jurisdiction	Adjacent to General Neighborhoods or Neighborhood	Adjacent to Village Centers or Core Neighborhoods	Adjacent to Historic Downtown
BLOCKS				
Block type	Irregular / Curvilinear	Grid / Curvilinear	Modified Grid / Grid	Grid
Block Length (ft.)	Irregular	1000 max + mid-block path	800 max + mid-block path	600 max
Block Perimeter (ft.)	N/A	3000 max	2500 max	2000
STREETS				
ROW width (ft.)	50-55	55 min.	55 min.	Context-sensitive
Street Type (see Trans. Continuity Plan)	Rural	Suburban - retrofit to Complete Streets	Urban / Suburban - retrofit to Complete Streets	Urban - retrofit to Complete Streets
Sidewalk width (ft.)	5 ft. near clustered housing, civic uses, trails	5	6	6 to 8
Street trees	Every 50 ft., or equivalent can be clustered	Every 50 ft.	Every 50 ft.	Every 30-40 ft.
Furniture- bench, trash can, lighting, etc.	N/A	N/A	Every 40-50 ft.	Every 40-50 ft.
Rear Alley	N/A	Permitted	Required	Required
CIVIC OPEN SPACES				
Minimum area	N/A is all lot are 40,000 SF or larger; 20% if lots are <40,000 SF	20%	15%	5%
Types	Preserves, greenbelts, linear parks, trailheads	Green, park, linear park, trail-oriented spaces, playgrounds	Green, park, pocket park, linear park, playgrounds	Plaza, square, green, pocket park
Distance from 90% of units	2500 ft.	1000 ft.	1000 ft.	600 ft.
LOTS (Subject to underlying zoning)				
Width (ft.)	100	Governed by the Zoning Ordinance & Context-sensitive		
Size (sq. ft.)	40,000	Governed by the Zoning Ordinance & Context-sensitive		
DENSITY (Subject to underlying zoning)				
Per acre (core)	1.1 / ac	4 max	6 max	8 max
Per acre (edge)	1.1 / ac	2 max	4 max	6 max
SETBACKS (Subject to underlying zoning)				
All set-backs governed by the Zoning Ordinance				

TABLE 5.2

Note: All requirements in this Table are subject to calibration for geographic local context			
NODES	**NEIGHBORHOOD CENTER**	**VILLAGE CENTER**	**DOWNTOWN**
Location (see Place Type Map)	Major intersections of collectors and local roads.	Major intersections of arterials and collectors.	Historic Downtown
Size requirement	Compact core adjacent to Neighborhood Place Type	Compact core adjacent to Neighborhood Place Type	N/A
BLOCKS			
Block type	Grid / Modified Grid	Grid / Modified Grid	Grid
Block Length (ft.)	660 max+ mid-block path	400 max center, 600 edge + mid-block path	Context-sensitive
Block Perimeter (ft.)	2000 max in center	2000 max in center	Context-sensitive
STREETS			
ROW width	Context-sensitive	Context-sensitive	Context-sensitive
Street Type (see Trans. Continuity Plan)	Suburban Complete Streets	Urban Complete Streets	Urban - retrofit to Complete Streets
Sidewalk width (ft.)	8-12 mixed use, 5-8 residential	8-12 mixed use, 5-8 residential	12 to 20
Street trees	Every 40-50 ft.	Every 40-50 ft.	Every 40-50 ft.
Furniture- bench, trash can, lighting, etc.	Every 40-50 ft.	Every 40-50 ft.	Every 40-50 ft.
Parking Orientation	On-street parallel/diagonal, rear alley, structured, screened	On-street parallel/diagonal, rear alley, structured, screened	Parallel/diagonal, rear alley
Rear Alley	Permitted	Required	Required
CIVIC OPEN SPACES (within 1/4 mile radius of 90% of units)			
Minimum area	10%. Required central green (min. 1/2 acre)	10%. Required central green (min. 1/2 acre)	Context-sensitive
Types	Plaza, square, green, pocket park	Plaza, square, green, pocket park	Context-sensitive
LOTS (Subject to underlying zoning)			
Width (ft.)	50 core, 75 edge	25 core, 50 edge	Context-sensitive
Size (sq. ft.)	Center: 3125 commercial; 7000 residential. Transition to larger at edge	Center: 3125 commercial; 7000 residential. Transition to larger at edge	Context-sensitive
SETBACKS (Subject to underlying zoning)			
All set-backs governed by a Regulating Plan			
RESIDENTIAL DENSITY (Subject to underlying zoning)			
Per acre (core)	6 max	10 max	12 max
Per acre (transition)	2 max	6 max	6 max

E. Street Network Requirements

1. Street Layout

All streets must meet the design requirements of Foley's *Land Disturbance Transportation Continuity Plan*. Requirements are determined by the proposed road classification (arterial, collector, and local) and the Place Type (rural, suburban, urban). The City Engineer will identify which variation is appropriate given the surrounding context and assigned Place Type.

a. A grid or modified grid street pattern is required in Core and General Neighborhoods, and Village and Neighborhood Centers, and recommended in Suburban Neighborhoods (Figure 5.3).

b. Curvilinear street patterns may be permitted in Edge Place Types if they enhance natural resource preservation.

c. Where an existing zoning classification allows lots smaller than 40,000 square feet in Edge Neighborhood Place Type or in Foley's Planning Jurisdiction, developments shall meet the street requirements of the Suburban Neighborhood Place Type (Table 5.1).

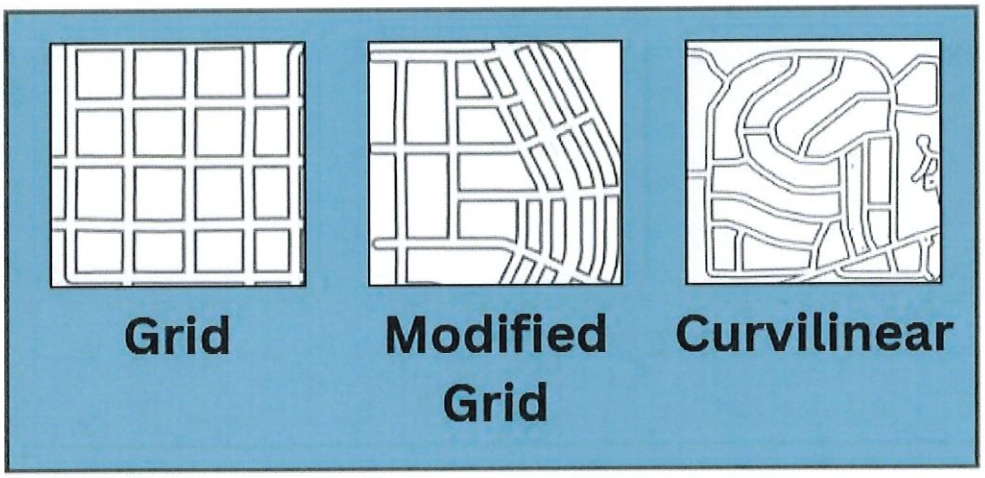


Figure 5.3

2. Intersections

a. Streets shall intersect as nearly at right angles as topography and context permit.

b. T-intersections are preferred in residential neighborhoods for traffic calming purposes.

3. Street Widths

   a. Travel lane and right-of-way widths shall vary by road classification and Place Type context. Excessively wide streets shall be avoided to reduce vehicle speeds and improve safety.

   b. Narrower local streets may be approved with traffic calming features and adequate emergency access.

4. Connectivity

   a. Internal street networks must provide multiple connections to other streets and civic open spaces.

   b. Cul-de-sacs shall be limited and must provide pedestrian and bicycle connectivity via mid-block paths or public access easements when used.

   c. New development must provide connectivity to adjacent parcels, civic destinations, and future growth areas. Where full vehicular connections are not feasible, bicycle and pedestrian paths shall be provided

   d. For roads stubbed out to adjacent property, follow the *Land Disturbance Ordinance* guidelines for dead-end streets (LDO 3-5.5). For access streets to adjacent property that are not connected at the time of the improvements, the subdivider shall post a metal sign reading, "Future Through Street."

5. Right-of-Way Dedication and Extension

The Planning Commission may require the dedication or reservation of public right-of-way to complete or extend the street network based on the *Master Street Plan*. Temporary turnarounds may be permitted where future connection is anticipated. Extensions shall be consistent with the design standards of the *Land Disturbance Ordinance*.

6. Emergency Access Requirements

   a. Any residential development exceeding thirty (30) units shall have a minimum of two points of public access with adequate right-of-way and pavement width that meets City road design standards (LDO 3-5).

   b. Entrances shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. For example,

if the longest diagonal of a property is 200 feet, the two entrances must be at least 100 feet apart.

F Contextual Right-of-Way Elements

1. Sidewalks: Refer to §5.6, Table 5.1, and Table 5.2.
2. Planting Strips and Street Trees: Refer to §5.8, Table 5.1, and Table 5.2.
   a. Planting strips for street trees are required in all Neighborhood and Node Place Types.
   b. For redevelopment and infill projects in the Downtown and General Neighborhood Place Types, planting strips may be reduced to 4 feet between sidewalks and the curb.
   c. Tree species shall be selected from the City's approved list, considering overhead utilities, sight distance, and maintenance.

3. On-Street Parking
   a. On-street parking is encouraged in Downtown, Village Centers, and Neighborhood Centers to support mixed-use development and traffic calming.
   b. Parking layouts shall be coordinated with curb extensions, pedestrian crossings, and stormwater management features.

G. Frontage Road Design

1. Definition

A frontage road is a low-speed, parallel access lane separated from the main roadway by a landscaped greenbelt or median, serving multiple adjacent lots (Figure 5.4).

2. Purpose and Intent

Frontage road design is intended to:

   a. Reduce direct driveway access along arterials, collectors, parkways, or Rural Corridors (as defined by the Place Type Map) for improved traffic safety and roadway function;
   b. Support context-sensitive development patterns in areas adjacent to parks, preserves, gateways, or scenic corridors;

c. Enhance roadway character and visual quality through unified landscaping and coordinated access; and

d. Serve as a tool for implementing corridor access management, beautification, and gateway plans identified in the *Comprehensive Plan* or other adopted policies.

3. Applicability and Commission Authority

The Planning Commission may require or approve the use of frontage roads when one or more of the following conditions apply:

a. The proposed lots front arterials, collectors, parkways, or Rural Corridors (as defined on the Place Type Map) where individual driveways would negatively impact safety or corridor function;

b. The site is located near a park, preserve, civic facility, or corridor entrance, and a frontage road would improve the visual quality and access coordination;

c. The frontage road would advance adopted corridor plans, access management standards, or gateway design principles; or



Figure 5.4 Frontage Road

d. The use of a frontage road would promote a more efficient, attractive, or ecologically sensitive design than conventional development.

The Planning Commission may also approve frontage roads when voluntarily proposed by the Applicant and found to be consistent with City goals.

4. Design Standards

Frontage roads shall comply with the following minimum design requirements:

a. Separation via Greenbelt or Median

i. The frontage road shall be separated from the main roadway by a minimum 20-foot-wide landscaped greenbelt or median, measured from the edge of the roadway right-of-way.

ii. The greenbelt or median shall include street trees as required and native or adapted landscaping; bioswales are encouraged.

b. Lane Configuration

i. One-way lanes shall have a minimum pavement width of 12 feet that meets the design standards of the *Land Disturbance Ordinance*. An additional 8 feet of turf blocks or geopavers is required to bring the total road width to 20 feet to meet the minimum requirement for fire access.

ii. Two-way lanes shall have a minimum pavement width of 20 feet.

iii. Curbing, drainage, and lane alignment shall comply with City engineering standards.

iv. The posted design speed shall not exceed 15 mph.

c. Access Control

All driveways shall access the frontage road only; direct access to the main roadway is prohibited unless required for emergency purposes and approved by the City Engineer.

d. Pedestrian Facilities

A sidewalk, trail, or path shall be provided alongside the frontage road or within the greenbelt or median where warranted for pedestrian connectivity or Place Type.

e. Sight Distance and Geometrics

All frontage road configurations shall conform to AASHTO or local geometric design standards, including sight distance, turning radii, and clearance zones at intersections and driveways.

f. Multiple Segments Allowed

Multiple frontage road segments may be used within a subdivision to serve different clusters or frontage conditions.

5. Civic Space Credit

The Planning Commission may allow all or a portion of the frontage road and its associated greenbelt or median to be credited toward required civic or open space if:

a. The greenbelt or median is at least 20 feet wide; and

b. The frontage road segment includes a minimum of 600 continuous linear feet without interruption by access to the adjacent roadway or intersections.

6. Maintenance Responsibility

Maintenance of the frontage road, greenbelt or median, landscaping, drainage, and associated features shall be clearly defined for the Final Plat. Responsibility shall lie with:

a. A homeowners' or property owners' association;

b. A conservation entity or stewardship organization; or

c. Another approved party as determined by the City.

H. Traffic Study Requirements

1. Applicability

For proposed subdivisions (a) containing more than 35 lots or sites, (b) phases or additions that increase the total number of lots or sites within a subdivision to more than 35 lots or sites, or (c) as required by the City Engineer under the provisions of the *City of Foley Land Disturbance Ordinance* §3-4 and *Traffic Impact Ordinance*.

2. Requirements: Refer to the *City of Foley Land Disturbance Ordinance* §3-4 for requirements.

5.4 - Lots, Sites, and Density

A. Lot Size and Setbacks

1. Lot size and setbacks within Foley's Corporate Limits are determined by the

zoning classification of the subject property and Place Type.

2. Unzoned subdivisions in Foley's Planning Jurisdiction must adhere to the following:

Minimum Lot Size	40,000 square feet
Minimum Lot Width	100 feet

Setbacks: 35 ft. front, or the Highway Construction Setback, whichever is greater, 30 ft. rear, 10 ft. side, 20 ft. side street

3. Parcels or lots in County-zoned Planning Districts must meet the dimensional requirements of the *Baldwin County Zoning Ordinance*.

4. For subdivisions or Planned Developments within Foley's Corporate Limits designated as an Edge Neighborhood Place Type where an existing zoning classification allows lots smaller than 40,000 square feet:

   a. The smallest lots must be clustered in the center of the development with larger lots on the periphery;

   b. A minimum 15-foot wide landscape buffer of staggered canopy trees, understory trees, and shrubs shall be provided between the development and adjacent roads and parcels;

   c. Landscape buffers shall be planted in common areas and outside of public rights-of-way.

B. Density

1. Density within Foley's Corporate Limits is determined by the zoning classification of the subject property and Place Type.

2. In Foley's Planning Jurisdiction, residential density shall not exceed 1.1 units per acre (based on the minimum lot size of 40,000 SF).

5.5 - Civic Open Space Requirements

A. Purpose

The purpose of this section is to ensure that new subdivisions and Planned Developments include a meaningful and well-integrated system of civic open spaces that supports community health, social interaction, environmental quality, and alignment with the Place Type framework established in the *Comprehensive Plan*.

B. Applicability

These regulations apply within the City of Foley's Corporate Limits and Planning Jurisdiction to:

1. Planned Developments and subdivisions as required by Place Type, except Minor Subdivisions as defined in §5.9;

2. Where the *Zoning Ordinance* requires civic space but where specific requirements are not addressed elsewhere in these regulations.

The design of all civic open spaces shall be guided by the applicable Place Types as designated in the 2025 *Comprehensive Plan* and *Place Type Map.*

C. Minimum Area Requirements

1. A minimum percentage of the gross site area as prescribed in Table 5.1 and Table 5.2 shall be dedicated as required usable civic open space. For infill and adaptive reuse developments where adequate space is not available to meet the requisite percentage, the Developer may request an alternative means of fulfilling the requirement.

2. For developments where phasing is proposed, each phase must meet civic open space requirements independently unless otherwise approved.

3. For lots or parcels designated as the Edge Neighborhood Place Type where an existing zoning classification allows lots smaller than 40,000 square feet, developments shall meet the civic open space requirements of the Suburban Neighborhood Place Type (Table 5.1).

4. All new development adjacent to or intersecting a corridor reflected on the Greenways and Trail Plan must dedicate land or provide access easements (a minimum of 30 feet wide) aligned with the plan. The City may consider partial impact fee credit for land or construction improvements that fulfill the objectives of the Greenways and Trails Plan, subject to City Council approval and established criteria.

D. Civic Open Space Typologies: Civic open space typologies shall be selected and scaled according to the designated Place Type of the development. Each civic open space must conform to one of the typologies in Table 5.3 or approved alternative. Consideration will be given to alternative active spaces not listed herein (e.g. pool, clubhouse, etc.).

Table 5.3

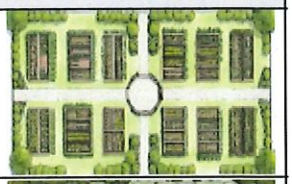
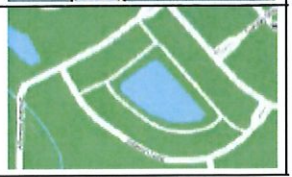
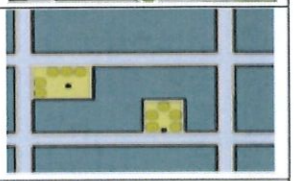
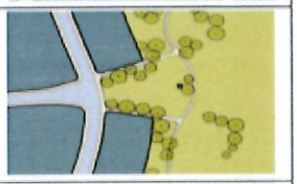
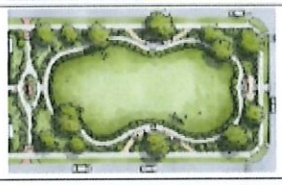
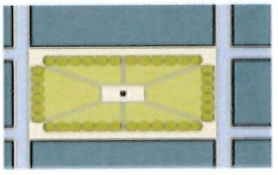
CIVIC OPEN SPACE TYPOLOGIES	
Community Garden: Designed as a grouping of garden plots available to nearby residents for small-scale cultivation. Community gardens may be included within other green spaces.	
Cottage Court: A small-scale residential development pattern in which multiple detached homes (typically 4–12) are arranged around a shared central green or courtyard. These buildings have shallow setbacks and front-facing entries oriented toward the common open space. Size: 0.15-.5 acres	
Dual-Purpose Stormwater Civic Open Space: A stormwater management facility that is publicly accessible and fully integrated with the site's civic design standards, including form, materials, visibility, access, and usability that meets the requirements of 5.5G	
Green / Common: A vegetated and framed informal open space typically located at the center of a neighborhood or development, designed for social gathering and recreation. Frontage on a minimum of 2 streets. Buildings on 4 sides. Size: 1/2 - 10 acres	
Green Court: A subtype of a cottage court in which buildings face a linear green space or lawn, usually with pedestrian pathways, garden beds, and informal seating areas. These spaces serve as semi-public or shared civic gathering areas in lower-density formats.	
Greenway: A linear open space that may follow natural corridors with the intent to link with other open spaces, parks or greenways. These spaces provide unstructured and limited amounts of structured recreation. Minimum 60 feet wide.	
Mews / Linear Green: A narrow, elongated public or semi-public greenway, typically mid-block, designed for pedestrian circulation and passive recreation. Often used in higher-density formats such as cottage courts or attached housing. Size: 20-40 ft. wide	
Park: Natural landscape consisting of open and wooded areas, typically furnished with paths, benches, and open shelters. Neighborhood parks are often irregularly shaped but may be linear in order to parallel creeks, canals, or other corridors. Frontage on a minimum of 1 street. Typical size: 1/2 acre - no maximum	
Permanent Pond: A stormwater facility with year-round standing water. These features may fulfill up to 5% of the open civic space in Suburban Place Types when they meet the requirements of Section 5.5.G	

Table 5.3

CIVIC OPEN SPACE TYPOLOGIES (cont.)	
Playground: Fenced open space, typically interspersed within residential areas that is designed and equipped for the recreation of children. Playgrounds may be freestanding or located within parks, greens, or school sites. Minimum area of 2000 SF.	
Plaza: Formal hardscaped or mixed-surface open space, often surrounded by active frontages such as civic, commercial, or mixed-use buildings. These are typically used for markets, performances, and civic gatherings. Typical size: 1/4 - 2 acres	
Pocket Park: A small green space suitable for socializing, eating, and resting. Pocket parks shall be equipped with benches and plantings and be placed in close proximity to residences as intimate spaces within blocks. Frontage on a minimum of 1 street. Maximum size: 1/4 acre	
Preserve / Natural Space: A passive open space that conserves natural landforms, wooded areas, or ecologically sensitive features while remaining accessible for low-impact public use. May partially fulfill required civic open space requirements.	
Primary Civic Open Space: A centrally located civic open space within each phase of development, no less than 0.25 acres, designed to serve as a focal gathering area with full compliance with 5.5	
Square: A formal open space available for unstructured recreation and civic purposes defined by streets and building frontages. Its formally landscaped with paths, lawns and trees, They are located at the intersection of important thoroughfares and have frontage on a minimum of 2 streets. Size: 1/2 to 5 acres	
Image sources: Yourobserver.com, SmartCode Central, Gemini AI, Baldwin Co. Parcel Viewer	

E. Distribution

1. Civic open spaces must be easily accessible to the majority of lots in the subdivision by a continuous pedestrian network.

2. Civic open spaces must be distributed throughout the subdivision. Clustering all required space in a single location is discouraged unless justified by the maximum distance that lots or sites can be from civic open space in Neighborhood Place Types.

F. Civic Open Space Design and Location Standards

1. Location

Civic open spaces:

a. Shall be located as a focal point of the development along primary streets, mid-block breaks, or at intersections.

b. Shall not be placed within utility easements, or accessed solely through pedestrian side easements.

c. Must terminate views (serve as a focal point) or align with key pedestrian routes or block axes.

2. Frontage and Visibility

a. Minimum frontage and spatial definition standards shall be calibrated to the civic space type and adjacent Place type.

b. At least 50% of the civic open space perimeter shall front public streets or active building frontages. Active building frontages ensure visibility and engagement and include pedestrian entrances, windows, porches, stoops, or commercial displays.

c. Fencing, if used for safety or separation, must be no more than 42 inches in height, transparent in design (e.g., metal rail or split rail), and must allow visual and physical permeability on all publicly accessible sides. No side or rear-lot fencing can obstruct views of the civic open space.

d. A mid-block passage may count toward the civic open space requirement. To qualify, the civic open space and mid-block crossing must function together as a cohesive public space, with building frontages oriented toward the passage and incorporating passive or "casual" surveillance consistent with CPTED principles (§5.11(E).

3. Connectivity: Civic open spaces shall be connected to the public sidewalk or trail network.

4. Activation and Minimum Features

All civic open spaces shall include the following required elements:

a. Seating: Benches, seat walls, or equivalent clusters of seating along active frontage at intervals appropriate to the Place Type;

b. Shade Trees: One deciduous canopy tree per 40-50 linear feet of frontage, with sufficient soil volume for healthy root growth (trees should coincide with the placement of benches/seating);

c. Landscaping: At least 10% of the interior area shall be planted with native or adapted shrubs, grasses, or ornamental beds. For areas designed for active use where landscaping would impede usage, plantings may be moved to the perimeter;

d. Perimeter Sidewalks: Minimum 5-foot-wide concrete sidewalks shall be installed along all street and building frontages;

e. Civic Open Space Signage: Permanent signage identifying the space as a civic open space shall be installed at access points;

f. Street Lighting: On active frontages, install one pedestrian-scale fixture per 60 feet of street frontage except where a closer spacing is required by Place Type street plans.

5. CPTED: Civic open spaces must comply with Crime Prevention through Environmental Design (CPTED) principles.

a. Natural Access Control: Guides how people enter and leave a space through the placement of entrances, exits, fences, landscaping and lighting.

b. Natural Surveillance: Guides the placement of physical features such as windows, lighting and landscaping. These features affect how much can be seen by occupants and passersby.

c. Territorial Reinforcement: Physical design can create an area of territorial influence that can be perceived by and may deter potential offenders. Examples include defined property lines and clear distinctions between private and public spaces. Territorial reinforcement can be created using landscaping, pavement designs, gateway treatments, signs and fences.

d. Maintenance: A well maintained home, building, or community park creates a sense of guardianship and helps deter criminals.

e. Activity Support: Criminal acts can be discouraged in public spaces when we encourage activities in those spaces by residents, visitors and other legitimate users.

G. Dual-purpose Stormwater Civic Open Spaces

Stormwater facilities may count as civic open space only if designed to meet Design and Location Standards and the following requirements:

1. Facilities must be dry most of the year and designed to infiltrate, percolate, or exfiltrate stormwater within 12 hours following a typical rain event;

2. Grading and sub-base must support drainage functionality such as underdrains, gravel beds, or amended soils where infiltration is limited;
3. In accessible areas, facilities shall not exceed a maximum 5:1 slope and 30-inch depth;
4. Fifty (50) percent of the perimeter shall front public space;
5. A six-foot-wide perimeter path is required;
6. Shall include at least two required features from §5.5(F).
7. Permanent ponds with year-round standing water shall not meet civic open space requirements with the following exception. In Suburban Place Types, permanent ponds may fulfill a maximum of 5% of the required open civic space where the pond meets the following conditions:
   a. Fifty (50) percent of the perimeter shall front public space;
   b. A six-foot-wide perimeter path is required;
   c. Include at least two required features from §5.5.F(4). The applicant may also propose a fishing pier, observation deck, kayak launch, or other water-related amenity.

H. Ownership and Maintenance

Civic open spaces shall be:

1. Owned and maintained by a homeowners association with binding covenants and maintenance agreements.
2. Maintenance responsibility must be clearly defined and documented in Final Plat / Final Site Plan documents.

I. Plat / Site Plan Requirements

1. Each common area and civic open space shall be designated as such on Preliminary Plans, Final Plats, and Final Site Plans and shall **not** be assigned a lot number.
2. Notes shall be placed on the plan / plat indicating ownership of common areas and civic open spaces and shall reference restrictive covenants by instrument number as recorded in the Baldwin County Probate Records.
3. A note shall be provided on the plan / plat indicating that the City of Foley shall not maintain any common area or civic open space.

5.6 - Pedestrian Connectivity

A. Purpose

The intent of this section is to ensure that subdivisions are designed to promote walkability, reduce vehicular dependency, and support the goals of the *Comprehensive Plan* and *Place Type* framework. Pedestrian connectivity shall be a fundamental element of subdivision design in all contexts, providing safe, direct, and convenient access to community destinations, civic open spaces, and adjoining neighborhoods.

B. Applicability

1. These standards apply to all major subdivisions and developments that include the installation of new streets or sidewalks.
2. For lots or parcels designated as the Edge Neighborhood Place Type or in Foley's Planning Jurisdiction where an existing zoning classification allows lots smaller than 40,000 square feet, developments shall meet the connectivity requirements of the Suburban Neighborhood Place Type (Table 5.1).

C. General Requirements

1. Connected Network
   The pedestrian network shall be designed as a cohesive system that connects:
   a. All lots within the subdivision;
   b. All civic open space features;
   c. Any sidewalks along existing or proposed streets adjacent to the subdivision;
   d. Public parks, schools, and other community destinations;
   e. Adjacent existing subdivisions or Planned Developments;
   f. Adjacent Village and Neighborhood Centers;
   g. Pedestrian walkways must be integrated into block and lot layouts.

2. Sidewalks

   a. Width shall be determined by the Place Type and required street cross-section.

   b. Minimum sidewalk widths shall be 6 feet in areas with higher pedestrian demand or adjacent to schools, parks, or civic open spaces.

   c. They shall be provided on both sides of all public and private streets unless otherwise approved due to context-sensitive design (e.g., natural preservation areas).

3. Multi-Use Paths and Greenways

   a. Subdivisions located within 1,000 feet of an adopted greenway or trail corridor must provide a pedestrian linkage unless unfeasible due to topography or environmental constraints.

   b. Internal greenways or shared-use paths (8–12 feet wide) may be required to supplement sidewalk systems in large or master-planned subdivisions.

4. Mid-Block Connections and Pedestrian Pass-Throughs

   a. Where block lengths exceed 600 feet, internal mid-block pedestrian connections shall be provided to ensure internal connectivity and reduce walking distances.

   b. Easements for mid-block paths shall be a minimum of 20 feet wide, with a sidewalk or multi-purpose path of at least 6 feet and permanent signage indicating public access.

5. Crosswalks and Intersections

   a. All intersections shall include marked pedestrian crosswalks and ADA-compliant curb ramps.

   b. In high-traffic or mixed-use areas, enhanced crossings (e.g., raised tables, textured paving, pedestrian refuge islands, high-visibility crosswalks with rapid flashing beacons) shall be used where appropriate.

6. Connectivity to Adjacent Parcels

   a. Pedestrian stubs or paths shall be provided to adjoining undeveloped or partially developed land to ensure future network continuity.

b. Subdivisions adjacent to schools, parks, shopping areas, or civic spaces shall provide direct pedestrian access, even where vehicular access is not provided.

7. Pedestrian Safety and Comfort

   a. Landscaping, lighting, and street furniture (benches, trashcans, etc.) shall be used to enhance the pedestrian experience.

   b. Sidewalks shall be separated from the street with a minimum 4-foot planting strip where possible, especially in Suburban and General Neighborhood Place Types.

5.7 – Cluster Mailbox Unit (CBU) Standards

A. Purpose and Intent

To ensure that all new residential developments provide secure, accessible, and well-designed centralized mail delivery systems that align with national standards and support a safe, attractive, and functional public realm.

B. Applicability

These standards shall apply to:

1. All new residential subdivisions or expansions of existing developments with 25 or more dwelling units, or as required by the US Postal Service (USPS);
2. All multi-family, townhouse, or mixed-use residential developments.

C. Design and Siting Requirements

Centralized mail systems must be incorporated into development plans in accordance with the following:

1. Standards: All centralized mail delivery systems shall comply with current USPS Standards and ADA requirements. Developers must consult with the local Postmaster for approval of the proposed CBU location and equipment.
2. Siting and Access

   a. CBUs should be located in highly visible, central, and accessible areas of the subdivision.

   b. CBUs shall be connected by a 6-foot minimum pedestrian pathway to the public sidewalk or internal pedestrian network;

   c. CBUs should be integrated into civic open space such as neighborhood parks, greens, or squares whenever possible. They may share space with

amenities such as bicycle racks, community bulletin boards, public art, and benches.

d. CBUs shall not obstruct vehicular travel lanes, subdivision entrances, fire apparatus access, or sidewalks.

3. Queuing and Vehicle Pull-Off

   a. A minimum of two parking spaces shall be provided for developments with up to 25 dwelling units, with one additional space provided for every additional 50 units served. Parking spaces must be a minimum 10 feet wide and 20 feet long

   b. Where a turnout is proposed, the design must include a minimum 40-foot long turnout with tapers on each end to accommodate USPS delivery vehicles.

4. Lighting and Safety

   a. Provide overhead, full cutoff lighting fixtures for nighttime visibility and safety.

   b. No dense shrubbery or solid walls shall be placed within 3 feet of the mailbox enclosure that may obstruct visibility.

   c. Mailbox areas shall be sited to be visible from residential windows, front porches, or public open space.

   d. Design to avoid blind corners, alcoves, or unlit zones.

5. Architectural Design Standards

   a. Each cluster or wall-mounted unit shall be placed within a sheltered structure, such as a roofed pavilion, kiosk, or integrated architectural feature of a clubhouse, mail room, or amenity structure;

   b. Shelters must provide a minimum 3-foot eave overhang, incorporate gutter systems, and include overhead lighting.

   c. Mail kiosks or shelters shall be constructed with materials and roof forms that match or complement neighborhood architectural styles. Design elements may include gable or hip roofs, brick or stone column bases, trim, painted wood framing, and color palettes consistent with civic structures or community amenity buildings.

D. Maintenance

1. Mailbox enclosures, shelters, lighting, and landscaping shall be maintained by a homeowners association (HOA) or designated private entity.

2. Maintenance responsibilities must be documented in covenants or deed restrictions recorded with the Final Plat or site plan.

E. Plan Requirements

Preliminary plans, final plats and final site plans must include:

1. Location of mail delivery structures and associated parking;
2. Pedestrian access connections;
3. Pull-off or queuing space (if required);
4. Shelter design elevation or typical section;
5. Lighting and landscape plan for the mailbox area.

5.8 - Landscape Buffers and Street Trees

These regulations ensure the efficient creation of the desired community environment, preventing costs to the Developer for tree removal, replacement, or relocation, and preventing costs to the property owner or City for future maintenance or repair of avoidable damage. Perimeter roadway buffers and internal street trees shall be provided in addition to other planting requirements mandated by other ordinances or regulations.

A. Perimeter Landscape Buffers

1. For residential developments, provide a minimum 25-foot-wide landscape buffer that meets the Greenbelt Zone requirements of the *Zoning Ordinance* §10.4 for the following. In the Planning Jurisdiction, refer to Figure 5.5.

    a. Adjacent to arterial and collector roads (as designated by Foley's *Transportation Continuity Plan*),

    b. Adjacent to Rural Corridor Place Types and Scenic Byways,

2. In mixed-use developments, employment centers, Downtown, Neighborhood Centers and Village Centers, Greenbelt Zones may not be required if the Planning Commission determines that the development adequately integrates uses, connectivity, and aligns with the intent of these regulations, the *Zoning Ordinance* and *Comprehensive Plan*. The Planning Commission reserves the right to require Greenbelt Zones when deemed necessary to protect the health, safety, and welfare of the community.

3. Existing natural vegetation may be applied toward the requirements of this section where native or non-invasive exotic species of varying heights provide the desired buffer protection. Additional plantings may be required to supplement existing vegetation.

4. Buffers shall be planted in common areas and outside public rights-of-way,

except where approved by the Planning Commission, and shall extend the full length of the subdivision along the adjacent roadway.

B. Street Trees

Street trees are required along all frontages and internal circulation routes—whether public or private—in all forms of development, including residential subdivisions, multifamily projects, commercial sites, institutional campuses, and mixed-use developments. This requirement applies to public streets, private streets, shared drives, and internal access lanes to ensure consistent streetscape quality, shade, and pedestrian comfort across the built environment.

1. General

    a. All developments must establish planting strips along all rights-of-way within the public frontage of the development / subdivision, unless otherwise specified by the Planning Commission.

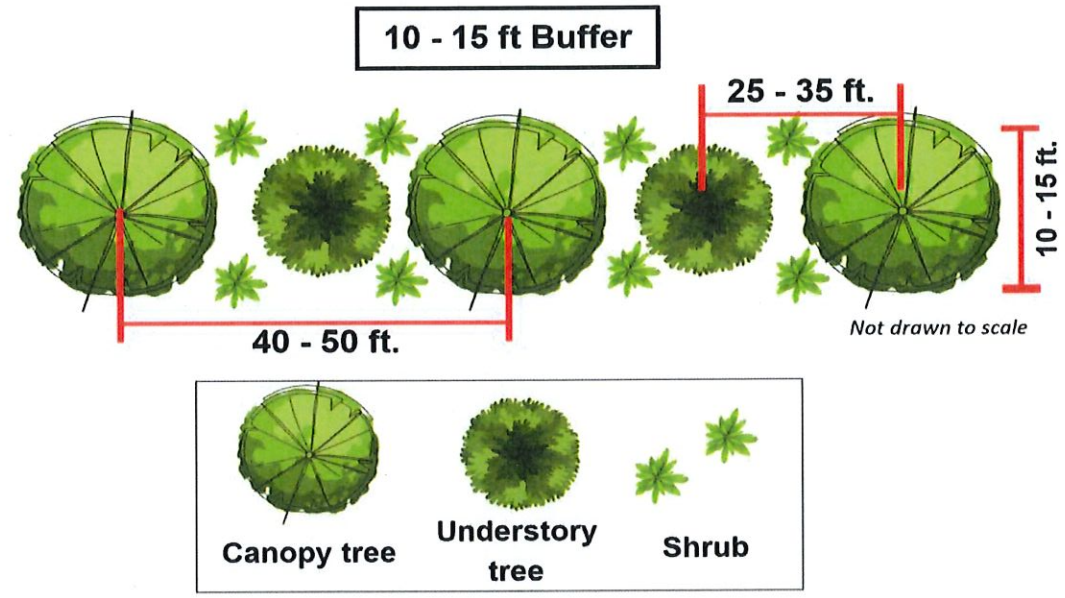
    b. In the case of private development, street trees are required as specified herein along primary drive aisles and at the perimeter of parking areas.

    c. If immediate planting of required trees in the right-of-way/public frontage is not in the public's best interest, a minimum of two trees per lot frontage may be allowed when physical conditions dictate a hardship, as determined by the Planning Commission.

    d. All installation of street trees must be performed prior to a final inspection as provided for in §4.6 of the *City of Foley Subdivision Regulations*.

    e. Street trees for Minor Subdivisions will be considered on a case-by-case basis depending on location, character of the area (Place Type), and physical site constraints. If constraints and/or conditions are identified that prove the public frontage cannot accommodate street trees, as approved by the Planning Commission, street trees may be moved to the private frontage as close to the street frontage as practicable. All plantings must be installed and inspected prior to Final Plat or Final Site Plan signature and recording.

    f. These standards represent minimums and are not intended to limit additional tree plantings approved by the City.


10 - 15 ft Buffer
25 - 35 ft.
10 - 15 ft.
40 - 50 ft.
Not drawn to scale
Canopy tree
Understory tree
Shrub

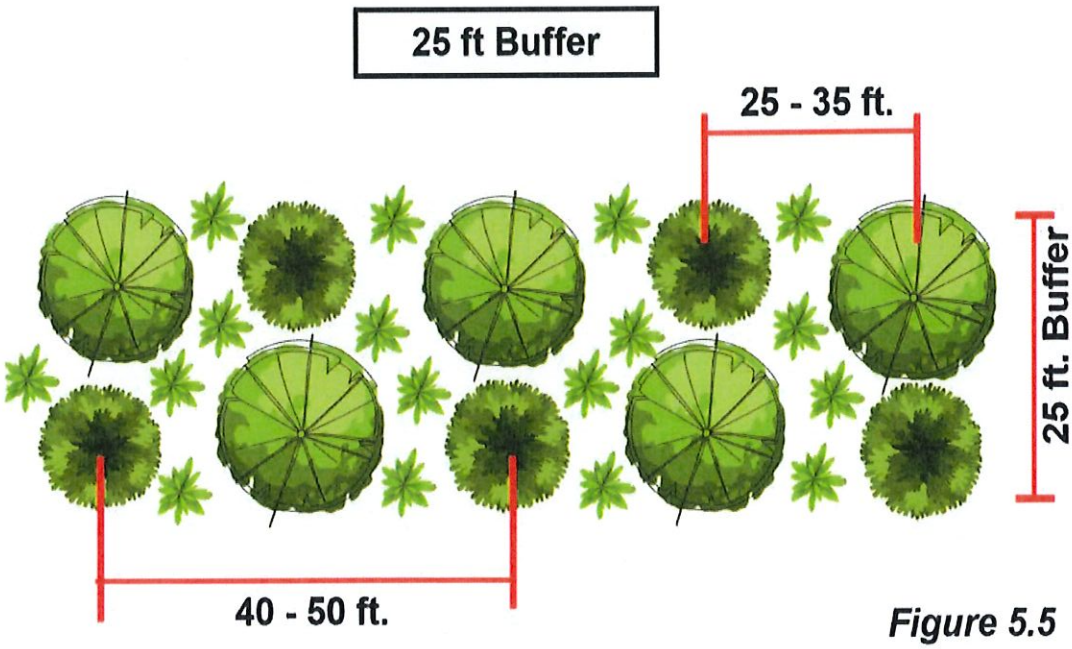

25 ft Buffer
25 - 35 ft.
25 ft. Buffer
40 - 50 ft.

Figure 5.5

2. Location

The intent of this section is to create a safe and aesthetically pleasing street environment for drivers and pedestrians and promote healthy, thriving streetscapes, accommodating different modes of travel.

a. Canopy shade trees will be planted in the area between the sidewalk and curb line or edge of the roadway, approximately every 50 feet apart on center within the planting strip, except where an alternative design is approved by the Planning Commission (Figure 5.6). Note: Planting strip width may vary based on street width, right-of-way width, and street functional classification as specified in the *Transportation Continuity Plan*, Table 5.1 and Table 5.2, but in no case shall they be less than 10 feet in width unless approved by the Planning Commission when conditions warrant. Canopy trees at maturity should have canopies that nearly touch and should be spaced at intervals that create a consistent canopy over the streetscape.

b. Street trees will not be planted where they interfere with streetlights, utilities or other required infrastructure, or where they block visibility for driveways or intersections.

c. Understory trees shall be planted in substitution for canopy shade trees where it has been demonstrated that overhead utility lines and fixtures would interfere with the normal maturing of canopy trees as approved by the Planning Commission.

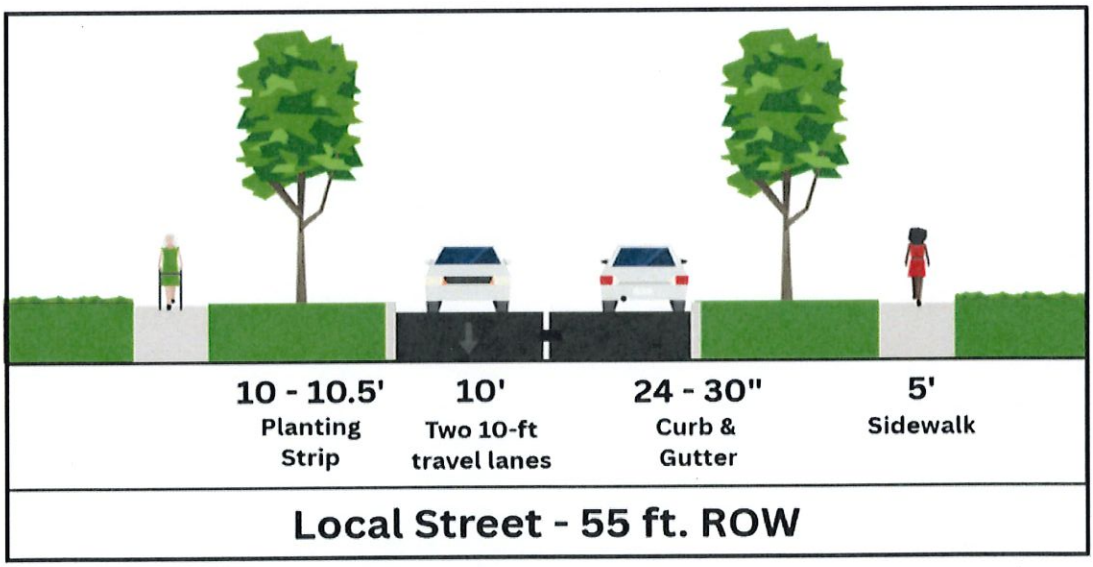


Figure 5.6 Street Tree Plantings (ROW width may vary)

d. Understory trees may be required between larger canopy trees to create diversity in scale and counteract gaps in density caused by streetlights, utilities, or driveway separation requirements. The minimum number of street trees must be maintained.

e. Trees shall be placed at the following set intervals:

i. Canopy shade trees: 50' on center

ii. Understory trees: 25 - 35' on center

iii. When site constraints interfere with the required planting intervals, they may be adjusted with approval from the City upon a written request specifying the constraints accompanied by a proposed planting plan.

3. Species Diversity

a. All street tree planting must adhere to the following regulations to prevent uniform insect and disease damage and provide visual interest to the street. This species diversity standard is a minimum only. Extensive use of one tree species is prohibited.

b. Depending on the number of trees planted in the entire development, the following maximum percentage of any one species will be used:

Number of Trees	Minimum Number of Species
5-39	2 species
40-69	3 species
70 or more	4 species

c. A single species will be placed in no more than four consecutive locations on any one side of the street.

d. Species will be determined from the approved street tree list found in Appendix C.

4. Context and Place Type Tree Planting

a. Depending on the location, context, and character of the area and the roadway design, a boulevard or median may be provided with trees in place of trees along the sidewalk, with the approval of the Planning Commission.

b. The Applicant shall provide a Landscape Plan corresponding to the subdivision or development Place Type.

i. In grid-like and traditional subdivision designs, trees should be planted formally and consistently, using trees of similar size and shape at regular intervals.

ii. In subdivisions of a semi-rural character with curvilinear streets, trees may be planted in informal patterns to mimic the randomness of nature through a staggered planting plan.

5. Street Trees in the Downtown Overlay

a. Street trees shall be located in a planting bed not less than five-feet-wide by eight-feet-long between the street curb or edge of paving and the sidewalk. A minimum of 48 square feet of surface area per tree shall be provided.

b. Tree planting separation may be reduced in the pedestrian-oriented Downtown area. A higher mix of understory trees may be required in Downtown areas to reduce sidewalk root interference while providing appropriate aesthetic appeal and shading for pedestrian comfort.

c. Decorative planting bed barriers or fences may be required consistent with a style determined by the City.

C. Landscape Plan

A detailed Landscape Plan shall be submitted with the Preliminary Plan or Land Development Permit construction plans, depending on the nature of the application the plan shall show:

1. Plan may be designed by the developer, owner, design consultant, or landscape architect and shall include date, scale, north arrow, subdivision name, names and contact info for property owners and plan designer;

2. Existing boundary line of the development site, water sources, significant drainage features, existing and proposed streets or alleys, rights-of-way, minimum setbacks, locations of proposed parking spaces, buildings, and sidewalks or pedestrian paths;

3. All existing or proposed utility easements on or adjacent to the development site including overhead power lines, manholes, fire hydrants, light posts, driveways etc. to ensure proper landscaping placement;

4. Existing trees, shrubbery, and other vegetation that will be retained;

5. Plant Selection and Placement:

   a. A detailed list of plant species, including trees, shrubs, ground covers, and grasses.

   b. Show specific location and spacing of all plantings.

   c. Irrigation System (if required): Specifications for an efficient irrigation system, including layout, type, and maintenance schedule.

6. Particular care should be taken to locate driveways to ensure trees are not altered, damaged, or removed during the construction process. All disturbed areas not covered by structures and infrastructure shall include vegetative cover that accomplishes permanent stabilization;

7. The City will inspect the locations and species variation on-site to affirm adherence to the approved Landscape Plan and must approve any alterations or departures from the originally approved plan.

D. Installation

1. All tree plantings shall be installed in accordance with American Standard for Nursery Stock (ANSI Z60.1) standards.

2. Trees selected for planting must be free from injury, pests, disease, nutritional disorders, or root defects, and must be of good vigor to ensure a reasonable expectation of survivability.

3. Canopy trees at the time of planting shall measure a minimum of three (3) inches in diameter, four (4) feet above grade, and shall measure a minimum of eight (8) feet in clear trunk.

4. Understory trees shall have an initial caliper diameter of at least one (1) inch and shall measure a minimum of five (5) feet in clear trunk.

5. Each street tree will be centered in the planting strip unless the parkway is used as a vegetated drainage swale. If a swale is indicated, the species and location will be determined by the City.

6. In the event of tree failure, replacement will be required.

7. Irrigation is encouraged for all landscaped areas within commercial developments.

8. All installation of landscape buffers must be performed prior to a final

inspection as provided for in §4.6.

9. Landscape buffers for Minor Subdivisions will be considered on a case-by-case basis depending on location, Place Type, and physical site constraints. The Final Plat will not be signed until installation has been completed.

E. Maintenance

1. All maintenance of trees must be performed in accordance with the American National Standards Institute (ANSI) A300 Tree Care standards.

2. The Developer shall maintain all trees until the subdivision infrastructure has been accepted for maintenance by the City Council or Homeowners Association. Buffers and street trees shall be considered vegetation for purposes of maintenance bonds pursuant to §4.5 and 4.6 Irrevocable Performance Bonds / Letter of Credit / Line of Credit.

3. For developments with private frontages (primary drive aisles) that will not be accepted for maintenance by the City, all plantings must be maintained in perpetuity. Damaged or diseased trees must be replaced.

F. Tree Protection Measures during Construction

In an effort to protect trees during home construction, commercial development, and other land development activities after planting, the following tree protection measures are designed to ensure the health and preservation of trees and to minimize construction impacts on them.

1. A Tree Protection Zone (TPZ) must be established based on the size of the existing tree at a minimum of 2 feet per inch of Diameter at Breast Height (DBH). For example, a tree with a 3-inch DBH requires a TPZ with a radius of 6 feet from the base of the tree.

2. Tree Protection Fencing

    a. TPZ fencing must be installed before construction begins and maintained throughout the construction period. Fencing must be located and placed so as not to harm the root system.

    b. Fencing must be highly visible, at least 4 feet high, and constructed of durable materials.

    c. Signage of 6 square feet shall be placed on the exterior of the fencing indicating the tree protection zone.

    d. The fencing should be placed at the edge of the TPZ and

maintained throughout the duration of the construction or until a Certificate of Occupancy is issued.

G. Enforcement

Removal or damage of plantings is considered a violation and may be remedied as provided by law, including but not limited to fines, stop work orders, or additional replanting.

H. Definitions

American National Standards Institute (ANSI): ANSI A300: The industry-developed, national consensus standards of practice for tree care in the United States.

American Standard for Nursery Stock (ANSI Z60.1): The industry-developed standard for commercial transactions providing standards and common techniques for:

1. Measuring plants;
2. Specifying and stating the size of plants;
3. Determining the proper relationship between height and caliper, or height and width;
4. Determining whether a root ball or container is large enough for a particular size plant.

Canopy Tree: A tree whose mature canopy height is at least 35 feet.

Diameter at Breast Height (DBH): The measurement of the width of the trunk of the tree at four and one-half (4½) feet above the existing grade. For multi-trunk trees, the DBH shall be the sum of the diameter of the trunks.

Primary Drive Aisle: For the purposes of street tree planting within private developments a primary drive aisle is defined as the main vehicular route that connects the entrance of the development to individual units and key amenities. This drive aisle resembles a traditional street, supporting the highest traffic volume and providing primary access throughout the development.

Private Frontage: The area of private property that directly abuts the public frontage.

Protective Barrier: A physical structure limiting access to a protected area, composed of wood or other suitable materials which assure compliance with the intent of this article.

Public Frontage: The space between the curb of the street and the property line of the adjacent land.

Semi-rural: The transition area between the more intensely developed municipal incorporated areas and the unincorporated County, characterized by a density exceeding 1 dwelling unit per acre.

Tree Protection Zone (TPZ): Restricted area around a tree to prevent damage.

Understory Tree: A tree whose mature canopy height is between 15 and 35 feet.

5.9 – Special Subdivisions

A. Minor Subdivision

1. Define:

   A Minor Subdivision is a subdivision involving not more than five (5) contiguous lots, including remnant parcels, fronting on an existing maintained right-of-way, and which requires no new streets or the installation of main sewer and/or water lines; and when in the decision of the Planning Commission Staff no engineering service is required for any drainage or public improvements, except sidewalks. The subdivider should consult with Planning Commission Staff prior to preparation of the Application.

2. Application Procedure

   a. Follow the Preliminary Plan procedure outlined in §4.4 - 4.5.

   b. Submit a Minor Subdivision Final Plat with the elements described in Appendix B.

   c. A Preliminary Engineering Plan is not required if no new infrastructure will be installed. For the Place Type Narrative, only §4.5(D.1) is required.

   d. After Planning Commission approval, the Final Plat must be signed and recorded as outlined in §4.6(D)

B. Manufactured Dwelling Subdivisions

All provisions of the *Subdivision Regulations* and other applicable City ordinances shall apply to the development of manufactured dwelling subdivisions with fee-simple lots, including the Preliminary Plan and Final Plat requirements. In addition, all other applicable local, county, state, federal and other minimum requirements pertaining to manufactured home use shall be met.

C. Rural Subdivisions

A subdivision having no more than twelve (12) lots, including remnant parcels, and containing a minimum lot size of two (2) acres. Follow the Preliminary Plan procedure outlined in §4.4 - 4.5 and Final Plat procedure in §4.6. Due to the minimal infrastructure impacts from this type subdivision, the following construction standards are applicable:

1. Standard Street Construction Components: 6" compacted sub-grade; 8" sandy clay base or 6" aggregate base; 1.5" asphalt binder; 1" 429-A wearing layer. Modified Construction Components: Minimum 18" improved sand subgrade; 8" granular soil base: 1.5" 429-A wearing layer.

2. Minimum Street Width – Twenty (20) feet.

3. No Curbs/Gutters: Open roadway ditches; drainage calculations must be submitted to support ditch capacities, grades, velocities, etc.

4. Minimum Roadway Right-of-Way: Sixty (60) feet.

5. Maximum Ditch Side Slopes: 3-1, horizontal to vertical; maximum roadway ditch depth twenty-four (24) inches with a minimum shoulder width of four (4) feet; maximum ditch depth may be exceeded with approval of the City.

6. Street lights shall be provided on a staggered basis one hundred-fifty (150) feet apart. Street lights shall not be placed within the normal drainage ways of roadway ditches. Where street light poles will encroach on roadway drainage ways, easements shall be provided on the subdivision lots to accommodate the poles.

7. Sidewalks may be provided at the option of the subdivision Developer.

8. Where it is necessary to cross a roadway ditch to gain access to a lot, an adequately sized culvert providing a minimum travel width of twelve (12) feet shall be provided. Said culvert shall have slope paved end sections with a slope no steeper than 4 horizontal to 1 vertical.

9. All permanent dead end roadways shall be provided with a City of Foley standard cul-de-sac per adopted construction standards.

10. Drainage requirements are the same as for other subdivisions within the City

of Foley.

11. The maximum number of lots that may be served by a common driveway shall be two (2). The maximum length of a common driveway shall be three hundred-thirty (330) feet. Common driveways shall be contained within a private ingress/egress easement labeled as such on the Final Plat. Said easement shall be a minimum of thirty (30) feet in width. All subdivisions using common driveways shall provide for a Homeowners Association to be responsible for the maintenance of the common driveway.

12. Extension of a rural/estate subdivision street(s) which will result in the rural/estate subdivision exceeding the maximum number of lots permitted by these regulations may do so only with approval of the City of Foley Planning Commission. At minimum, it will be necessary for the subdivider to provide an additional 1.5" of 429-A wearing course, or the current wearing course listed in the *City of Foley Manual for Design and Construction Standards*, to the existing rural/estate subdivision street. Further, additional strengthening measures may be required, based upon currently recognized engineering evaluation procedures as determined by a registered engineer.

5.10 – Planned Developments (General)

A. Applicability

Planned Developments within Foley's Corporate Limits will follow the Planned Development procedure outlined in the *Zoning Ordinance*. Planned Developments in Foley's Planning Jurisdiction will follow the review and application procedures for a Preliminary Plan (§4.4 - 4.5) and Final Site Plan (§4.6 - 4.7). Refer to §5.11 for Recreational Vehicle Park and Manufactured Home Park standards.

B. Area: A minimum of three (3) contiguous acres that are not separated by any right-of-way.

C. Density:

1. Residential - Density shall not exceed 1.1 units per acre (based on a minimum lot size of 40,000 SF).

2. Commercial – Buildings shall not cover more than 40% of the total area of the subject property.

D. Setbacks and Spacing

1. 30 ft. building setback is required from any exterior property line.

2. 30 ft. natural buffer is required along established wetland boundaries.

3. 50 ft. minimum natural buffer is required along waterways and ephemeral streams.

4. 20 ft. minimum separation between structures. Where clustering is proposed and public water and adequate fire protection are available, separation may be reduced to 10 ft.

E. Civic Open Space Reservation: Not less than 25% of the gross Planned Development area shall be reserved as open space and meet the design standards of §5.5. Larger and more significant open spaces should be created through the use of reduced lot sizes, clustering of dwellings, etc.

F. Landscaping: Landscaping and street trees must comply with §5.8

G. Stormwater Management Facilities and Infrastructure must comply with the City of Foley Stormwater Management standards per §3.3 of the *City of Foley Land Development Ordinance*.

H. Utilities: All utilities shall be sufficient for the number of sites/units. Utility availability letters in addition to proof of adequacy from the relevant utility providers is required. All utilities must be placed underground. Developers will establish a utility maintenance plan and responsibility with utility owners.

I. Buildings:

1. Appearance of Public Facilities: All utility structures and other public facilities in the Planned Development shall be architecturally compatible and landscaped in keeping with the overall design and appearance of the Planned Development as approved by the Planning Commission.

2. Building height shall not exceed 35 feet (maximum of 2 stories).

3. Commercial loading areas shall not be placed within any front yard and shall be located and properly screened so as to not be visible from any existing street.

J. Roads

1. A traffic study is required for developments with more than 35 sites/units or as required by the City Engineer.

2. Internal Roadways shall be constructed for safe travel and roadway design standards of the *City of Foley Land Development Ordinance* §3.5. The Developer/Owner is responsible for maintaining internal roadways, easements, and drainage facilities.

5.11 – Manufactured Dwelling (MD) and Recreational Vehicle (RV) Parks

Where other sections of these regulations conflict with the requirements of §5.11, §5.11 shall govern.

A. Recreational Vehicle (RV) Parks:

1. Stormwater Management Facilities and Infrastructure must comply with the City of Foley Stormwater Management standards per §3.3 of the *City of Foley Land Development Ordinance*.

2. Utilities. All utilities shall be sufficient for the number of sites/units. All water, sewer, and electrical connections must be equipped with quick-disconnect mechanisms to allow for rapid evacuation in emergencies. Utility availability letters in addition to proof of adequacy from the relevant utility providers is required. All utilities must be placed underground. Developers will establish utility maintenance plans and responsibility with utility owners.

3. Civic Open Space Requirements. Developments must comply with civic open space requirements of §5.5 and the *City of Foley Land Development Ordinance* per §3.2.

4. Landscaping: Landscaping and street trees must comply with §5.8

5. Road Ready Requirements. All RVs must remain fully mobile, roadworthy, and capable for quick departure at all times. No RV shall be permanently affixed to any structure, nor shall wheels or hitches be removed. Park models, manufactured homes, or any units not classified as recreational vehicles are not permitted.

6. Modifications to Approved Plans. Major changes, including modifications to site layout, density, road access, setbacks, or significant infrastructure changes, require Planning Commission approval. Minor changes, such as slight adjustments to landscaping, minor site plan amendments, or minor utility reroutes, may be approved administratively. Staff review and judgment will determine whether the change is considered major or minor.

7. Special Provisions in the Planning Jurisdiction:
   a. Density/Number of Sites /Units. Recreational vehicle parks located within zoned districts of the County shall comply with the applicable density requirements as established by Baldwin County. RV parks located in unzoned districts shall meet the following density requirements:

i. The maximum number of sites/units for RV parks shall be 10 sites/units per acre to allow for adequate site/unit size and spacing.

ii. The minimum lot size for a RV park shall be 3 acres.

b. Setbacks and Spacing

i. Each RV site/space shall have a minimum area of 1600 square feet.

ii. Each site/space shall have minimum dimensions of 20 feet by 80 feet.

iii. A minimum of 30 feet shall be maintained from all external site boundaries.

iv. A minimum of 30 feet shall be maintained between RVs and any permanent facility or structure with the park.

v. 30-feet minimum natural buffer is required along established wetland boundaries.

vi. 50-foot minimum natural buffer is required along waterways and ephemeral streams.

c. Access and Internal Roadways

i. Internal Roadways shall be constructed for safe travel and meet City of Foley Design Standards for New Road Construction.

ii. Parks with fewer than 15 sites shall construct all-weather road surface materials with edge containment. Roads shall be designed to uphold the 75,000lb fire truck apparatus.

iii. Parks with 15 or more sites must have asphalt or concrete roadways designed in conformance with the roadway design standards of the City of Foley Land Development Ordinance §3.5.

iv. The developer/owner is responsible for maintaining internal roadways, easements, and drainage facilities.

v. Two-way internal roads shall be at least 24' wide. One-way internal roads shall be at least 20' wide. Additional width may be required for roads serving large RVs or emergency vehicles.

vi. Ingress/Egress: Dedicated entrance lane(s) is required for sites exceeding 50 sites. Turning radii at the entrance and internal

intersections must accommodate the largest RV types. Minimum radius of 50' at intersection with existing public street is required.

vii. RV parks shall have direct access to an arterial or collector roadway. A plan sheet showing the asphalt width and turning radii of the roadway and nearest intersections utilized for access to the RV park must be submitted. The plan sheet must include turning movements for the design vehicle that will be accessing the RV park.

viii. A traffic study is required for developments with more than 35 sites/units or as required by the City Engineer.

B. Manufactured Dwelling (MD) Parks:

1. Stormwater Management Facilities and Infrastructure must comply with the City of Foley stormwater management standards per §3.3 of the *City of Foley Land Development Ordinance*.

2. Utilities. All utilities shall be sufficient for the number of sites/units. Utility availability letters in addition to proof of adequacy from the relevant utility providers are required. All utilities must be placed underground. Developers will establish utility maintenance plans and responsibility with utility owners.

3. Civic Open Space. Developments must comply with civic open space requirements outlined in §5.5 and Greenspace Requirements of the *City of Foley Land Development Ordinance*.

4. Landscaping. Landscaping and street trees must comply with §5.8.

5. Recreation Vehicle (RV) sites. Manufactured dwelling parks may not include RV sites unless legally recognized and existing before May 21, 2025.

6. Special Provisions in the Planning Jurisdiction:
   a. MD Parks located in the Planning Jurisdiction shall meet the minimum lot size of 40,000 square feet, with a minimum lot width of 100 feet.

   b. Setbacks and Spacing.

      i. 30 foot building setback required from any exterior property line.

      ii. 20 foot minimum separation between structures.

      iii. 30 foot minimum natural buffer is required along established wetland boundaries.

iv. 50 foot minimum stream buffer required along waterways and ephemeral streams.

c. Access & Internal Roadways.

i. A traffic study is required for developments with more than 35 sites/units or as required by the City Engineer.

ii. Internal Roadways shall be constructed for safe travel and meet City of Foley Design Standards for New Road Construction.

iii. Parks with fewer than 15 sites shall construct all-weather road surface materials with edge containment. Roads shall be designed to uphold the 75,000lb fire truck apparatus.

iv. Parks with 15 or more sites must have asphalt or concrete roadways designed in conformance with the roadway design standards of the *City of Foley Land Development Ordinance* §3.5.

v. The developer/owner is responsible for maintaining internal roadways, easements, and drainage facilities.

ARTICLE VI. Administration

6.1 - General

The developer has the duty of compliance with reasonable conditions laid down by the City of Foley Planning Commission for design, dedication, and improvement of the land so as to conform to the physical and economical development of the Corporate Limits and planning jurisdiction of the City of Foley and to the safety and general welfare of future property owners.

6.2 - Administration

The City Engineer is appointed by the City of Foley and acts as their authorized agent in the interpretation and enforcement of the plans, specifications and requirements of these regulations. The City Engineer, or his authorized agent, shall determine the amount, quality, and acceptability of the work as specified in these regulations.

6.3 - Enforcement

A. General

It shall be the duty of Planning Commission Staff to enforce these regulations and to bring to the attention of the City of Foley Attorney any violations or lack of compliance with these regulations.

B. Violations

No owners, or agent of the owner, of any lot located within a subdivision may transfer or sell any land by reference to or exhibition of or by other use of a plat of a subdivision, before such plat has been approved by the City of Foley Planning Commission and Engineering Department and recorded with the County Probate Judge. The description of such a 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 any penalties or remedies herein prescribed.

C. Penalties

Violations of these regulations shall result in forfeiture and payment of a penalty of $100.00 for each lot or parcel so transferred or sold. The City of Foley may also institute an injunction against such transfer or sale in any court of equity jurisdiction, or may recover the same penalty through civil action in any court pursuant to authority granted by the Code of Alabama. Further, no streets will be accepted for maintenance by the City nor shall any utilities be extended to any subdivision found in violation of these regulations.

6.4 - Conflicts with other Laws

Whenever the provisions of these regulations impose more restrictive standards that are required in or under any other ordinance, the regulations herein contained shall prevail. Whenever the provisions of any other ordinance require more restrictive standards than are required herein, the requirements of such regulations shall prevail.

6.5 - Conformity to City of Foley Comprehensive Plan

All proposed subdivision plans shall conform to the City of Foley Comprehensive Plan, and subsequent amendments thereto, the Place Type Map, and the Foley Zoning Ordinance, when applicable.

Whenever a tract to be subdivided (as defined in Code of Alabama, 1975, §11-52-1(6)), embraces any part of a highway, major street, secondary street, or parkway so designated, such part of such proposed public way shall be platted or developed by the subdivider in the same location and at the same width as indicated on such City plan.

The Comprehensive Plan was adopted by the Planning Commission pursuant to Code of Alabama, 1975, §11-52-8 and §11-53-9.

6.6 - Deviations

Where the City of Foley Planning Jurisdiction finds that unusual hardship may result from strict compliance with these regulations, it may approve deviations to these regulations so that substantial justice may be done, provided that such deviation shall not have an effect of nullifying the intent or purpose of these regulations.

The City of Foley Planning Commission shall not approve deviations unless it shall make findings based upon the evidence presented to it in each specific case that:

A. The granting of the deviation will not be detrimental to the public safety, health, or welfare or injurious to other property.

B. The conditions upon which the request for a deviation is based are unique to the property for which the deviation is sought and are not applicable generally to other property.

C. Because of the particular physical surroundings, shape or topographical conditions of the property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out.

D. The deviation will not in any manner vary the provisions of other adopted policies and regulations of the City of Foley

E. Inconvenience, financial concerns, or self-imposed conditions shall not be considered as a hardship for the purpose of granting the deviance.

The Applicant must apply for a deviation at the time when the Preliminary Plan is filed for consideration by the Planning Commission. The petition shall state fully the grounds for the application and explain how the proposed alternative meets the overall intent of the 2025 *Comprehensive Plan*, *Place Type Map* and the *Master Street Plan* and achieves equal or better connectivity, walkability, and context sensitivity.

Any deviation thus authorized shall be entered in writing in the minutes of the Planning Commission with the reason which justified the departure to be granted.

6.7 - Amendment

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

6.8 - Severability and Separability

If any section, clause or portion of these regulations shall be held by a court of competent jurisdiction to be invalid or unconstitutional, such findings shall not affect any other section, clause or portion of these regulations.

6.9 - Vacation of Plat or Map

Any plat or map, whether or not executed and recorded as provided in these regulations, may be vacated by the owner, his executor, administrator or guardian of the lands at any time before the sale of any lot therein. A written instrument declaring the same to be vacated, executed, acknowledged and recorded in like manner as conveyances of land which declaration, being duly recorded, shall operate to destroy the force and effect of the recording of the plat or map so vacated and to divest all public rights in the streets, alleys and public grounds and all dedications laid out or described in such plat or map.

When lots have been sold, the plat or map may be vacated, in the manner herein provided by all the owners of lots in such plat or map joining the execution of such writing, as prescribed by law.

6.10 - Public Use and Service Areas

A. Easements for Utilities

Except where alleys are provided for the purpose, the Planning Commission may require easements not exceeding ten (10) feet in width for poles, wires, conduits, storm and sanitary sewer, gas, water, or other utility lines on each side of the common rear lot line and five (5) feet for side lot lines if necessary or advisable in the opinion of the Planning Commission, and unless wider easements are required in the opinion of the City Engineer.

B. Suitability of the Land

Land which the Planning Commission has found to be unsuitable for subdivision due to flooding, bad drainage, steep slopes, rock formation, or other features likely to be harmful to the safety, health, and general welfare of the future residents shall not be subdivided unless adequate methods approved by the Planning Commission are formulated by the subdivider for meeting the problems involved.

C. Planning Jurisdiction

In carrying out the City's Planning Commission responsibility to the systematic and orderly development of the community through the regulation of a subdivision as defined in the Code of Alabama, 1975, §11-52-1(6), the geographic context of development in the community and whether municipal services are provided bear a significant correlation, and directly relates, to the

public health and safety of the community. The City of Foley does not provide municipal services outside of its Corporate Limits.

APPENDIX A: FINAL PLAT / SITE PLAN CERTIFICATES

CERTIFICATION OF OWNERSHIP AND DEDICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

THIS IS TO CERTIFY THAT I (WE), THE UNDERSIGNED AM (ARE) THE OWNER(S) OF THE LAND SHOWN AND DESCRIBED IN THE PLAT, AND THAT I (WE) HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREON, FOR THE USES AND PURPOSES HEREIN SET FORTH AND SO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED; AND GRANT ALL EASEMENTS AND DEDICATED ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED. TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT.
DATED THIS _____ DAY OF _____, 20____

_____
OWNER

ACKNOWLEDGEMENT OF NOTARY PUBLIC (OWNER)

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____ A NOTARY PUBLIC IN AND FOR THE COUNTY OF BALDWIN, IN THE STATE OF ALABAMA, DO CERTIFY THAT _____ (OWNER'S NAME) WHOSE NAME IS SIGNED TO THE FORGOING INSTRUMENT, AND WHO'S KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENTS OF THE INSTRUMENT, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID PERSON OR CORPORATION. GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 20___.

_____
NOTARY PUBLIC

CERTIFICATE OF APPROVAL BY RIVIERA UTILITIES OR BALDWIN EMC (ELECTRICAL)

THE UNDERSIGNED, AS AUTHORIZED BY RIVIERA UTILITIES **OR** BALDWIN EMC, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 20___.

_____
(AUTHORIZED SIGNATURE)

CERTIFICATE OF APPROVAL BY RIVIERA UTILITIES (WATER)

THE UNDERSIGNED, AS AUTHORIZED BY RIVIERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 20___.

_____
(AUTHORIZED SIGNATURE)

CERTIFICATE OF APPROVAL BY RIVIERA UTILITIES OR BALDWIN COUNTY SEWER SERVICE (SANITARY SEWER)

THE UNDERSIGNED, AS AUTHORIZED BY RIVIERA UTILITIES **OR** BALDWIN COUNTY SEWER SERVICE, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 20___.

_____
(AUTHORIZED SIGNATURE)

CERTIFICATE OF APPROVAL BY RIVIERA UTILITIES (GAS)

THE UNDERSIGNED, AS AUTHORIZED BY RIVIERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 20___.

_____
(AUTHORIZED SIGNATURE)

CERTIFICATE OF APPROVAL BY BRIGHTSPEED

THE UNDERSIGNED, AS AUTHORIZED BY BRIGHTSPEED, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 20___.

_____
(AUTHORIZED SIGNATURE)

CERTIFICATE OF APPROVAL OF IMPROVEMENTS
STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF ALABAMA WITH A LICENSE NUMBER OF HEREBY CERTIFY THAT I HAVE DESIGNED THE WITHIN IMPROVEMENTS IN THE CONFORMITY WITH THE APPLICABLE CODES AND LAWS AND WITH THE REQUIREMENTS OF THE CITY OF FOLEY LAND USE & DEVELOPMENT REGULATIONS. I FURTHER CERTIFY THAT I HAVE PROVIDED OVERSIGHT OF THE CONSTRUCTION TO MY DESIGN, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE WITHIN IS TRUE AND ACCURATE REPRESENTATION OF IMPROVEMENTS AS INSTALLED.

_____
ENGINEER DATE

_____
FIRM

CERTIFICATE OF APPROVAL BY THE CITY ENGINEER

THE UNDERSIGNED, AS CITY ENGINEER OF THE CITY OF FOLEY, ALABAMA, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 20___.

_____
CITY ENGINEER

CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY PLANNING COMMISSION

THE WITHIN PLAT OF THE SUBDIVISION SHOWN HEREON LOCATED IN FOLEY, ALABAMA, IS HEREBY APPROVED BY THE CITY OF FOLEY PLANNING COMMISSION, THIS THE _____ DAY OF _____, 20___.

_____
CITY PLANNING COMMISSION CHAIRMAN

CERTIFICATE OF APPROVAL BY E-911 GIS/ADDRESSING

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY E-911 BOARD, HEREBY APPROVES THE ROAD NAMES AS DEPICTED ON THE MAP WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____DAY OF _____, 20_____.

_____
AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY BALDWIN COUNTY HEALTH DEPARTMENT

THE LOT(S) ON THIS PLAT ARE SUBJECT TO APPROVAL OR DELETION BY THE BALDWIN County HEALTH DEPARTMENT. NO REPRESENTATION IS MADE THAT ANY LOT ON THIS PLAT WILL ACCOMMODATE AN ONSITE SEWAGE SYSTEM (OSS).
THE APPROPRIATENESS OF A LOT FOR WASTEWATER SEWAGE TREATMENT AND DISPOSAL SHALL BE DETERMINED WHEN AN APPLICATION IS SUBMITTED. IF PERMITTED, THE LOT APPROVAL MAY CONTAIN CERTAIN CONDITIONS WHICH RESTRICT THE USE OF THE LOT OR OBLIGATE THE OWNERS TO SPECIAL
MAINTENANCE AND REPORTING REQUIREMENTS, AND THESE ARE ON FILE WITH SAID HEALTH DEPARTMENT AND ARE MADE A PART OF THIS PLAT AS SET OUT HEREON. SIGNED THIS _____DAY OF ____, 20_____ .

_____
AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY THE ENGINEER OF BALDWIN COUNTY

THE UNDERSIGNED, AS COUNTY ENGINEER OF BALDWIN COUNTY, ALABAMA, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 20___.

_____
COUNTY ENGINEER

CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY PLANNING DIRECTOR

THE UNDERSIGNED, AS DIRECTOR OF THE BALDWIN COUNTY PLANNING AND ZONING DEPARTMENT, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA THIS ___DAY OF _____, 20 __.

_____
PLANNING DIRECTOR

APPENDIX B: Checklist for Plans & Plats

Please provide the following documents and plat/plan information.
ZO= Zoning Ordinance, LDO = Land Disturbance Ordinance. SR = Subdivision Regulations

REQUIRED DOCUMENT CHECKLIST X = Required	Prelim Plan	Minor Sub.	Final Plat	Final Site Plan
Agent Authorization (if applicable)	X	X	X	X
Place Type Narrative SR§4.5	X	X		
Preliminary Engineering Plan SR§4.5	X			
Title verifying ownership: list all easements, rights-of-way, mortgages, liens, or other encumbrances. Dated within 60 days from date of application	X	X	X	X
Utilities - Documentation verifying plan was submitted to each utility, and utility is willing and able to serve.	X	X		
Draft copy of restrictive covenants and/or deed restrictions (if applicable)	X			
Final copy of restrictive covenants and/or deed restrictions (if applicable)		X	X	X
Maintenance agreement / O&M Plan / Approved Escrow Account for stormwater facilities and common areas (LDO)			X	X
E-911 Addressing letter approving all street names.	X			
Traffic Impact Study (*Traffic Impact Ordinance*) (if applicable)	X			
Surety (if applicable)			X	X
Exterior Lighting Plan and Photometric Plan (ZO) - if applicable)	X		X	X
Items required by *Land Development Ord. (LDO)* for new roadways			X	X
Wetland and/or Stream Delineation (if applicable)	X	X		
Landscape Plan SR§5.8 (if applicable)	X			
Tree survey (if applicable) (LDO)	X			
USACE 404 Permit for wetland fill or dredging (if applicable)				
ADEM - ACAMP permit (if applicable)	X			
Hydrologic and hydraulic analysis and "no rise certificate" for development in floodways (if applicable)	X			
If zoned, check ZO for other required documents.	X	X		

GENERAL PLAT / SITE PLAN INFO	Preliminary Plan	Minor Sub.	Final Plat	Final Site Plan
Plat/plan clearly and legibly drawn, sheets numbered in sequence, sheet size does not exceed 24 x 36 inches. Minimum text size 1/10 inch	X	X	X	X
Name and address of owner(s) of record	X	X	X	X
Tax parcel ID number on each parent parcel that is part of the development	X	X		

GENERAL PLAT / SITE PLAN INFO (cont.)	Preliminary Plan	Minor Sub.	Final Plat	Final Site Plan
Proposed name of subdivision/development	X	X	X	X
Date, north point, and scale	X	X	X	X
Plat/plan prepared by a Licensed Professional Engineer or Land Surveyor registered in Alabama	X	X	X	X
Vicinity map showing location of the subdivision	X	X	X	X
Exact boundaries of the tract(s) of land being subdivided shown with bearings and distances	X	X	X	X
Relation of parcel(s) to Government Survey of Baldwin Co. "Point of beginning" shown and referred to in written description	X	X	X	X
Sufficient data to determine location, bearing, and length of every street/lot/boundary/block line.	X	X	X	X
Owner names, addresses, and tax parcel ID #'s for all adjacent parcels as they appear in County Revenue tax records	X	X		X
Names/locations of adjoining subdivisions and streets, with recorded slide/instrument numbers	X	X	X	X
Wooded areas, streams, cultural resources, and any other conditions affecting the site	X	X		
Location of existing streets, buildings, water courses, railroads, transmission lines, drainage structures, public utilities, jurisdiction lines, and any public utility easements on tract being subdivided and on adjacent land within 100 feet of the tract	X	X		
The exact position of permanent monuments and property markers		X	X	X
Proposed structures (buildings or other structures) and proposed uses (if applicable)	X			X
Number, location, and dimensions of parking spaces (if applicable)	X			X
Centralized mail boxes (CBU) and associated parking, lighting, and landscaping (if applicable). Include building elevations/plans for associated structures	X			X
Location of dams, stormwater management areas, and water impoundments including the limits of the top of such impoundment structure or embankment, the location of any related spillway(s) and/or outlet control structures	X	X		X
Existing rights-of-way, alleys, or easements including location, widths, purposes, street widths and names, and recording info.	X	X	X	X
Proposed rights-of-way, alleys, or easements including location, widths, purposes, street widths and names	X		X	X
Any proposed parks, school sites, or other public open spaces	X		X	X

GENERAL PLAT / SITE PLAN INFO (cont.)	Preliminary Plan	Minor Sub.	Final Plat	Final Site Plan
Site data: 1. Acreage in total tract 2. Smallest lot size 3. Total number of lots 4. Linear feet in streets 5. Number of parking spaces (if applicable) 6. Min. building setbacks or build-to lines (front, rear, side, and street side) 7. Zoning Classification (if applicable) and Place Type 8. Density – gross and net (lots or units per acre) 9. Open space: Total and usable acreage 10. Wetland or stream buffers (if applicable)	X	X	X	X
Name of each utility provider	X	X	X	X
Topography – show on a separate sheet or Engineering Plan	X			
In the Planning Jurisdiction - Highway construction setback	X	X	X	X
The following endorsements, dedications, and certificates as applicable (refer to Appendix A for sample certificates): 1. Licensed Surveyor's Certificate and Description of Land Platted 2. Owner's Dedication 3. Notary's Acknowledgment of the Dedication Certificate referred to in "2" 4. Mortgagee's Acceptance (if applicable) 5. Notary Acknowledgment of Mortgagee's Acceptance referred to in "4" 6. Certificate of Approval by utility providers 7. Certificate of Approval by Baldwin Co. E-911 Addressing 8. Certificate of Approval by Baldwin Co. Coastal Area Program (if applicable) 9. Certificates of Approval by City Engineer or Baldwin County Engineer 10. Certificate of Approval by Chairman of Foley Planning Commission 11. Certificate of Approval by Baldwin Co. Health Department (if applicable) 12. Certificate of Approval by City Planning Director or Baldwin Co. Planning Director (in Planning Jurisdiction) 13.Certificate of Approval for Improvements by Engineer of Record		X	X	X
Phase lines and sequence if developed in phases	X			
Buffers – landscape buffers, fences, walls, etc.	X			X
FLOOD PRONE AREAS	**Preliminary Plan**	**Minor Sub**	**Final Plat**	**Final Site Plan**
Show and identify by shading, cross-hatching, etc. flood zones for floodways	X	X	X	X

WETLANDS				
Required buffers for jurisdictional wetlands /streams (if applicable)	X	X	X	X
WATERWAYS/IMPOUNDMENTS				
Note that ownership and maintenance responsibility of water bodies shall not become a City responsibility.	X	X	X	X
UTILITIES				
Easements Unless otherwise required by a specific utility provider, utility and drainage easements should be indicated on the Final Plat/Site Plan with a note like the following: DRAINAGE/UTILITY EASEMENTS EXT. REAR & SIDE BOUNDARY LOT LINES: 15 FT INTERIOR REAR & SIDE LOT LINES: 7.5 FT	X	X	X	X
LOTS AND SETBACKS				
• Lot lines with bearings and distances • Square footage and acreage of each lot, site, parcel, and common area • Lot or site numbers - uniquely identified in consecutive numerical or alpha-numerical order	X	X	X	X
Minimum building setback lines shown or described in the Site Data Table for each lot or site	X	X		X
BUILDING DETAILS				
Classification and uses for all proposed buildings	X			X
Architectural features, including building elevations, exterior material, and roof pitches of all buildings	X			X
Size, location, and sufficient dimensions of all buildings and improvements within the site plan to indicate their size and relationship to all proposed and existing streets, lot lines, and structures and improvements	X			X
TEST REPORTS				
● "As Built" plans, signed by Engineer of Record detailing construction and installed improvements. ● If completed under a surety, test reports shall be submitted to the City upon request of release of the bond by the applicant. ● "As Built" plans shall include: o Geometric roadway plans o Plan/profiles of all roads o Overall drainage plan o Overall utility plan (including but not limited to water, sewer, phone, electrical) o Overall erosion control plan (permanent erosion control only) o Details as required for construction plans			X	X

APPENDIX C: Approved Species for Landscape Plans:

Source: *Baldwin Co. Subdivision Regulations*

Shrubs (deciduous)
Aesculus pavia (red Buckeye)
Aronia arbutifolia (red Chokeberry)
Asimina triloba (pawpaw)
Alnus serrulata (smooth alder)
Amelanchier arborea (downy serviceberry, shadbush, Juneberry)
Amorpha fruticosa (false indigo, Indigo bush)
Baccharis halimifolia (sea myrtle, groundsel bush)
Callicarpa americana (American beautyberry, French mulberry)
Calycanthus floridus (Carolina allspice, sweet shrub)
Castanea pumila (chinquapin)
Ceanothus americanus (New Jersey tea, red root)
Cephalanthus occidentalis (buttonbush)
Chionanthus virginicus (fringetree)
Clethra alnifolia (summer sweet)
Cornus alternifolia (pogoda dogwood, alternate-leaved dogwood)
Dirca palustris (leatherwood, ropebark)
Erythrina herbacea (coral bean)
Euonymus americana (strawberry bush, brook euonymus, hearts-a-bustin')
Euonymus atropurpurea (wahoo, burning bush)
Forestiera acuminata (swamp privet)
Fothergilla major (witch alder)
Fothergilla milleri (dwarf witch hazel)Frangula caroliniana (Carolina buckthorn)
Hamamelis virginiana (witch hazel)Hibiscus coccineus (wild red mallow)
Hydrangea arborescens (wild hydrangea)
Hydrangea quercifolia (oakleaf hydrangea)
Hypericum hypericoides ssp. hypericoides (St. Andrew's cross)
Hypericum prolificum (shrubby St. John's wort)
Ilex verticillata (winterberry, black alder)
Itea virginica (Virginia willow, sweetspire, tassel-white)
Lindera benzoin (spicebush)
Lycium carolinianum (Christmas berry, matrimony vine)
Lyonia ligustrina (male-berry, male-blueberry)
Physocarpus opulifolius (ninebark)
Rhododendron alabamense (Alabama azalea)
Rhododendron arborescens (sweet azalea)
Rhododendron austrinum (Florida flame azalea)
Rhododendron canescens (wild, piedmont, or sweet azalea)
Rhododendron colemanii (red hills azalea)
Rhododendron serrulatum (hammock sweet azalea)
Rhododendron viscosum (swamp azalea)
Rhododendron arborescens (smooth azalea)
Rhus copallinum (dwarf or winged sumac)
Rhus glabra (smooth sumac)
Rosa carolina (Carolina rose)
Sambucus canadensis (elderberry, common elder)
Sassafras albidum (sassafras)
Sideroxylon lanuginosum ssp. lanuginosum (chittamwood, gum elastic tree)
Staphylea trifolia (bladdernut)
Stewartia malacodendron (silky camellia)
Styrax americanus (American silverbells)
Vaccinium corymbosom (highbush blueberry)
Vaccinium stamineum (deerberry)
Vaccinium virgatum (rabbit eye blueberry)
Viburnum acerifolium (maple leaf viburnum)
Viburnum dentatum (southern arrowwood)
Viburnum nudum (possumhaw viburnum)
Viburnum nudum var. cassinoides (wild raisin)
Viburnum prunifolium (black haw, nanny berry)
Viburnum rufidulum (southern or rusty black haw)

Shrubs (evergreen)
Cartrema americana (american olive)
Ilex glabra (inkberry, bitter gallberry)
Ilex vomitoria (yaupon holly)
Illicium floridanum (Florida anise tree)
Juniperus communis (common juniper)
Kalmia latifolia (mountain laurel)
Leucothoe axillaris (coast leucothoe)
Lyonia lucida (shining fetterbush)
Morella cerifera (wax myrtle)
Myrica cerifera (wax myrtle, southern bayberry, candleberry)
Rhapidophyllum hystrix (needle palm)
Sabal minor (dwarf palmetto)
Serenoa repens (saw palmetto)
Vaccinium arboreum (sparkleberry, farkleberry)
Vaccinium darrowii (darrow's blueberry)
Vaccinium myrsinites (shiny blueberry)

Trees (deciduous)
Acer barbatum (Florida maple, southern sugar maple)
Acer leucoderme (chalk maple)
Acer negundo (box elder)
Acer rubrum (red maple)
Acer saccharum (sugar maple)
Aesculus glabra (Ohio buckeye, horse chestnut)
Aesculus pavia var. pavia (red buckeye)
Betula nigra (river birch)
Carpinus caroliniana (blue beech, hornbeam, muscle wood)
Carya alba (mockernut hickory)
Carya cordiformis (bitternut, swamp hickory)
Carya illinoinensis (pecan)
Carya ovata (shagbark hickory)
Celtis laevigata (sugarberry, hackberry)
Celtis occidentalis (hackberry, sugarberry)
Cercis canadensis (redbud)
Chionanthus virginicus (fringe tree, old man's beard)
Cladrastis kentukea (yellowwood)
Cornus florida (flowering dogwood)
Cotinus obovatus (smoke tree)
Crataegus mollis (downy hawthorn)
Crataegus crus-galli (cockspur hawthorn)
Cyrilla racemiflora (leatherwood, yiti)
Diospyros virginiana (persimmon)
Fagus grandifolia var. caroliniana (beech)
Fraxinus americana (white ash)
Fraxinus pensylvanica (green ash)
Gleditsia triacanthos (honey locust)
Halesia diptera (American snowdrop tree, two-winged silverbell)
Halesia tetraptera (Carolina silverbell)
Ilex cassine (dahoon holly)
Ilex decidua (possum-haw, deciduous holly)
Ilex opaca (american holly)
Juglans nigra (black walnut)
Juniperus virginiana (red cedar)
Liquidambar styraciflua (sweet gum)
Liriodendron tulipifera (tulip tree)
Magnolia acuminata (cucumber tree)
Magnolia grandiflora (southern magnolia)
Magnolia pyramidata (pyramid magnolia)
Magnolia virginiana (sweetbay, swampbay)Malus angustifolia (southern crabapple, wild crabapple)
Morus rubra (red mulberry)
Nyssa sylvatica (black gum, tupelo)
Ostrya virginiana (ironwood, hop hornbeam)
Oxydendrum arboreum (sourwood)
Pinus glabra (spruce pine)
Platanus occidentalis (sycamore, plane-tree)
Populus deltoides (eastern cottonwood)
Prunus americana (wild plum)
Prunus angustifolia (chickasaw plum)
Prunus mexicana (Mexican plum)
Prunus serotina (black cherry)
Prunus umbellate (flatwoods plum)
Ptelea trifoliata (wafer ash, common hop tree)
Quercus alba (white oak)
Quercus bicolor (swamp white oak)
Quercus coccinea (scarlet oak)
Quercus falcata (southern red oak, Spanish oak)
Quercus hemisphaerica (darlington oak)
Quercus laurifolia (laurel oak)
Quercus lyrata (overcup oak)
Quercus macrocarpa (bur oak)
Quercus marilandica (blackjack oak)
Quercus michauxii (swamp chestnut oak)
Quercus muhlenbergii (chinkapin oak, chestnut oak)
Quercus phellos (willow oak)
Quercus rubra (red oak)
Quercus shumardii (shumard oak)
Quercus stellata (post oak)
Quercus virginiana (live oak)
Quercus velutina (black oak)
Salix nigra (black willow)
Taxodium ascendens (pond cypress)
Taxodium distichum (bald cypress)
Ulmus americana (American elm)
Ulmus rubra (red elm, slippery elm)
Zanthoxylum clava-herculis (toothache tree)

Trees (evergreen)
Chamaecyparis thyoides (white cedar)
Ilex opaca (American holly, Christmas holly)
Juniperus virginiana (eastern red cedar)
Magnolia grandiflora (southern magnolia)
Pinus echinata (shortleaf pine)
Pinus elliotii (slash, pitch, or yellow slash pine)
Pinus glabra (spruce pine)
Pinus palustris (longleaf pine)
Pinus taeda (loblolly pine)
Pinus virginiana (Virginia pine)
Prunus caroliniana (cherry laurel)
Quercus virginiana (live oak, coastal live oak, southern live oak)

APPENDIX D: Guide to Place Types

Reserved

PUBLIC NOTICE

The City of Foley Planning Commission will hold a Public Hearing on proposed amendments to the City of Foley Subdivision Regulations. The amendments are available for review at the Library, City Hall, and Community Development Department.

Anyone having interest in the approval of the changes may be heard at a public hearing scheduled for September 17, 2025 in the Council Chambers of City Hall (407 E. Laurel Ave.) at 4:00 p.m. or may respond in writing to 120 S. McKenzie St., Foley, AL 36535.

Wes Abrams
Planning Commission Chairman

CERTIFICATION

I, Wes Abrams, Chairman of the Planning Commission of the City of Foley, Alabama, hereby certify to the Office of the Judge of Probate of Baldwin County, Alabama that the foregoing instrument, Subdivision Regulations, is a true and correct copy of the Subdivision Regulations approved by the Planning Commission during their regular meeting held on the 17th day of September, 2025.

WITNESS, my hand under the Seal of the Planning Commission of the City of Foley, Alabama, on this the 17th day of September, 2025.

Wes Abrams, Chairman

City of Foley Planning Commission

Foley, Alabama