



STEPS FOR SUBDIVISION OF PROPERTY

(See the Subdivision Regulations and Amendments for complete guidelines)

There are two types of subdivision requests; **Subdivide by Certificate** (usually divides a tract into three or less lots), or **Subdivision of Property** (usually involves several tracts of land and will be divided into multiple lots). Choose the one that is correct for your circumstance and fill out **ONLY the forms that are applicable**. The Zoning and Subdivision Regulations Manual are available at the City Clerk's office for a nominal fee of \$10 for the Zoning Ordinance and \$5 for the Subdivision Regulations Manual. The summary below should help to explain the process and also provides an easy checklist for your convenience.

SUBDIVISION BY CERTIFICATE

Requirements for a Subdivision by Certificate are:

1. The Owner desires to **convey a part or parts of one tract of land**; and
2. The Planning Commission is of the opinion that compliance with procedures would create and unnecessary hardship to Owner; and
3. The Planning Commission is of the opinion that such part or parts of such lot or tract may be conveyed without destroying the intent of these regulation is in conformity with the general requirements and minimum standards as contained in the Subdivision regulations.

Steps for Request to Subdivide by Certificate

File an application with the City Clerk at least 20 days prior to the Planning Commission meeting. The applicant is required to attend the meeting. (Form PC-Cert-19-1)

Application Fee Paid \$50

The application includes the following:

- An already recorded map or plat of a subdivision or as shown by the official City map of the City of New Hope or map of property surveyed and certified by a registered engineer or land surveyor, showing the relationship of the parcel of land to be conveyed to the Government Survey.
- List of all adjoining landowners including directly across any roadways or streets.
 - The Planning Commission will meet to consider request once the completed application is submitted to the City Clerk. The meeting must be posted at least 7 days in advance (15 days is preferred).

- The Planning Commission may:
 - a. Deny or grant the request; or
 - b. Require the property owner to furnish such information as the Planning Commission deems necessary in order to pass upon the request; or
 - c. Grant the request imposing restrictions and conditions as they deem appropriate.
 - Upon approval, the Planning Commission issues a Certificate of Approval.
 - a. Signed by Chairman, Vice-Chairman or Secretary of Planning Commission.
 - b. Applicant must file division of property with the office of Probate Judge.
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REQUEST TO SUBDIVIDE (Subdivision of Property)

The request to subdivide will require the completion of several steps in order to finalize the subdivision; 1) Layout Approval Request 2) Preliminary Plat Approval Request and 3) Final Plat Approval Request. Please reference the Subdivision Regulations and Amendments Guide for all requirements. The following is a simplified checklist. Other documentation may be required by the Planning Commission.

Step 1 – Request Layout Approval - Form PC-Sub19-1

- File an Application for Layout Approval (Form PC-Sub19-1) with the City Clerk at least 20 days prior to the Planning Commission meeting. Applicant is required to attend the meeting.
- Pay Application Fee \$50

The application requires the following:

- Sketch Plan – 3 copies
- Site Assessment Report as described in Article III Section 3.0 in the Subdivision Regulations Guide
- List of all adjoining landowners including property directly across any roadways or streets.

- Planning Commission will consider the Layout Approval Request
 - a. The Planning Commission may hold a public hearing to consider granting a layout approval. If held, the notice must be posted at least 7 days prior to the meeting (15 days is preferred), and the adjacent landowners notified.
 - b. The Planning Commission may approve, disapprove, or recommend changes.
 - c. If recommended changes are made, the Planning Commission shall grant layout approval, but the approval may be subject to certain conditions.
- If the Layout is approved then an application for a Preliminary Plat Approval must be submitted (Step 2).

Step 2 - Application for Preliminary Plat Approval – Form PC-Sub19-2

- File an Application for Preliminary Plat Approval (Form PC-Sub19-2) with the City Clerk at least 20 days prior to the Planning Commission meeting. Applicant is required to attend the meeting.
- Pay Application Fee \$50 plus \$1 per lot.

The application requires the following:

- Preliminary Plat (3 copies)
 - Geotechnical Investigation and Testing Report (2 copies)
 - Stormwater Management Report (2 copies)
 - Development Construction Plans (2 copies)
 - Vegetation Plan.
 - Grading and Erosion and Sedimentation Control Plan.
 - Street Plan
 - Stormwater Drainage Plan
 - Sanitary Sewer Plan
 - Water Distribution Plan
 - Electric Plan
 - Natural Gas Utility Statement
- Certified list of all adjacent landowners and addresses
- Planning Commission will hold a Public Hearing on the Preliminary Plat Proposal- Notice must be posted at least 7 days prior to the meeting (15 days is preferred). All adjacent landowners will be notified. The subdivision sponsor or representative must be present at the meeting. The Planning Commission may approve or disapprove the Preliminary Plat.

- A preliminary approval shall not be deemed final acceptance but rather an expression of approval of the layout as submitted on the preliminary plat. The approval of a preliminary plat shall be effective for a period of one (1) year at the end of which time final approval on the subdivision must have been obtained from the Planning Commission, although the plat need not yet be signed and filed with the County Judge of Probate.
- Any plat not receiving final approval within the period of time set forth shall be null and void and the developer shall be required to resubmit a new plat for preliminary approval subject to all new zoning restrictions and subdivision regulations.
- One copy shall be retained in the Planning Commission files.

Step 3- Application for Final Plat Approval – Form PC-Sub19-3

- Submit a completed application form (PC-Sub19-3) to the City Clerk at least three (3) weeks prior to the Planning Commission meeting. The sponsor must appear in person at the meeting.
- Pay application fee \$50
- Final Plat (3 copies)
- Actual closure Computations for boundary traverse
- Performance Bond and Letter of Credit (if all subdivision improvements have not been completed).
- Digital Format – Application must also be submitted in a Digital file format.
- Certifications from City departments and utilities with info required in 3.6(A).
- Receipt of Certification from Registered Engineer or Land Surveyor that permanent reference monuments have been placed.
- Plan showing proposed use of, and restrictions on each lot (if any), and documents imposing such restrictions.
- The Planning Commission will review the final subdivision plat and shall approve for recording or shall disapprove the plat and state the reasons for disapproval. The Planning Commission may stipulate the time period when the required improvements shall be installed, but in no event shall the period of time for completion of the required improvements exceed two (2) years from the date of final approval.
 - a. Before the final plat is signed by the Chairperson of Planning Commission, the applicant must complete all street, sanitary and other improvements.
 - b. The Planning Commission may waive completion requirement and require a Performance Bond with a Letter of Credit.

c. All required improvements must be made at owner's expense unless otherwise specified, without reimbursement from City.

d. Planning Commission may defer construction of certain improvements, if it makes findings listed in 4.5; Applicant must pay the City the cost of constructing the deferred improvement.

- Copy of Approved Final Plat shall be presented by the owner or sponsor to the various certifying agencies including the Planning Commission.
- Recording - Owner records Final Plat and provides copy to City. If the final plat as approved is not recorded within six (6) months of the date of final approval, the approval of the plat shall be deemed to have expired.
- Inspection of Improvements - The City inspects required improvements.
- Certificate of Satisfactory Completion – Must be provided to the City by Applicant upon completion of improvements.
- Maintenance Bond – applicant must post Maintenance Bond and Letter of Credit, good for one year.
- Dedication and Acceptance - Public Improvements must be dedicated to and accepted by the City.
- Performance Bonds Released - After dedication and acceptance of public improvements, City may release bond and letter of credit.
- The applicant shall state in writing to the City of New Hope that all improvements have been completed as required.

See Subdivision Regulations Manual for more in-depth instructions concerning requirements and guidelines.

If you have any questions, please feel free to contact the City Clerk, Kim Cleveland at 256-723-2616 ext. 213. Office hours are Monday through Friday, 8:00 am until 5:00 pm.

Email address: nhcityclerk@nehp.net

Address: P.O. Box 419
5484 Main Drive
New Hope, AL 35760



APPLICATION FOR
CERTIFICATE TO DIVIDE

(Form PC-Cert-19-1)

Date Submitted _____

The following must be attached to this application before a hearing will be scheduled.

- Application Fee \$ 50**
- Survey showing proposed subdivision of property**
- List of all adjoining landowners with addresses**

Address of Land to be Sub-divided: _____

Landowner: _____

Mailing Address: _____

Phone No.: (Home) _____ (Business) _____ (Cell) _____

Legal Description of the original tract: (attach additional sheet if needed)

PPIN#'s _____ Total Acreage/Square Ftg: _____ Current Zone: _____

Number of Lots/Units Requested: _____ Name of Surveyor: _____

Proposed Use of Land or Reason for Making this Request: _____

Certified List of All Adjoining Landowners (including directly across roadways) and their mailing addresses as listed with the County Tax Assessor's office. Include a copy of the county map.

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

Legal Description of Tracts after Sub-dividing: (attach additional sheets if needed) _____

Other Remarks: _____

Applicant Signature

Date

Printed Name

Applications must be presented to the clerk at least 20 days prior to the Planning Commission meeting. The applicant is required to attend the meeting. A public hearing will be held as required by law, to give anyone the opportunity to speak for or against the request. A copy of the notice will be mailed to you with the date and time of the hearing and Planning Commission meeting.

A Subdivision Guideline Summary is attached. This is a quick-reference only and does not supersede or amend the terms specified in the New Hope City's approved Subdivision Regulations or Zoning Ordinances. These publications can be obtained at New Hope City Hall upon request for a nominal fee- Zoning Ordinance \$10- Subdivision Regulations \$5.

Present all required items to the New Hope City Clerk. The office is located at 5484 Main Drive, New Hope, AL 35760. Contact Kim Cleveland for more information at 256-723-2616 ext. 213, Monday through Friday, 8:00 am – 5:00 pm.

For questions regarding building permits, utilities or business license contact the Permit Clerk, Tina Bush, at 256-723-2616 ext. 225.

FOR OFFICE USE ONLY	
Public Hearing Date: _____	PC meeting Date: _____
Planning Commission's Decision for CERTIFICATE TO DIVIDE:	Date: _____
<input type="checkbox"/> Approve	
<input type="checkbox"/> Disapprove	
<input type="checkbox"/> Conditional Approval based on following changes:	
➤ _____	
Planning Commission Chairman:	_____
Attest by City Clerk:	_____
Applicant Contacted with Decision:	_____ by Phone _____ Mail _____ Email _____