

MEMORANDUM

DATE: April 21st, 2026

TO: Planning Commission

PLANNING COMMISSION MEETING

April 21st, 2026

Pre-Meeting – 3:00 p.m.

Meeting – 3:30 p.m.

City Council Chambers

Agenda

Planning Commission

City of Decatur, AL

April 21st, 2026

Time: 3:30 PM

City Council Chambers

Gary Borden, Chairman; Eddie Pike, Vice-Chairman; Larry Waye, Secretary; Barry Bullard; Frances Tate; Ross Terry; Myrna Burroughs; Forrest Temple, Steven Mosher

CALL MEETING TO ORDER

Public Meeting

Re-Zonings

PAGE NO.

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B. Rezoning 1448-26	Pugh Wright McAnally	7-10
C. Rezoning 1449-26	Charles Brothers, Idlewind LLC	11-14

Consent Agenda

Certificates

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E. Certificate 3667-26	Pugh Wright McAnally	19-22
F. Certificate 3669-26	Pugh Wright McAnally	23-26

Final Plats

PAGE NO.

A. Final Plat - Kenzie Meadows Phase 2	Pugh Wright McAnally	27-30
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Other Business

Other Business

PAGE NO.

A. Vacation 600-26	Pugh Wright McAnally	31-33
B. Bond Review – Kenzie Meadows Ph. 2	Pugh Wright McAnally	34-35
C. Subdivision Regulation Update	City of Decatur	36-41

PUBLIC HEARING

RE-ZONINGS

RE-ZONING 1447-26

FILE NAME OR NUMBER: Re-Zoning 1447-26

ACRES: 15.24 +/- acres

CURRENT ZONE: RS-5 (Residential Single Family-5) & RS-A (Residential Single Family Attached)

APPLICANT: HUTCO Development LLC

LAND OWNER: Mitchell Holdings, LLC

LOCATION AND/OR PROPERTY ADDRESS: South of 4021 Saddlehorn Bend SW

REQUEST: Re-Zone 15.24 +/- acres from RS-A to RS-5

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood

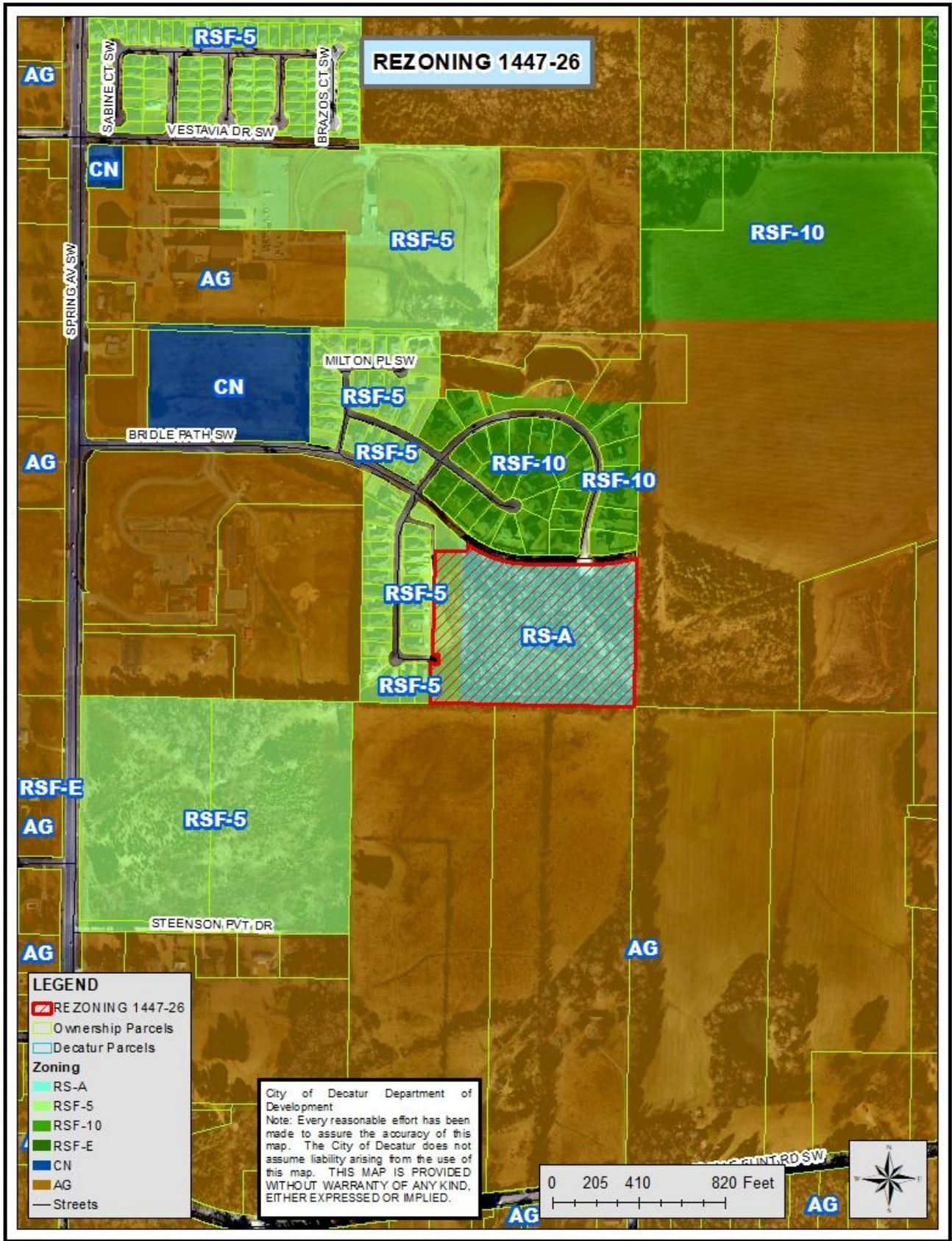
ONE DECATUR STREET TYPOLOGY: Saddlehorn Bend & Clydesdale Way are local streets

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

Point of Information: Any relocation of utilities will be at the owner's expense, and specific timing of relocations will need to be agreed upon between Decatur Utilities and the Developer.





RE-ZONING 1448-26

FILE NAME OR NUMBER: Re-Zoning 1448-26

ACRES: 37.05 +/- acres

CURRENT ZONE: AG (Agriculture)

APPLICANT: Pugh Wright McAnally

LAND OWNER: 37 Decatur, Alabama 25, LLC

LOCATION AND/OR PROPERTY ADDRESS: Intersection of Norris Mill Road & Bird Spring Road

REQUEST: Re-Zone 37.05 +/- acres from AG (Agriculture) to RS-5 (Residential Single Family-5)

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Low Residential

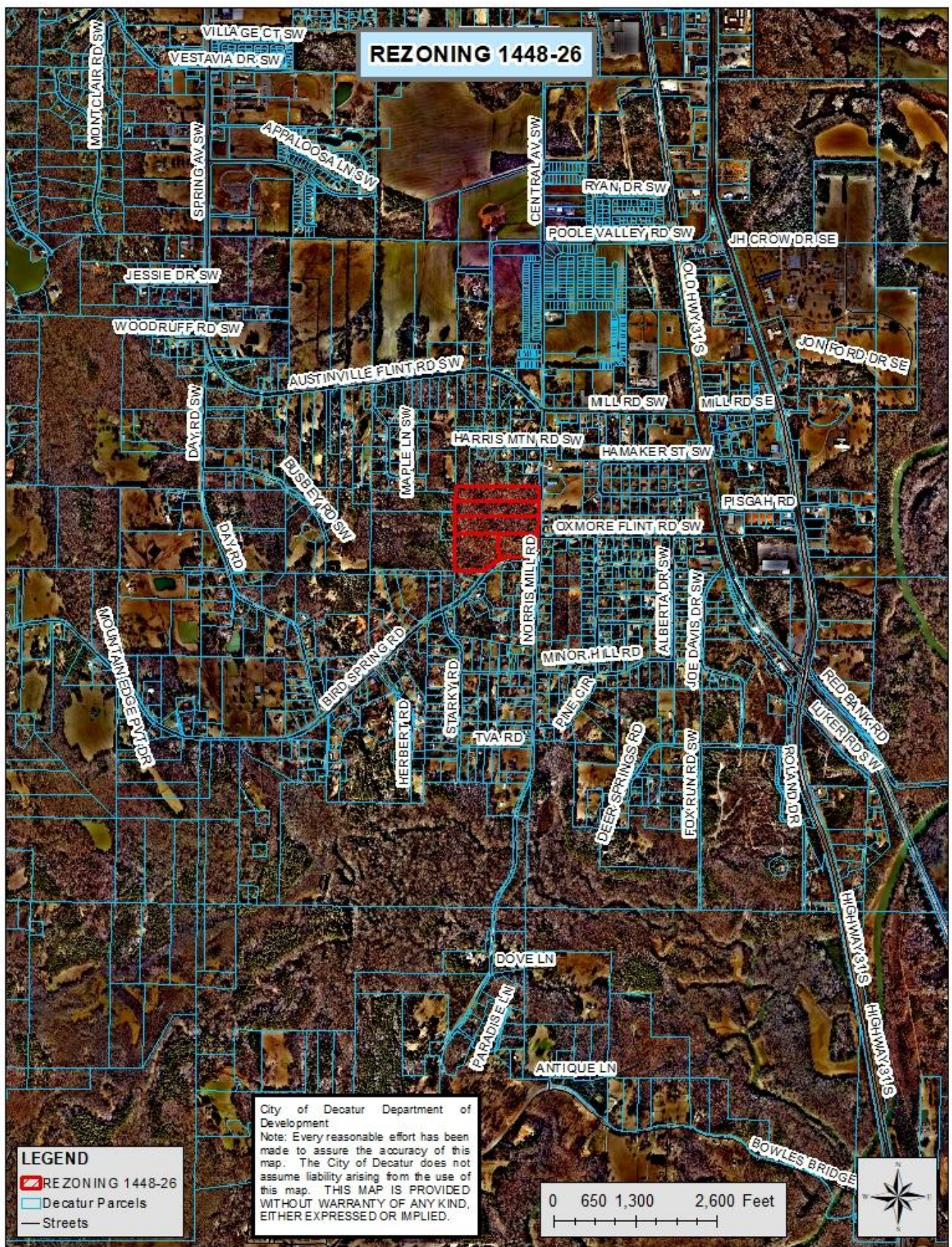
ONE DECATUR STREET TYPOLOGY: Bird Spring Road is a Collector Urban and Norris Mill Road is a Minor Arterial

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

Point of Information: Any relocation of utilities will be at the owner's expense, and specific timing of relocations will need to be agreed upon between Decatur Utilities and the Developer.

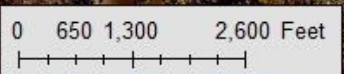
REZONING 1448-26

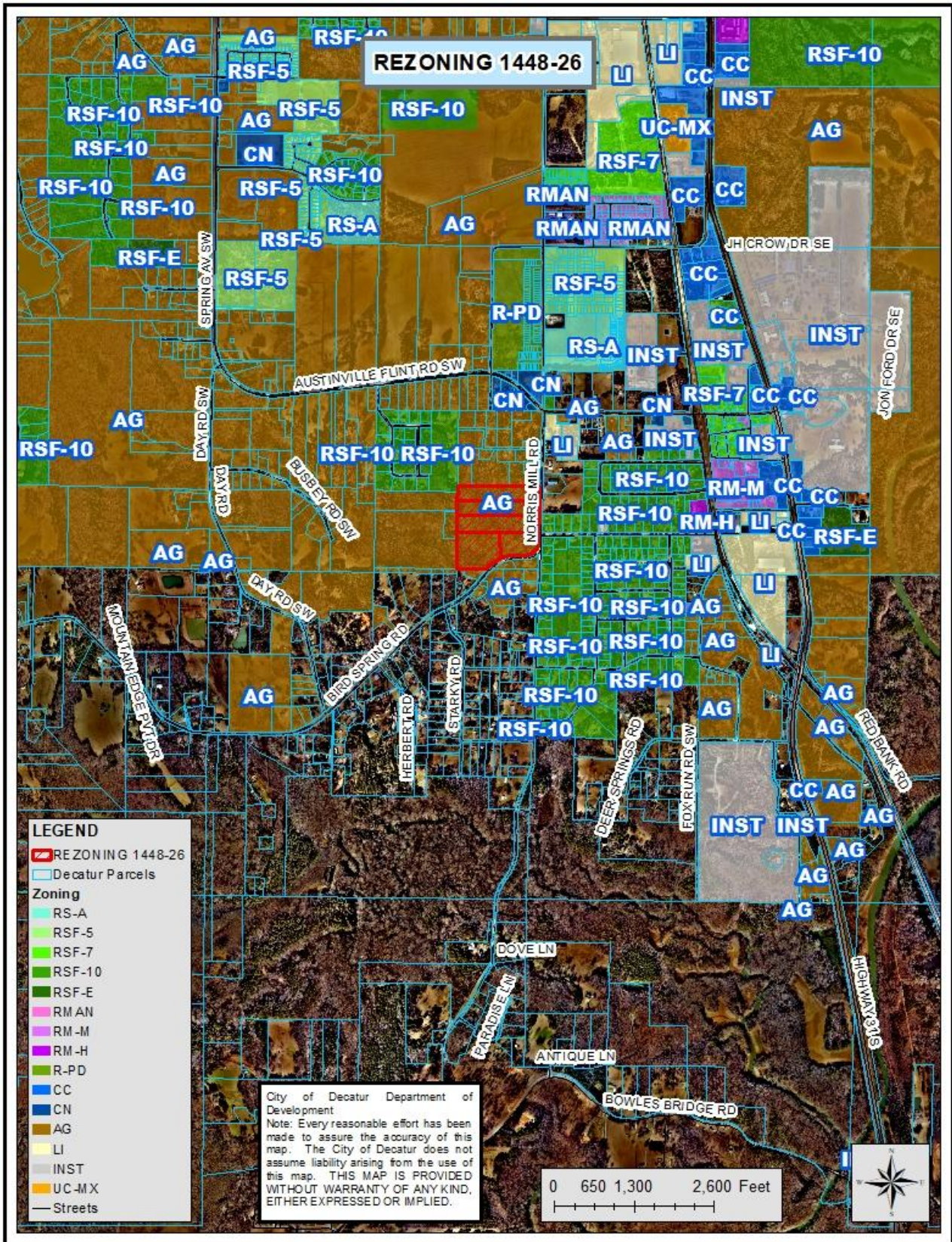


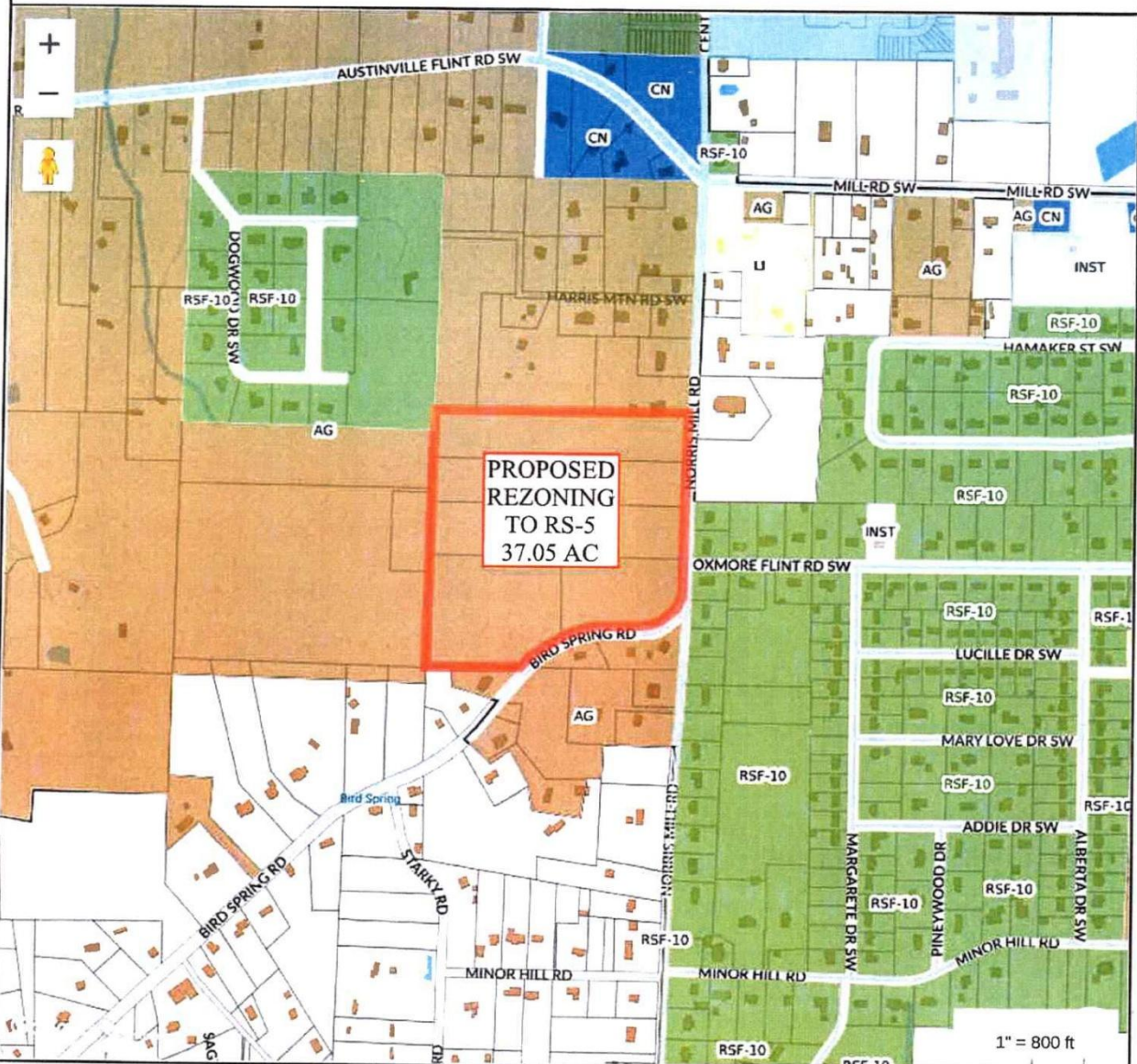
LEGEND

- REZONING 1448-26
- Decatur Parcels
- Streets

City of Decatur Department of Development
 Note: Every reasonable effort has been made to assure the accuracy of this map. The City of Decatur does not assume liability arising from the use of this map. THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED.







**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Decatur, AL makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 12/14/2021
Data updated 11/25/2025

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

RE-ZONING 1449-26

FILE NAME OR NUMBER: Re-Zoning 1449-26

ACRES: 41.10 +/- Acres

CURRENT ZONE: AG (Agriculture)

APPLICANT: Charles Brothers, Idlewind LLC

LAND OWNER: Idlewind, LLC

LOCATION AND/OR PROPERTY ADDRESS: South West of 3405 Danville Road

REQUEST: Re-Zone 41.10 +/- acres from AG (Agriculture) to RS-7 (Residential Single Family-7)

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Low Residential

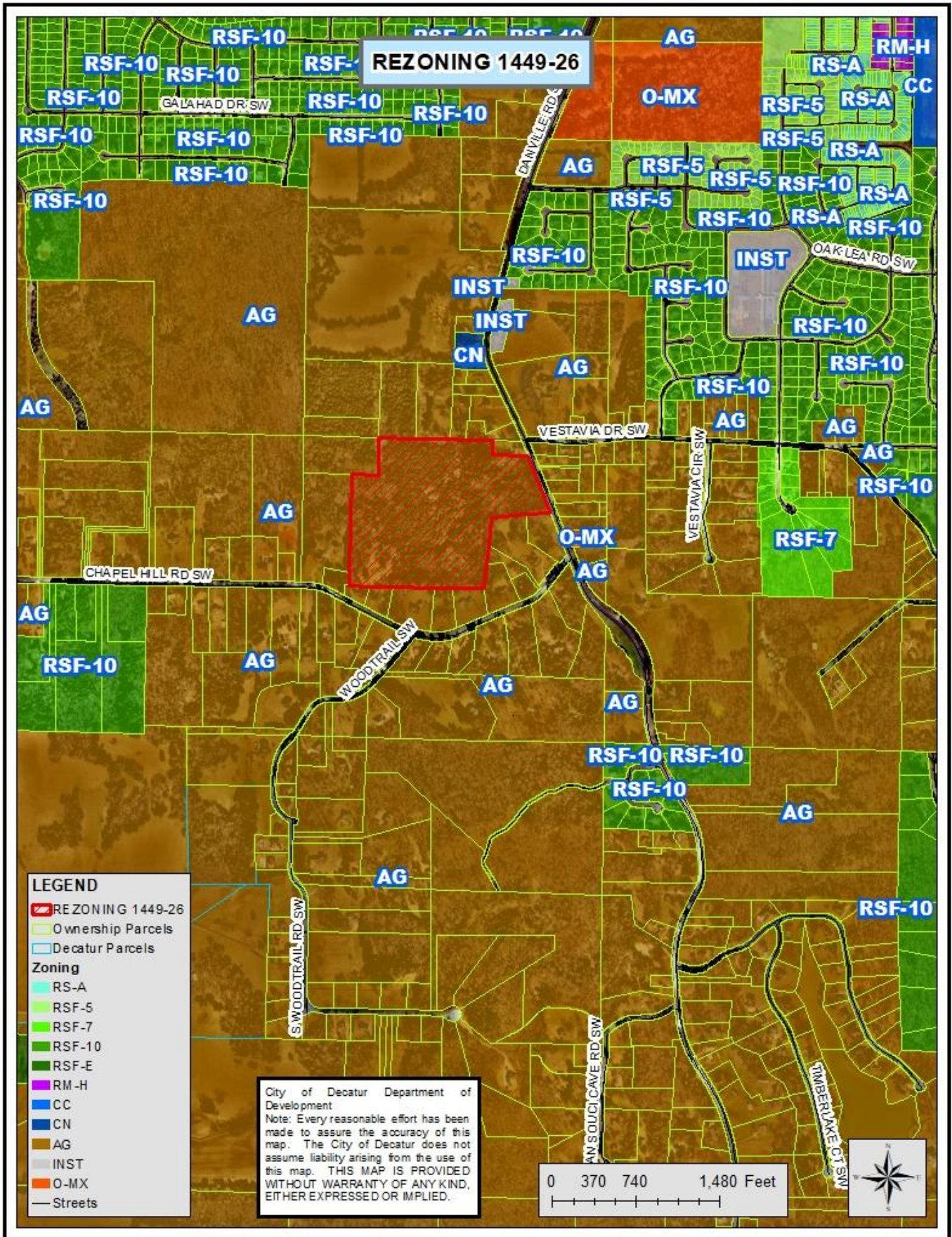
ONE DECATUR STREET TYPOLOGY: Danville Road SW is a Minor Arterial

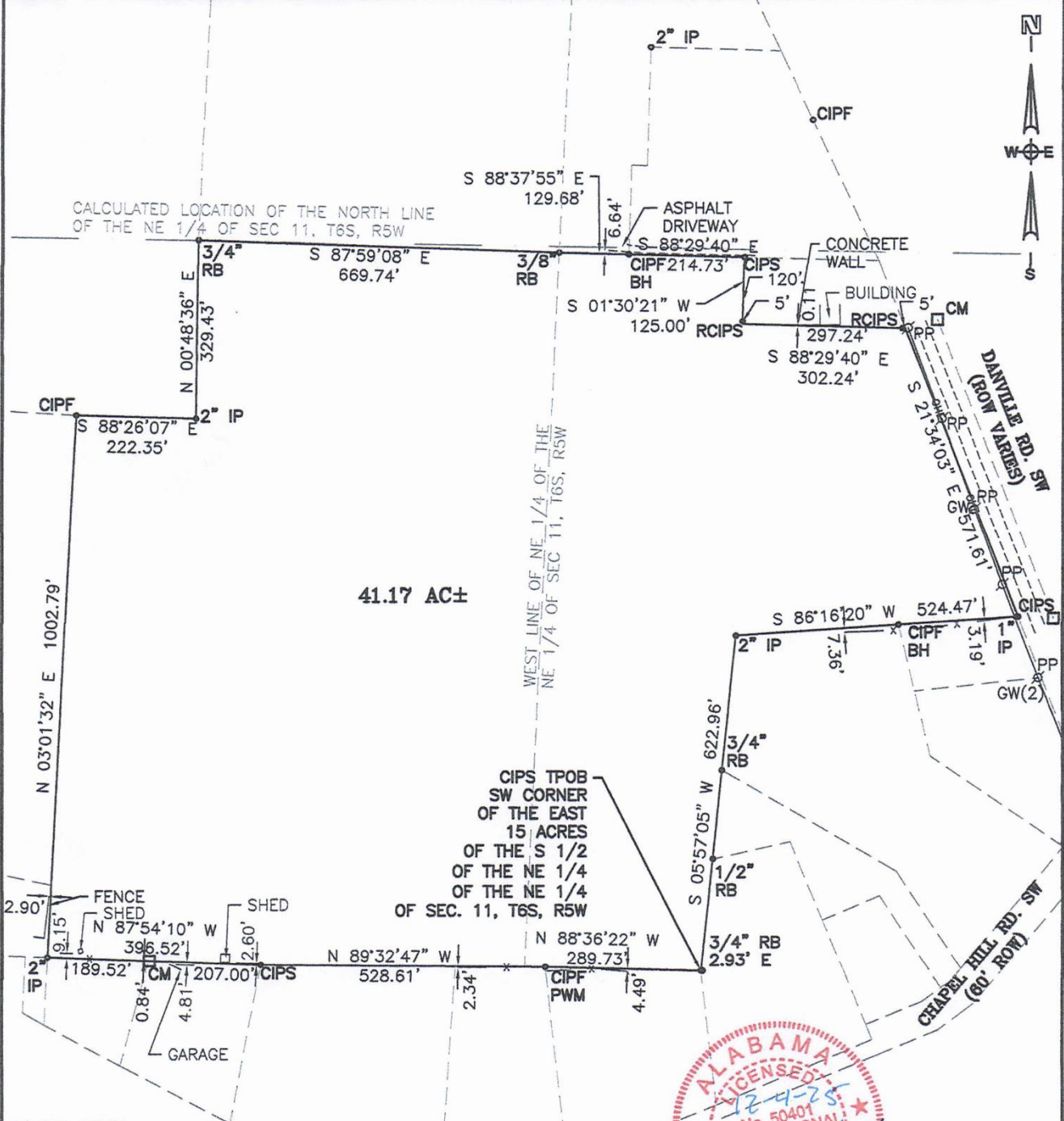
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

Point of Information: Any relocation of utilities will be at the owner's expense, and specific timing of relocations will need to be agreed upon between Decatur Utilities and the Developer.







- GENERAL NOTES
1. NORTH REFERENCE IS ALABAMA STATE COORDINATE GRID—WEST ZONE (NAD1983) AS DETERMINED BY GNSS OBSERVATIONS.
 2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS AND ARE FIELD MEASUREMENTS UNLESS OTHERWISE SHOWN
 3. SOURCE OF INFORMATION USED FOR SURVEY: D.B. 2003, PG 8558; D.B. 2018, PG 8229; D.B. 2020, PG 3437; D.B. 1714, PG 519; D.B. 1375, PG 835; D.B. 1439, PG 1; D.B. 1823, PG 549; D.B. 2017, PG 7635; D.B. 2022, PG 7072; D.B. 2019, PG 4851
 4. NO ENCROACHMENTS WERE FOUND ABOVE GROUND EXCEPT AS SHOWN



LEGEND

CIPF CAPPED IRON PIN FOUND
CIPS CAPPED IRON PIN SET

CONSENT AGENDA

CERTIFICATES

CERTIFICATE 3666-26

FILE NAME OR NUMBER: Certificate 3666-26

ACRES: 7.56 +/- acres

CURRENT ZONE: RS-10 (Residential Single Family-10)

APPLICANT: Pugh Wright McAnally

LAND OWNER: Rufus & Annie Faye Hampton & Catherine & Arren Matthews, Gail G. John

LOCATION AND/OR PROPERTY ADDRESS: 1242 & 1420 Vestavia Drive SW

REQUEST: Minor boundary adjustment to convey additional acreage

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Residential-Low

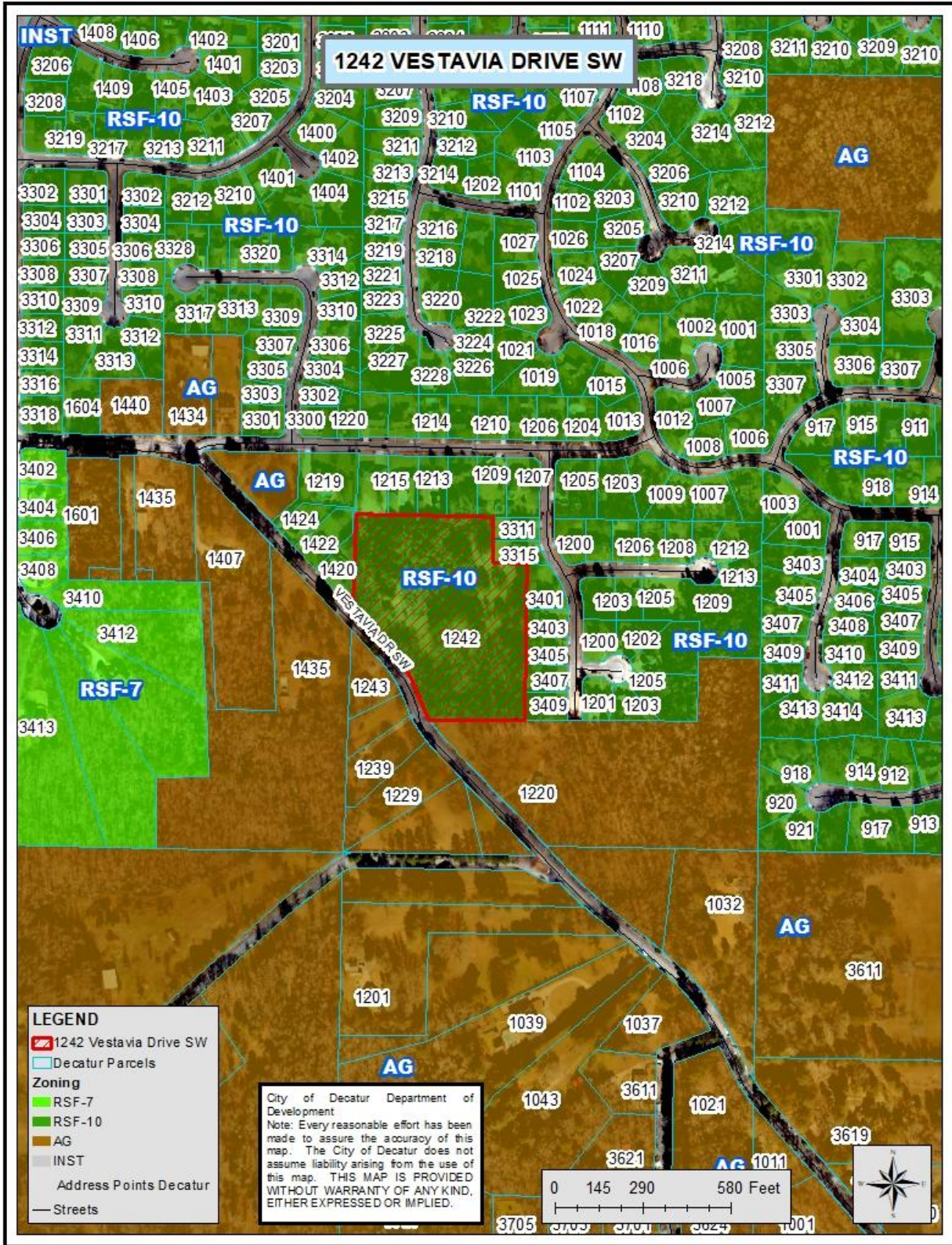
ONE DECATUR STREET TYPOLOGY: Vestavia Drive SW is a Collector Urban

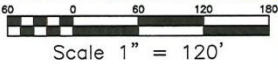
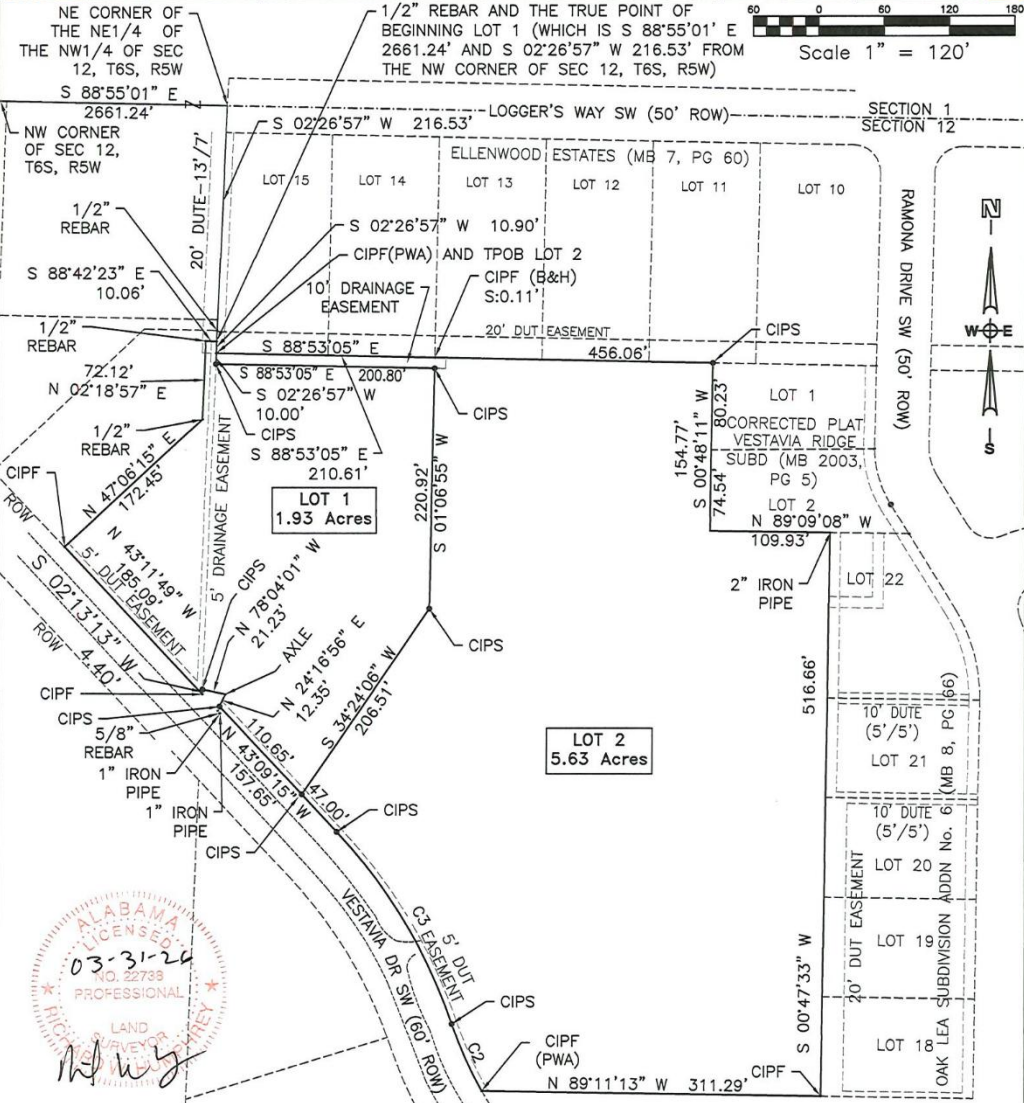
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

Point of Information: Any relocation of utilities will be at the owner's expense, and specific timing of relocations will need to be agreed upon between Decatur Utilities and the Developer.







CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C2	346.59'	67.33'	67.22'	N 24°21'09" W	11°07'49"
C3	488.26'	207.65'	206.09'	N 30°58'15" W	24°22'00"

GENERAL NOTES

- NORTH REFERENCE IS ALABAMA STATE COORDINATE GRID—WEST ZONE (NAD1983) AS DETERMINED BY GNSS OBSERVATIONS.
- ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS AND ARE FIELD MEASUREMENTS UNLESS OTHERWISE SHOWN
- SOURCE OF INFORMATION USED FOR SURVEY: DB 2006, PG 147; DB 2021, PG 11774; DB 2024, PG 2256; MB 2003, PG 5; MB 7, PG 60; MB 8, PG 66; DB 1575, PG 157
- PROPERTY IS LOCATED ON VESTAVIA DRIVE, SW, DECATUR, AL
- NO ENCROACHMENTS WERE FOUND ABOVE GROUND EXCEPT AS SHOWN
- NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM TO DETERMINE IF ANY DEFECTS AND/OR AMBIGUITIES EXIST IN THE TITLE.
- THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUBSURFACE STRUCTURES
- UNLESS STATED OTHERWISE, GOVERNMENTAL JURISDICTIONAL AREAS OR NEGATIVE EASEMENT, IF ANY, WHICH MIGHT AFFECT THE USE OF THIS PROPERTY WERE NOT LOCATED. THE UNDERSIGNED ASSUMES NO LIABILITY FOR ANY LOSS RESULTING FROM THE EXERCISE OF ANY GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THIS PROPERTY.
- FIELD WORK WAS COMPLETED ON JUNE 4, 2025.

CERTIFICATE TO SUBDIVIDE — MATTHEWS/HAMPTON PROPERTY — VESTAVIA DR, SW — DECATUR

DRAWING DATE: 03-30-2026 | DRAWN BY: DDP | APPROVED BY: RWH | JOB No. S-68-26 | SCALE: 1"=120' | PAGE 5 OF 5

CERTIFICATE 3667-26

FILE NAME OR NUMBER: Certificate 3667-26

ACRES: 43.21 +/- acres

CURRENT ZONE: AG (Agriculture)

APPLICANT: Pugh Wright McAnally

LAND OWNER: Jonna and Bill Voss

LOCATION AND/OR PROPERTY ADDRESS: 3103 Crusher Road SE

REQUEST: lot line adjustment

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Low Residential

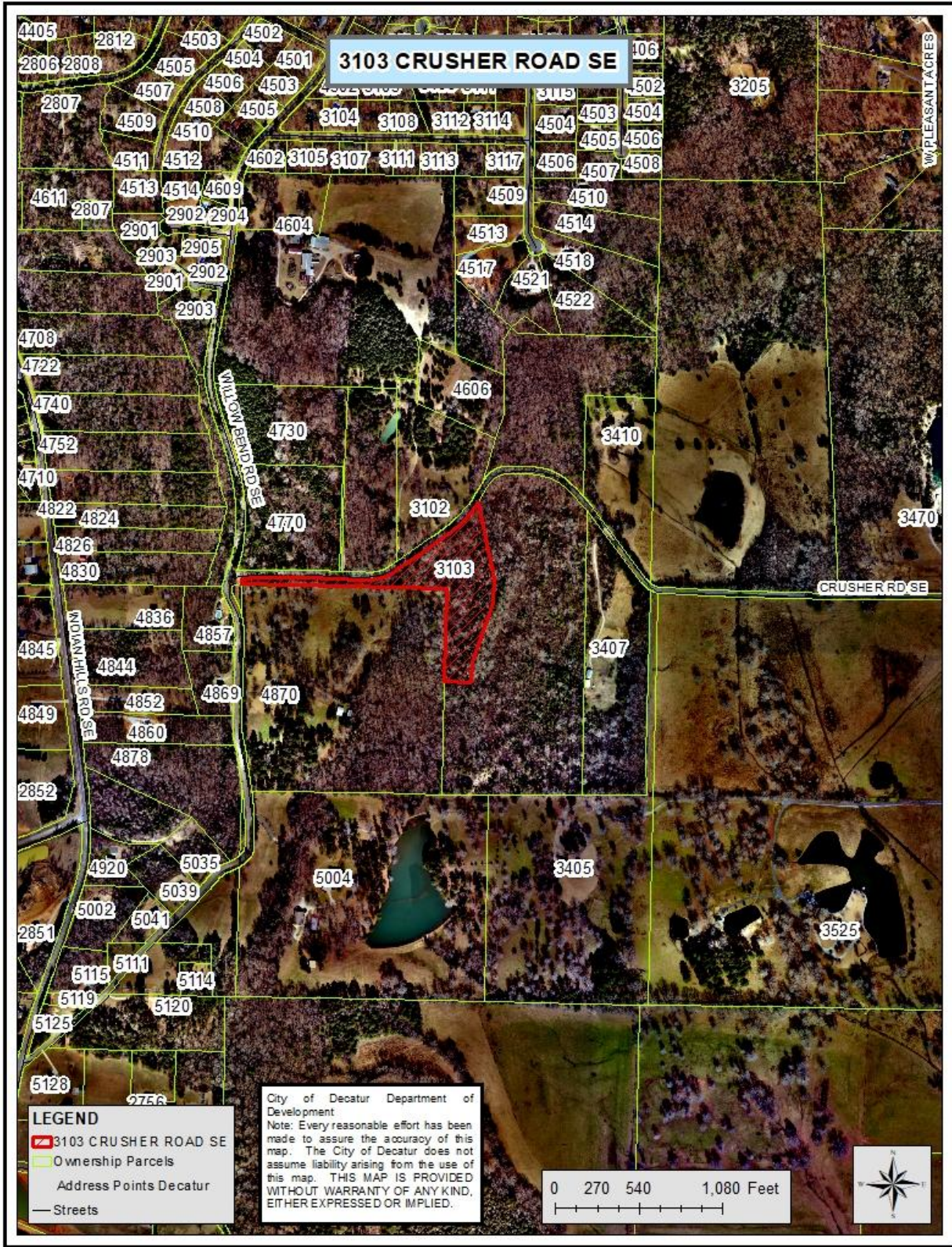
ONE DECATUR STREET TYPOLOGY: Crusher Road SE is a Local Street

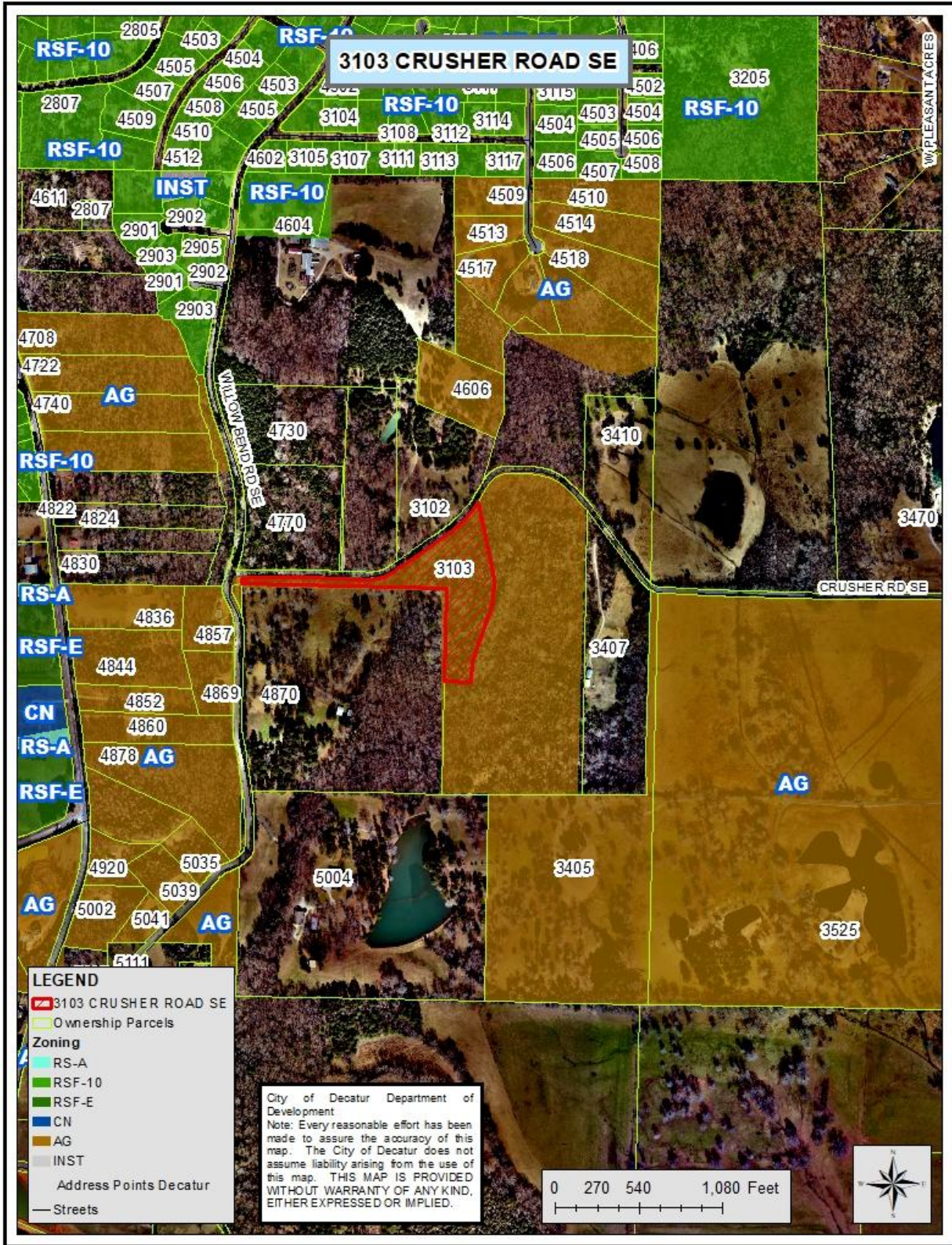
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

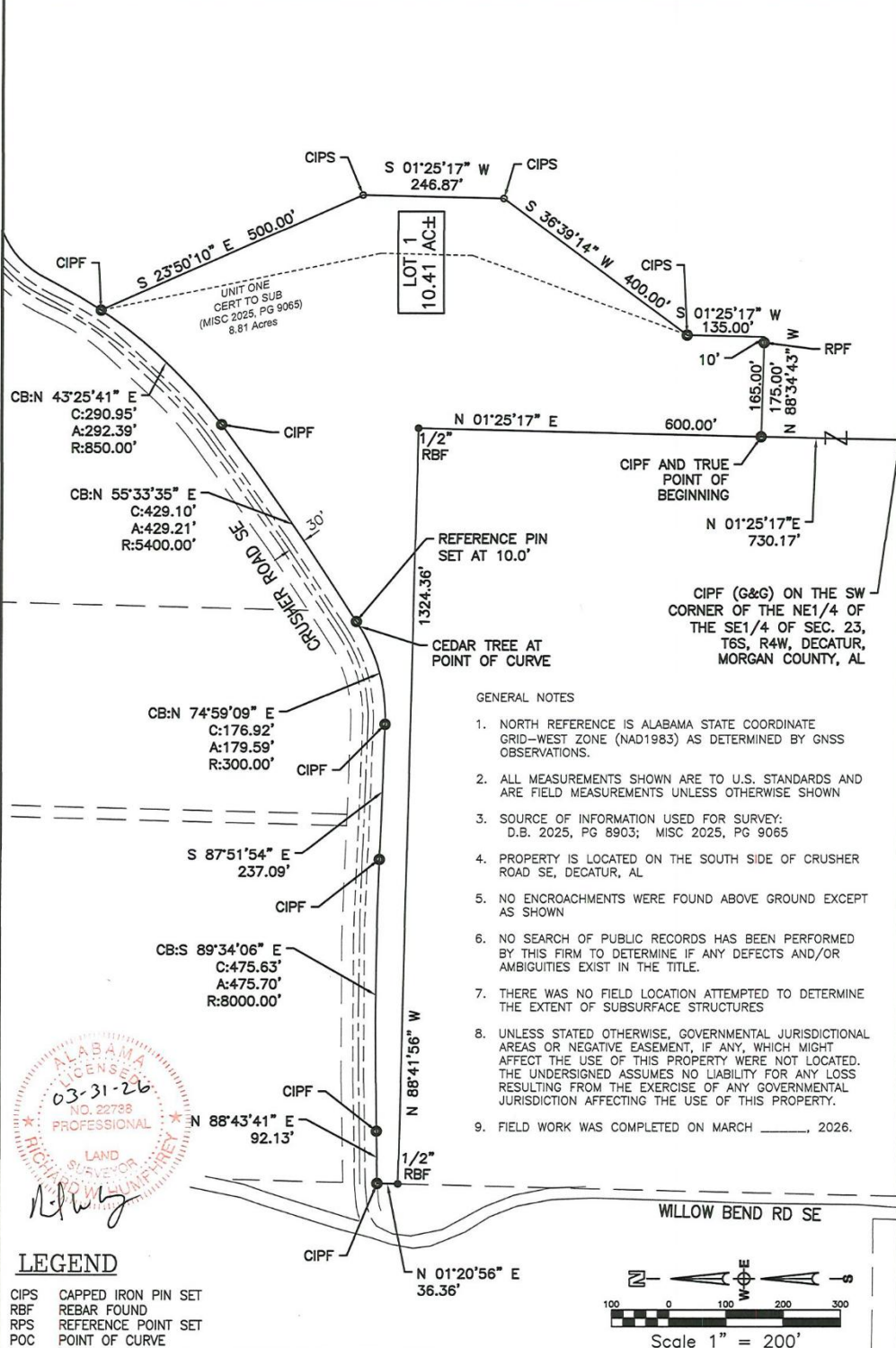
Conditions to be met:

Point of Information:

1. Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.
2. No access to wastewater. (DU-Wastewater)







CERTIFICATE 3669-26

FILE NAME OR NUMBER: Certificate 3669-26

ACRES: 0.39 +/- acres

CURRENT ZONE: RS-10 (Residential Single Family)

APPLICANT: Pugh Wright McAnally

LAND OWNER: Todd Z. R. Ogle & Todd D. R. Ogle

LOCATION AND/OR PROPERTY ADDRESS: 1211 & 1213 Cedar Street SW

REQUEST: Subdivide one parcel into two

PROPOSED LAND USE: Residential

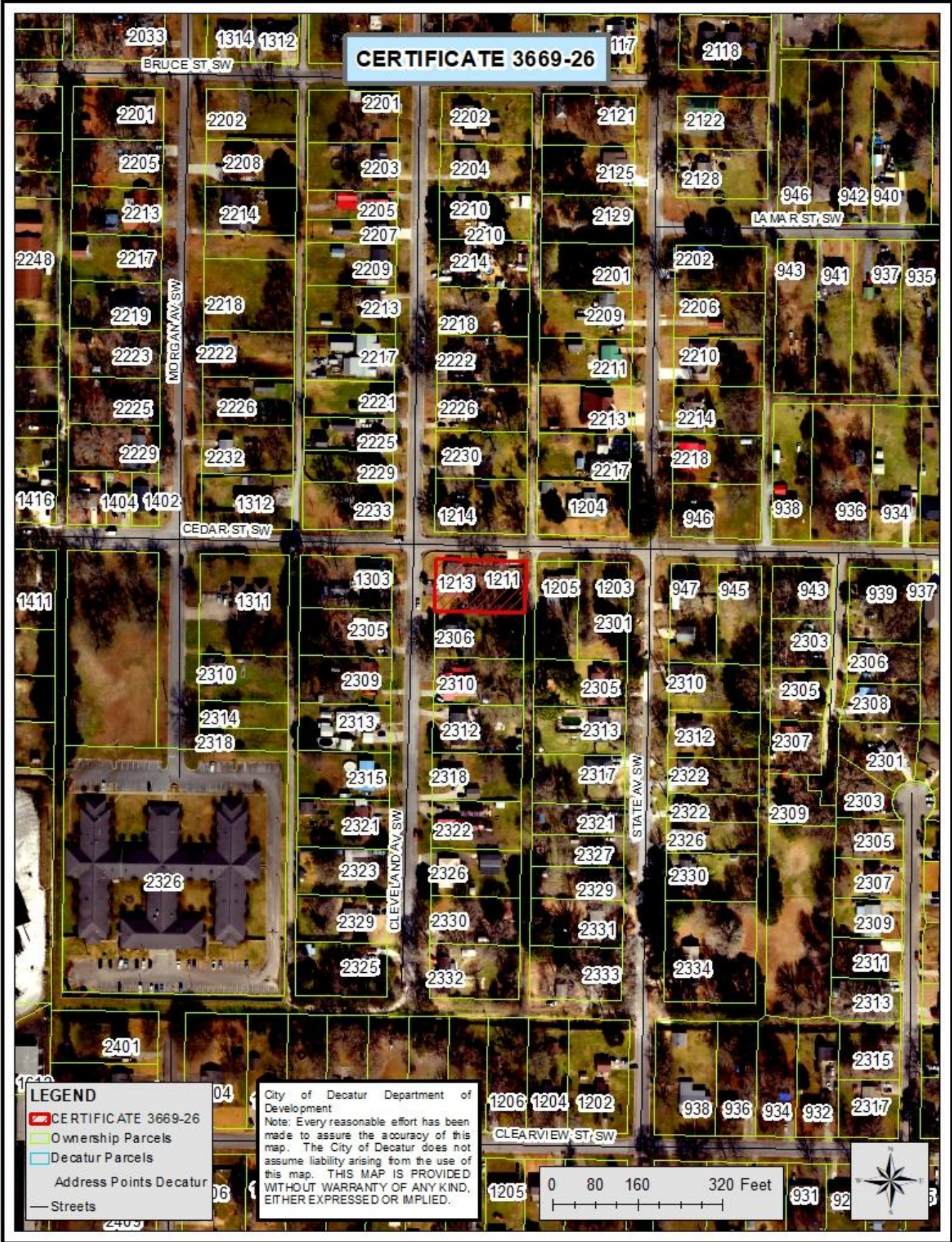
ONE DECATUR FUTURE LAND USE: Core Neighborhood

ONE DECATUR STREET TYPOLOGY: Cedar Street SW is a Collector Urban

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

Point of Information: Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.



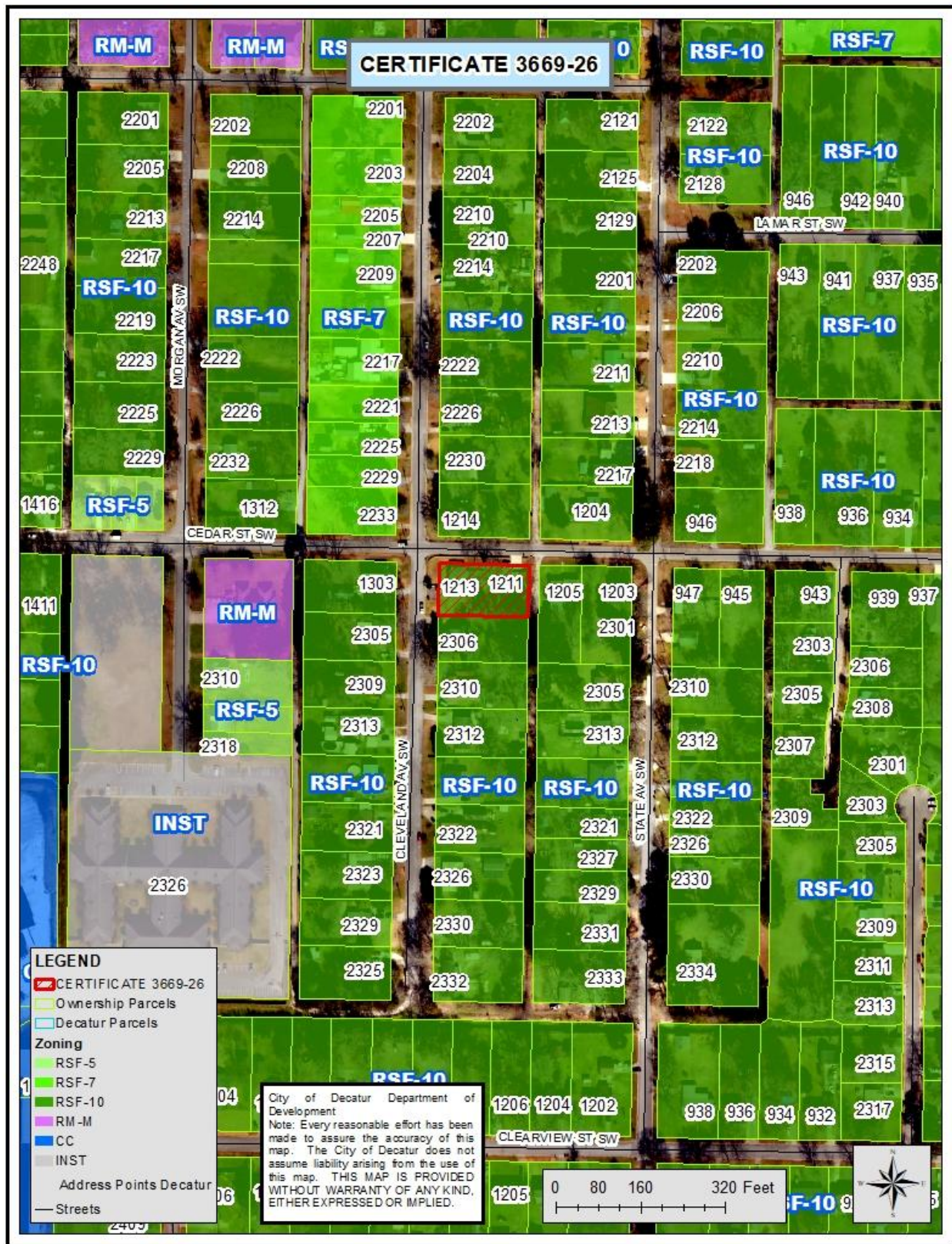
CERTIFICATE 3669-26

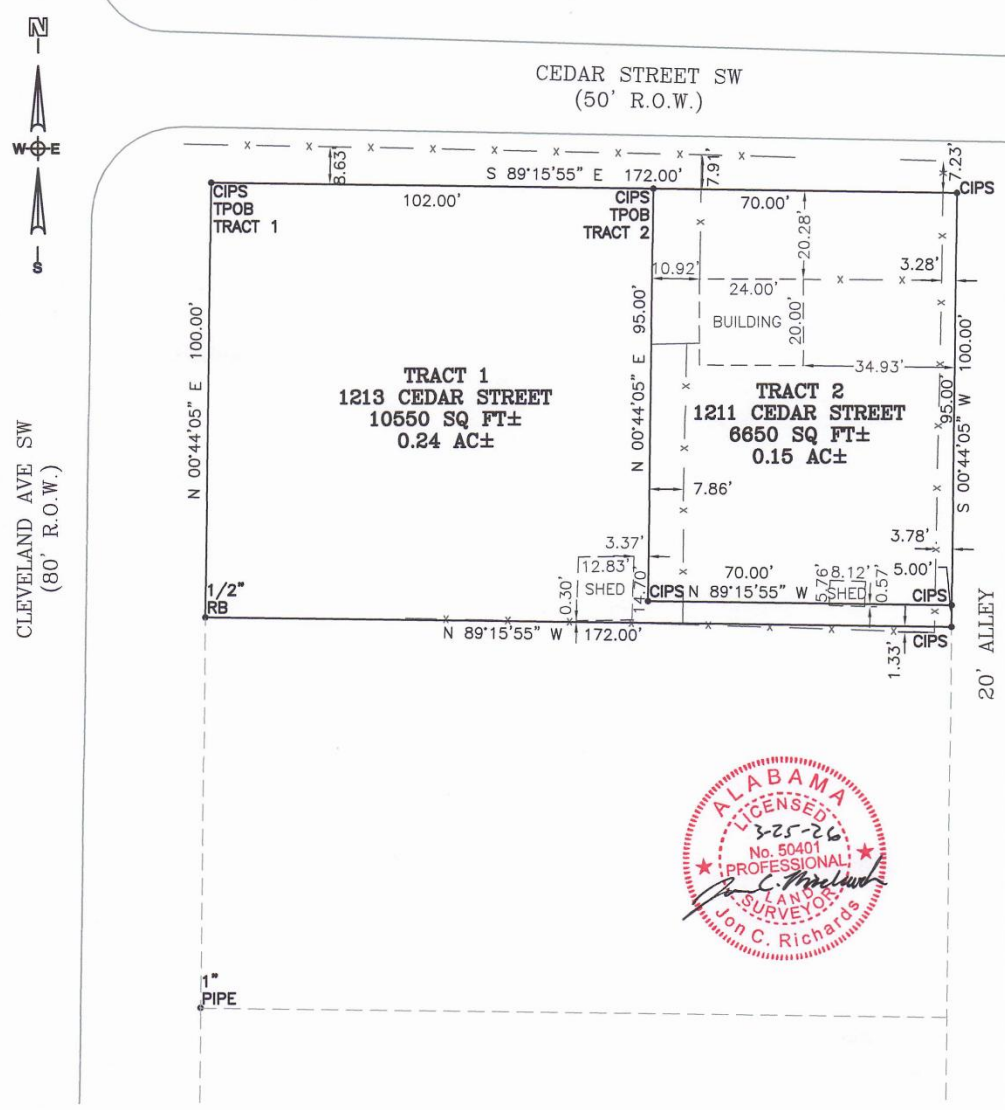
LEGEND
 CERTIFICATE 3669-26
 Ownership Parcels
 Decatur Parcels
 Address Points Decatur
 Streets

City of Decatur Department of Development
 Note: Every reasonable effort has been made to assure the accuracy of this map. The City of Decatur does not assume liability arising from the use of this map. THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED.

0 80 160 320 Feet





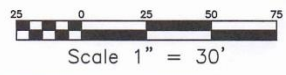


GENERAL NOTES

1. NORTH REFERENCE IS ALABAMA STATE COORDINATE GRID--WEST ZONE (NAD1983) AS DETERMINED BY GNSS OBSERVATIONS.
2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS AND ARE FIELD MEASUREMENTS UNLESS OTHERWISE SHOWN
3. SOURCE OF INFORMATION USED FOR SURVEY: D.B. 2025, PG 7942; P.B. 1, PG 27
4. NO ENCROACHMENTS WERE FOUND ABOVE GROUND EXCEPT AS SHOWN
5. NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM TO DETERMINE IF ANY DEFECTS AND/OR AMBIGUITIES EXIST IN THE TITLE.
6. THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUBSURFACE STRUCTURES
7. UNLESS STATED OTHERWISE, GOVERNMENTAL JURISDICTIONAL AREAS OR NEGATIVE EASEMENT, IF ANY, WHICH MIGHT AFFECT THE USE OF THIS PROPERTY WERE NOT LOCATED. THE UNDERSIGNED ASSUMES NO LIABILITY FOR ANY LOSS RESULTING FROM THE EXERCISE OF ANY GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THIS PROPERTY.
8. FIELD WORK WAS COMPLETED ON MARCH 25, 2026.

LEGEND

- CIPS CAPPED IRON PIN SET
- RB REBAR FOUND
- x — FENCE



CERTIFICATE TO SUBDIVIDE -- TODD D. R. & TODD Z. R. OGLE -- CEDAR STREET SW

DRAWING DATE: 03-17-26 DRAWN BY: JCR APPROVED BY: JCR JOB No. S-57-26 SCALE: 1"=30' PAGE 4 OF 4

FINAL PLATS

FINAL PLAT - KENZIE MEADOWS PHASE 2

FILE NAME OR NUMBER: Final Plat - Kenzie Meadows Phase 2

ACRES: 9.83 +/- acres

CURRENT ZONE: R-PD (Residential Planned Development District)

APPLICANT: Pugh Wright McAnally

LAND OWNER: Huntsville LD, LLC

LOCATION AND/OR PROPERTY ADDRESS: Green River Road SW

REQUEST: Approve Final Plat of 83 Residential Lots

PROPOSED LAND USE: Residential

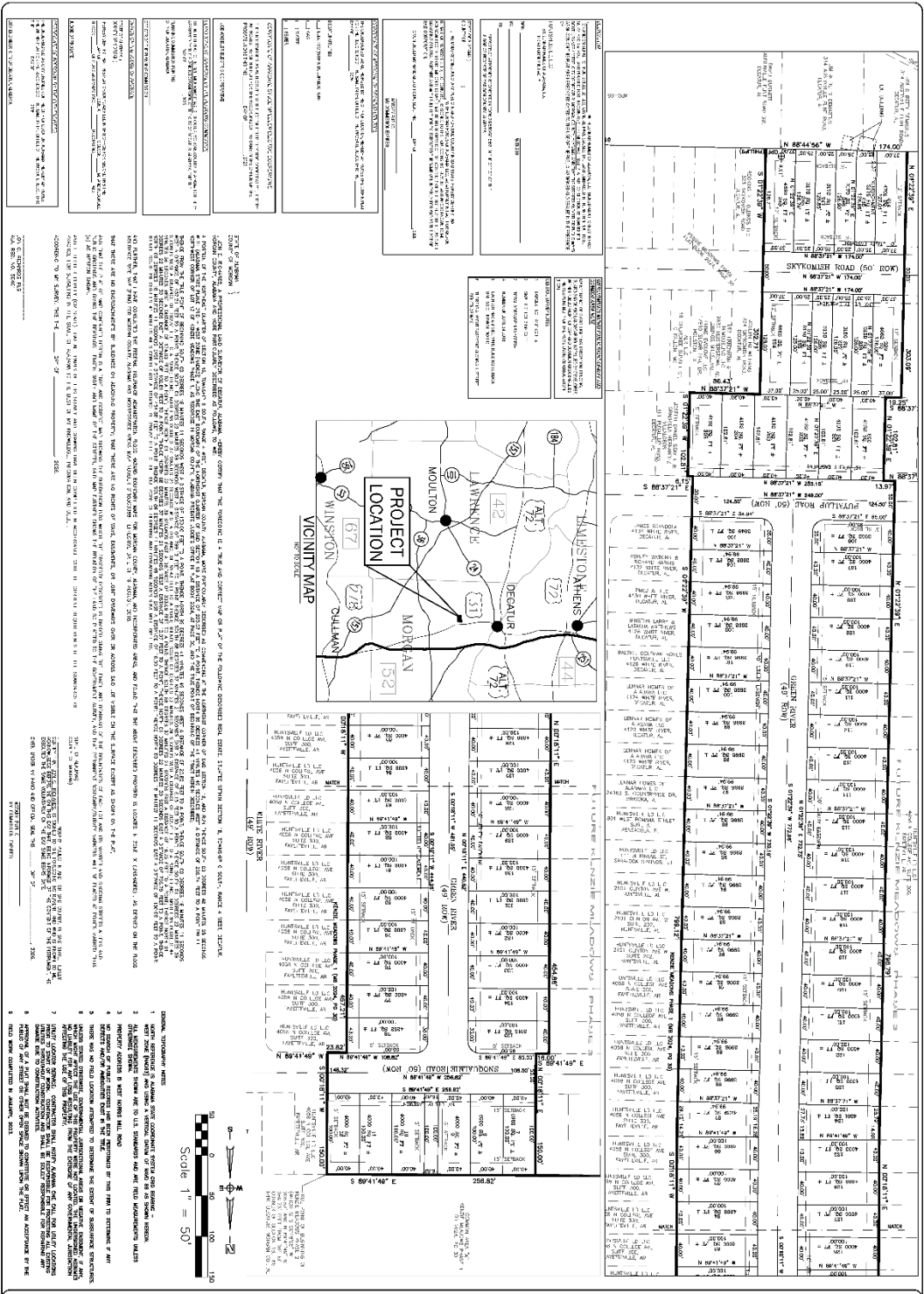
ONE DECATUR FUTURE LAND USE: Low Residential

ONE DECATUR STREET TYPOLOGY: Green River Road SW is a local street

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

Point of Information: Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.



NOTICE TO CONTRACTORS: THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

NOTICE TO ADJACENT PROPERTY OWNERS: THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL ADJACENT PROPERTY OWNERS OF THE PROJECT AND OBTAINING THEIR CONSENT TO THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL ADJACENT PROPERTY OWNERS OF THE PROJECT AND OBTAINING THEIR CONSENT TO THE PROJECT.

NOTICE TO THE PUBLIC: THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE PUBLIC OF THE PROJECT AND OBTAINING THEIR CONSENT TO THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE PUBLIC OF THE PROJECT AND OBTAINING THEIR CONSENT TO THE PROJECT.

SECTION 19.00 - CONSTRUCTION SPECIFICATIONS:

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS, AS ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MORGAN, ALABAMA.

2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS, AS ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MORGAN, ALABAMA.

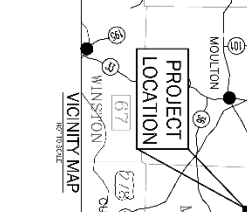
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS, AS ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MORGAN, ALABAMA.

SECTION 20.00 - UTILITIES:

1. ALL UTILITIES SHALL BE LOCATED AND DEPTH AS SHOWN ON THE PLAT.

2. ALL UTILITIES SHALL BE LOCATED AND DEPTH AS SHOWN ON THE PLAT.

3. ALL UTILITIES SHALL BE LOCATED AND DEPTH AS SHOWN ON THE PLAT.



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SECTION 21.00 - NOTES:

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS, AS ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MORGAN, ALABAMA.

2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS, AS ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MORGAN, ALABAMA.

3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS, AS ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MORGAN, ALABAMA.

SECTION 22.00 - LEGAL DESCRIPTION:

THE PROPERTY SHOWN ON THIS PLAT IS PART OF SECTION 19, TOWNSHIP 5 SOUTH, RANGE 4 WEST, COUNTY OF MORGAN, ALABAMA.

THE PROPERTY SHOWN ON THIS PLAT IS PART OF SECTION 19, TOWNSHIP 5 SOUTH, RANGE 4 WEST, COUNTY OF MORGAN, ALABAMA.

THE PROPERTY SHOWN ON THIS PLAT IS PART OF SECTION 19, TOWNSHIP 5 SOUTH, RANGE 4 WEST, COUNTY OF MORGAN, ALABAMA.

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DATE: 03/12/26
DRAWN BY: MRS. J. L. ...
APPROVED BY: MRS. J. L. ...
SCALE: 1" = 50'

FINAL PLAT

KENZIE MEADOWS PHASE 2
CONTROL AND CONVEYANCE
 SECTION 19, TOWNSHIP 5 SOUTH, RANGE 4 WEST
 COUNTY OF MORGAN, ALABAMA

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PUGH WRIGHT MCANALLY CIVIL ENGINEERS

316 5th Avenue North, PO Box 2419, Decatur, AL 35602
 Phone: 256-326-1111, Fax: 256-326-1112, www.pughwright.com

OTHER BUSINESS

VACATION 600-26

FILE NAME OR NUMBER: Vacation 600-26

ACRES: 0.10 +/- acres

CURRENT ZONE: Agriculture (AG)

APPLICANT: Pugh Wright McAnally

LAND OWNER: Donald & Sonya Snow

LOCATION AND/OR PROPERTY ADDRESS: 2412 Chapel Hill Road

REQUEST: Vacate 0.10 +/- acres of a drainage, utilities, and telecommunication easement

PROPOSED LAND USE: Residential

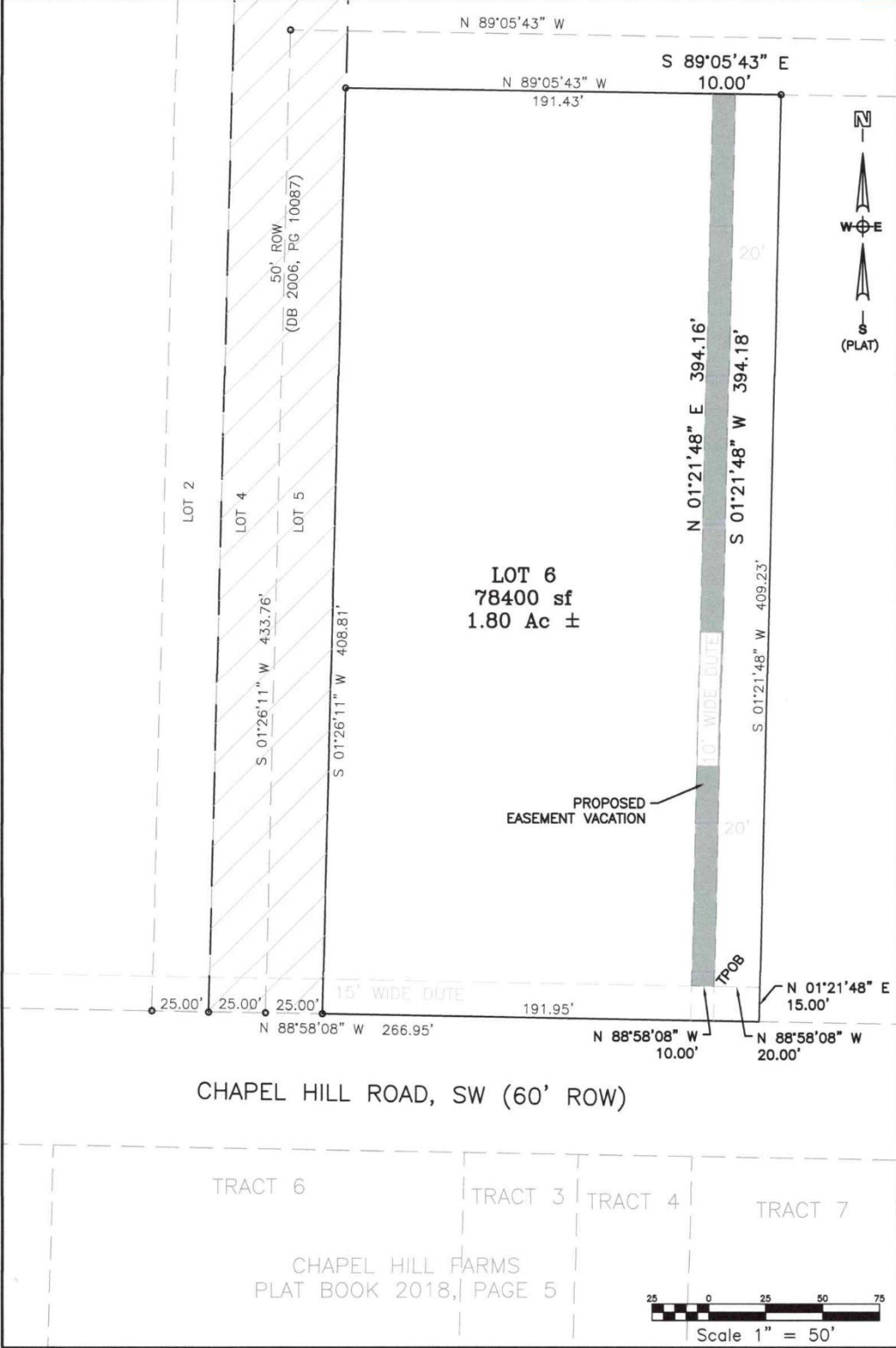
ONE DECATUR FUTURE LAND USE: Low Residential

ONE DECATUR STREET TYPOLOGY: Chapel Hill Road SW is a Collector Urban

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

Point of Information: Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.



BOND RELEASE

FILE NAME OR NUMBER: Kenzie Meadows Bond Reduction

CURRENT ZONE: Residential Planned Development District (R-PD)

APPLICANT: Pugh Wright McAnally

LAND OWNER: Huntsville LD, LLC

LOCATION AND/OR PROPERTY ADDRESS: Green River Road

REQUEST: Release Performance Bond

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Low Residential

ONE DECATUR STREET TYPOLOGY: Green River Road is a local street

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

Point of Information:

1. Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.
2. Water has been approved. No remaining amount necessary. (DU-Water)

April 15, 2026

Mr. Tommie Williams, *Planner*
City of Decatur, Planning Department
308 Cain Street NE
PO Box 488
Decatur, AL 35602
Phone (256) 341-4720

Via E-mail : twilliams@decatur-al.gov

RE: Performance Bond Amount for Kenzie Meadows – Phase 2 – REDUCTION AND RELEASE

Per final inspection with City Engineering on April 15, 2026, ALL of the following items are completed on the project. With the items completed, inspected, and approved a Performance Bond is not required. **Please let this letter serve as a reduction and release** of the previous Performance Bond Letter.

Kenzie Meadows Phase 2 - Performance Bond Calculations			
Item No.	Description of Work	Estimated Completion	Amount Remaining
1	Earthwork	100%	\$0.00
2	Storm Drainage	100%	\$0.00
3	Curb & Gutter - 4 ADA Ramps (completed)	100%	\$0.00
4	Street Paving - Base (has been placed and proof rolled) - Binder (has been placed) - Wearing Surface (has been placed)	100%	\$0.00
5	Engineering & Erosion Control	100%	\$0.00
6	Sanitary Sewer -Construction Items -DU Testing & Approval	100% 100%	\$0.00 \$0.00
7	Water Service -Construction Items -DU Testing & Approval	100% 100%	\$0.00 \$0.00
8	Natural Gas -Not used	N/A	\$0.00
9	Electrical -Decatur Utilities	N/A	\$0.00
10	Electrical -Joe Wheeler EMC (contractor responsibilities only)	100%	\$0.00
Phase 2 Total =			\$0.00
Performance Bond Amount at 150%		150% =	\$0.00

Please let me know if you have any questions concerning the bond amount shown above.

PUGH WRIGHT McANALLY, INC



David C. Lewis, P.E.
Director of Construction Administration

SUBDIVISION REGULATION UPDATE

CITY OF DECATUR, ALABAMA

SECTION I

I. AUTHORITY AND JURISDICTION

A. *Authority*

1. By authority of Resolution No. 004-95, September 26, 1995 the Planning Commission of Decatur, Alabama (hereinafter referred to as "Planning Commission") adopted pursuant to the powers and jurisdiction vested through Chapter 52 of Title II of the Code of Alabama and other applicable laws, statutes, ordinances, and regulations of the State of Alabama, The Planning Commission does hereby exercise the power and authority to review, approve, and disapprove all types of plats for subdivision of land within the corporate limits of the municipality which show lots, blocks, or sites with or without new streets or highways.
2. By the same authority, the Planning Commission does hereby exercise the power and authority to pass and approve the development of platted subdivisions of land already recorded in the office of the Judge of Probate, if such plats are entirely or partially undeveloped. The plat shall be considered to be entirely or partially undeveloped if:
 3. Said plat has been recorded with the Probate Judge's office without prior approval by the Planning Commission, or
 4. Said plat has been approved by the Planning Commission, where the approval has been granted more than three (3) years before granting a building permit, on the partially or entirely undeveloped land and/or the zoning regulations, either bulk or use, for the district in which the subdivision is located, have been changed after the original final subdivision approval.
5. The Planning Commission does hereby exercise the power and authority to confer to the Planning Director the authority, as administrative agent of the Planning Commission, to review and approve Certificates to Subdivide or Consolidate, as herein defined.

B. Jurisdiction

From and after the date of adoption, these regulations shall govern all subdivisions of land located within the corporate limits of the City of Decatur, as now and hereafter established. Any owner of land within the limits of said subdivision jurisdiction wishing to subdivide land shall submit to the Planning Commission such data, information, drawings, plans, specifications, and other details and matters hereinafter required, including but not limited to a plat of subdivision which shall conform to the minimum requirements set forth in these regulations. No plat of a subdivision lying within such territory or part thereof, shall be filed or recorded in the Office of the Probate Judge, and no subdivider shall proceed with improvements or obtain building permits for structures or sale of lots until such subdivision plat, or a Certificate to Subdivide, shall have been approved by the Planning Commission or administratively by the Planning Director in the case of Certificates to Subdivide/Consolidate and such approval entered in writing on the plat by an officer of the Planning Commission or the Planning Director in the case of Certificates to Subdivide/Consolidate.

SECTION II

II. GENERAL PROVISIONS

These regulations shall hereafter be known, cited and referred to as the Subdivision Regulations of Decatur, Alabama (the municipality).

A. Policy

1. It is hereby declared to be the policy of the municipality to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of the municipality pursuant to the official master plan of the municipality for the orderly, planned, efficient, and economical development of the municipality.
2. 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, and land shall not be subdivided until provision has been made for adequate public facilities and improvements such as drainage, water, sewerage, and capital improvements like schools, parks, recreation facilities and transportation facilities.
3. The existing and proposed public improvements shall conform to and be properly related to the proposals shown in the Master Plan, Official Map, and the capital budget and program of the municipality, and it is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in Building and Housing Codes, Zoning Ordinances, Master Plan, Official Map and Land Use Plan, and capital budget and program of the municipality.

B. Purposes.

These regulations are adopted for the following purposes:

1. To protect and provide for the public health, safety, and general welfare of the municipality.
2. To guide the future growth and development of the municipality in accordance with the Master Plan.
3. To provide for adequate light, air, and privacy to secure safety from fire, flood, and other

will review the request for conformance with the Subdivision Regulations, Zoning Ordinance, and other land use regulations (i.e., long-range plan, master drainage plan, master street plan, etc.). The Subdivision Committee will submit a recommendation to the Planning Director for action. The Planning Commission or the Planning Director will make a decision to approve, approve conditionally, or disapprove the Certificate to Subdivide. The Applicant, or his designated representative, will correspond with the Planning Director and will be invited to attend the meetings of the Subdivision Committee and Planning Commission, if the application is escalated to the Planning Commission.

- e) If the Certificate to Subdivide is conditionally approved, the applicant is responsible for meeting the conditions of approval and providing the Planning Department with documentation that the conditions have been met. Conditions imposed by the Planning Commission or the Planning Director, which affect the future use of the land, must be capitalized within the body of the certificate.
- f) When the Certificate to Subdivide is approved, the applicant will furnish the Planning Department with a survey prepared by a registered land surveyor of the newly subdivided land.
- g) In addition to a survey, four (4) State Plane Coordinates (North American Datum 1983, Alabama West Zone) in US survey feet. State plane coordinates shall be as follows: One (1) point of beginning of the survey (Section Corner or quarter section corner), and three (3) boundary corners of the proposed plat. These coordinates shall be derived from field measurements in conformity with Sections 35-2- 5 and 6 of the Code of Alabama, 1975
- h) Administrative approval of Certificates to Subdivide or Consolidate shall constitute approval of the Planning Commission through the Planning Director.
- i) Thirty (30) Day Action Requirement: Upon submission of an application for a Certificate to Subdivide or Consolidate, the Planning Director shall approve with or without conditions or disapprove the plat within thirty (30) days as required by state law.
- j) Failure to act within thirty (30) days shall constitute approval.
- k) Written Record: If disapproved or not approved as submitted, the Planning Director shall state the grounds for such actions in writing within the thirty (30) day period.
- l) All administrative approvals, conditional approvals, and disapprovals shall be entered into the official subdivision record and reported to the Planning Commission at its next regular meeting.
- m) APPEAL OF ADMINISTRATIVE DECISION: Any person aggrieved by an administrative approval, conditional approval or disapproval of a Certificate to Subdivide or Consolidate may appeal to the Planning Commission within 14 days of the decision. The Planning Commission may affirm, reverse, or modify the administrative decision.
- n) Limitation of Authority: The Planning Director shall not approve any Minor or Major Subdivisions; any subdivision requiring a variance, waiver, or deviation from adopted regulations; any subdivision requiring public improvement construction; any subdivision that requires dedication of public right-of-ways or streets, whether improved or not. If at any time the Planning Director or Technical

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Review Committee determines that, for whatever determined reason, an application exceeds the criteria for a Certificate to Subdivide or Consolidation, the application shall be referred to the Planning Commission as a Major Subdivision.

- o) PLANNING COMMISSION AUTHORITY RETAINED: All Minor or Major Subdivisions shall be placed on the Planning Commission agenda; be reviewed at a public meeting of the Planning Commission; require formal action and recorded vote for approval or denial. Pursuant to Alabama Code §11-52-32, approval shall be endorsed upon the plat prior to recording.
- p) For all subdivision approvals: Plat Endorsement and Signature: Pursuant to Alabama Code § 11-52-32, no subdivision plat shall be recorded unless it has been approved by the Planning Commission. Although the Alabama Code does not prescribe a specific officer who must sign the plat, the City requires endorsement on the face of the plat as evidence of official Planning Commission approval prior to recording

Example of State Plane Coordinate Notation

The intended use of these coordinates is for GIS base mapping purposes and is intended for locational reference only.

Coordinates are State Plane Coordinates on the North American Datum 1983, Alabama West Zone.

Point	Northing	Easting	Description
POB			
1			
2			
3			

- q) After all conditions have been met and the survey submitted to the Planning Department, they will obtain the signature of an officer of the Planning Commission and/or the Planning Director and record the Certificate to Subdivide in the Office of the Judge of Probate.
- r) The applicant may submit a "Corrective Certificate" to the Planning Department which corrects the scrivener's errors or omissions in a certificate that has been properly approved by the Planning Commission and/or Planning Director. The Planning Director shall have the authority to review said corrective certificate and have it signed by an officer of the Planning Commission for recording in the Office of the Judge of Probate.

C. Conditions

In granting variances, modifications, and approval for experimental subdivisions, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied, modified, or approved. These may include, without being limited to: personal, security, performance, or maintenance bonds; affidavits, covenants, or other legal instruments.

D. Gated neighborhoods with private streets shall be permitted as a platted subdivision provided that:

1. All private streets must be constructed to City Standards as stated in the Subdivision Regulations or as approved by the Planning Commission.
2. Homeowners Associations, or other entity as approved by the Planning Commission, shall be responsible for maintenance of all streets within the subdivision. Also, provisions for construction and maintenance shall be made for utilities and drainage. However, if utilities are public, then they shall be maintained publicly.
3. Provisions for "acceptable" access by all public safety and emergency agencies and essential services (i.e., police, fire, trash and garbage, water, sewer, gas, electric, post office, telecable, telephone) shall be made prior to Planning Commission approval of the plat.
4. Adequate review and consideration so that the creation of private streets (gated neighborhoods) shall not create a barrier to the extension of major thoroughfares, and thus impede traffic flow in critical "cross" (east/west, north/south) City locations.
5. Even though "private streets" are permitted, the Zoning Ordinance shall be adhered to regarding the measurement of all setbacks from rights-of-way, and all other district regulations and standards, just as if the streets were "public."

Certificate to Subdivide - Approval Flow Chart

Applicant submits original and two copies of a Certificate to Subdivide (Section IX and Appendix 1) to the Planning Department 21 days before the Planning Commission Meeting. If the Planning Director approves administratively, it can be submitted at any time and will take 7 days for approval or denial.

