



SUBDIVISION EXEMPTION EXCEPTIONS FOR SUBDIVISION REGULATION



SUBDIVISION shall mean the division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of subdividing or re-subdividing. Also, when appropriate to the context, this term includes changing of lot size, alteration or relocation of private or public streets and alleys, and extension of major utility locations. These regulations do not solely apply to multi

A. Exceptions for Subdivision Regulation

Notwithstanding the subdivision regulations in place, the following are exempt from the provisions of these regulations:

1. Court Order - Subdivision of land by court order, including, but not limited to, judgments of foreclosure. Legal documents must be submitted along with request for exemption.
2. Public Acquisition - The public acquisition by gift or purchase of strips or parcels of land for the widening or opening of streets, or for other public uses. Legal documents must be submitted along with request for exemption.
3. Agricultural Construction - The construction or development of roads or buildings on private property to be used for agricultural purposes.
4. One-time split - Permitted in the planning jurisdiction as follows:
 - a) A "one-time" split of a single parcel into two parcels, if, and only if, the parcel existed and has not been divided since February 1, 1984. Sufficient documentation of property status as of specified date must be submitted along with request for exemption.
 - b) Each resulting parcel shall meet the minimum lot requirements as set forth in the Riverside Zoning Ordinance.
 - c) Subdivision Plat (or Site Plan) must be submitted along with request for exemption.
5. Family Division of Land - The sale, deed or transfer of land by owner to legally related family members (spouse, children, siblings, parents, grandparents, grandchildren, or step-related individuals of the same status) qualify.
 - a) Name of person the property is being deeded to must be submitted along with request for exemption.
 - b) Each parcel shall have its own ingress/egress and utility access of not less than 30 feet in width. If multiple parcels share access, an all-weather road sufficient for emergency vehicles must be provide and maintained by owners.
 - c) Each resulting parcel shall meet the minimum lot requirements as set forth in the Riverside Zoning Ordinance.
 - d) Legal documents must be provided when legally recorded.

B. Application for Request For Subdivision Exemption

1. Application for Request for Subdivision Exemption and all necessary supporting documentation to substantiate any claim of exemption, shall be submitted to the City Clerk or the City Designee.
2. If approved, owners of exempt subdivision parcels shall not be required to submit a plat to the City of Riverside Planning Commission nor pay any other required subdivision fees.
3. Proceed with "St. Clair County Requirements for Recording a Subdivision Plat"

C. Notes

*Exemption from the requirement to subdivide does not constitute exemption from the requirements of other applicable regulations, not limited to, zoning ordinances, Health Department requirements, municipal ordinances, or state/federal regulations.

*Any subdivider who appears to be circumventing the intent and substance of these Regulations shall be required to submit a plat for review and approval by the City of Riverside Planning Commission and shall be subject to the penalties under the Subdivision Regulations.

EXAMPLE SITE PLAN

ILLUSTRATION – FOR INFORMATIONAL USE ONLY

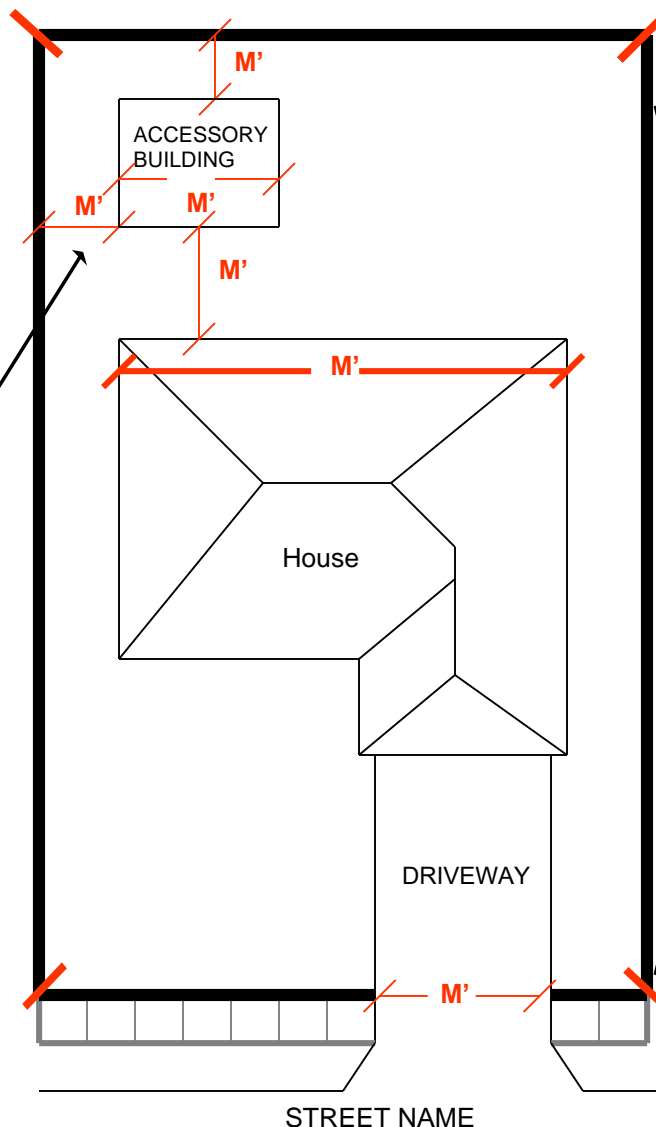
Site Plan may be submitted when requesting subdivision exemption to divide or join less than 2 parcels.

- Property lines must be indicated with heavy black line.

- House and any other structures on lot must be drawn on plan with dimensions.

- Dimensions required at **M'**. Includes existing and proposed buildings, setbacks from property lines, parking, etc.

Site Plan may be hand drawn using a ruler, but must be drawn to scale.



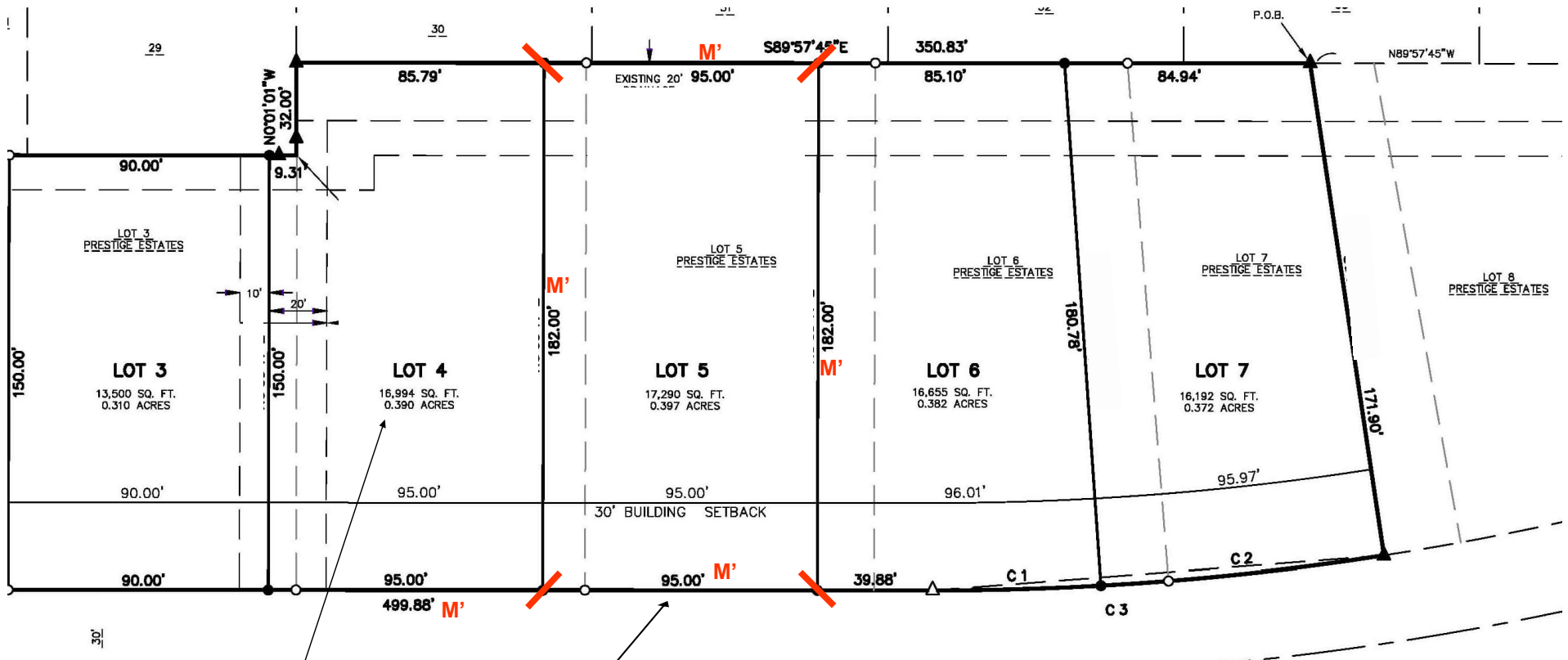
M'
Dimensions of
Property Lines

If you have any questions
please contact our office at:
205-338-7692 ext 3

EXAMPLE SUBDIVISION PLAT

ILLUSTRATION – FOR INFORMATIONAL USE ONLY

Subdivision shall mean the division or joining together of 2 or more parcels, lots, or tracts of land



- Must include Lot Numbers
- Must includes Dimensions of each Lot's Property Lines
- Subdivision Plat may not be hand drawn.

A complete list of mapping requirements can be found in the Riverside Subdivision Ordinance.

If you have any questions please contact our office at:
205-338-7692 ext 3



REQUEST FOR SUBDIVISION EXEMPTION

TO QUALIFY, SUBDIVISION MUST COMPLY WITH, AND PROVIDE DOCUMENTATION FOR, ONE OF THE ITEMS LISTED UNDER STEP 2.

STEP 1 - Applicant/Property Information: Please provide all below information.

PROPERTY OWNER / AUTHORIZED AGENT

If applicant is not property owner an Authorized Agent form must be submitted with request.

NAME:

DATE:

BUSINESS NAME (If applicable):

MAILING ADDRESS:

CITY/STATE/ZIP:

PHONE:

E-MAIL:

PROPERTY INFORMATION

PARCEL ID NO. : _____ - _____ - _____ - _____ - _____ - _____

PROPERTY ADDRESS:

SUBDIVISION / LOT / UNIT No. :

PROPERTY OWNER:

STEP 2 - Claimed Exemption Type: Please check one. (Requirements as provided in §11-52-30 Code of Alabama, 1975)

Court Order – Subdivision of land by court order, including, but not limited to, judgments of foreclosure.

Public Acquisition – by gift or purchase of strips or parcels of land for the widening or opening of streets, or for other public uses.

Parcel Size – Each and every resulting parcel of land equals or exceeds twenty (20) acres [§4.2(c)].

Agricultural Roads – Construction or development of roads or buildings on private property to be used for agricultural purposes.

One-time – A "one-time" split of a single parcel into two parcels, if the parcel in existence has not been previously divided;
OR A "one-time" merge of two contiguous parcels into one parcel.

Family – The sale, deed or transfer of land by owner to immediate (Spouse, Parent, Grandparent, Child, Grandchild, Sibling) family member(s).

STEP 3 - Description: Brief description of claimed exemption type.

STEP 4 - Endorse: Check and Sign.

I certify that to the best of my knowledge, all information supplied with this request is complete and accurate and that all requirements for exemption can be found in the City of Riverside Subdivision Regulations Article IV. Parties hereby agree that this portion of the document may be executed with electronic signatures and shall be valid and binding on the parties.

Signature _____

STEP 5 - Submittal:

Please submit completed request form at Riverside City Hall or submit by email to revenue@riverside-al.com

- \$25 fee must be paid before processing of the request can begin. Emailed applications will be invoiced on-line.
- Supporting documentation (Including any applicable court order, subdivision covenant, deed, survey, etc.) to substantiate any claim of exemption must be submitted with request.
- Processing of Subdivision Exemption Letter Requests is normally completed within 5-7 business days.
- Subdivision Exemption Letters are generated per the City of Riverside Zoning Ordinance and Subdivision Regulations. A Subdivision Exemption Letter does not constitute approval for a building permit.

STEP 5 - Issuance/Recording: Once processed and approved, the Subdivision Exemption Letter will be issued to the property owner at the email address listed above. The property owner must then adhere to the St. Clair County recording requirements.

ST. CLAIR COUNTY

31588 US Highway 231 - Ashville, Alabama 35953 - 205-594-2190

REQUIREMENTS FOR RECORDING A SUBDIVISION PLAT

Effective: 2-11-2020

For purposes of this policy, a subdivision is deemed any division to real property where residential or commercial development is deemed the owner's intent. This would include division where such development is intended to be conducted by a subsequent property owner. However, it is not the intent of this policy to contemplate as a subdivision, among other things, merely a division of a larger tract of property into smaller tracts to be given to a family member or family members for their personal use.

1. Turn in preliminary plat identifying the totality of real property the property owner(s) intends to divide and sell in the manner in which the property owner(s) intends to divide and sell the same to the County Engineer to check curve information, grades of any proposed roadways, and screen for Flood Plain area (For subdivision in areas of the county that are not incorporated).
 2. Legal description of property (legible)/All lines must be identified with dimensions such as bearing, curve data, etc.
 3. Owner's Signature
 4. Owner's Signature Notarized
 5. Surveyor's
 - a. Printer/Typed name (legible)
 - b. Signature with date
 - c. Registration Number (legible)
 - d. Seal
 6. Subdivision Plat within an incorporated area must have Town/City official's approval signature(s) with dates.¹
 7. St. Clair County Health Department authorized approval signature. *
 8. Alabama Power approval signature or correspondence. *
 9. E911 Office Signature for verification of road name(s) and adding property address.
 10. All plats must be printed on nothing smaller than a 1" to 200' scale, with all **print** being legible.
 11. Any plat with multiple pages must have initial blocks with dates.
- 11 MUST BE COMPLETED BEFORE GOING TO 12**
12. St. Clair County Engineer Signature
 13. Record Plat with St. Clair County Probate *
 14. Any Plat not legible after scanning must be redone at owner's expense.

Adopted:

* Requirement may be waived should the Plat represent property divisions, re-surveys, etc. where residential or commercial development is not deemed to be the owner's intent as determined exclusively by the County Engineer. Should the County Engineer not require recordation pursuant to the above, the division shall be described with a metes and bounds type description.

¹ Plats required by municipalities but which are not for residential or commercial development shall be attached to the deed as an Exhibit thereto and recorded in the applicable Deed Book but will not be recorded or maintained in any development subdivision plat books.