

**LAND SUBDIVISION ORDINANCE**  
**FOR**  
**PIERCE COUNTY, GEORGIA**  
**AND THE CITIES OF**  
**BLACKSHEAR,**  
**OFFERMAN,**  
**AND PATTERSON**

Approved

11/10/2020

**Prepared by Pierce County and the Cities of Blackshear, Offerman, and Patterson  
with professional assistance provided by the Southern Georgia Regional Commission**



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**SECTION 1.  
ENACTMENT, SHORT TITLE, JURISDICTION, PURPOSE**

**1-1 Enactment Clause.** The Board of Commissioners of Pierce County, Georgia, and the City Councils of Blackshear, Offerman, and Patterson, under the authority of Article IX, Section II, Paragraphs I and IV of the Constitution of the State of Georgia and the amendments thereto, hereby ordain and enact into law the following sections.

**1-2 Long Title.** An ordinance regulating the subdivision of land within the unincorporated area of Pierce County, Georgia, and the municipalities of Blackshear, Offerman, and Patterson; requiring and regulating the preparation and presentation of preliminary and final plats for such purpose; establishing minimum subdivision design standards; requiring improvements to be made by the subdivider; setting forth the procedure to be followed by the planning commission in applying these rules, regulations, and standards; and prescribing penalties for the violation of its provisions.

**1-3 Short Title.** These regulations shall be known and may be cited as the “Subdivision Regulations for Pierce County, Georgia, and the municipalities of Blackshear, Offerman, and Patterson.”

**1-4 Jurisdiction.** These regulations shall govern the subdivision of all land within the unincorporated area of Pierce County, Georgia, and the municipalities of Blackshear, Offerman, and Patterson.

**1-5 Purpose.** This ordinance is enacted pursuant to the authority contained in the Constitution of the State of Georgia, as amended, for the following purposes:

- a) To encourage economically sound and stable land development.
- b) To assure the provision of required streets, utilities, and other facilities and services to land developments.
- c) To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in land developments.
- d) To assure the provision of needed public open spaces and building sites in land developments through the dedication or reservation of land for recreational, educational, and other public purposes.
- e) To assure that land is developed in conformity with the most current, applicable Comprehensive Plan(s) for Pierce County, Georgia, and the municipalities of Blackshear, Offerman, and Patterson.

## SECTION 2. DEFINITIONS

For the purposes of these regulations, certain terms or words used herein shall be defined as follows:

**2-1 Interpretation of Certain Terms and Words.** Words used in the present tense include the future tense. Words used in the singular include the plural, and words used in the plural include the singular.

The word "person" includes a firm, partnership, company, corporation, or association.

The word "lot" includes the word "plot" or "parcel."

The word "building" includes the word "structure."

The word "shall" is always mandatory, and not merely discretionary.

The word "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."

**Abutting property.** Any property that is immediately adjacent or contiguous to property proposed to be subdivided or that is located immediately across any road or public right-of-way.

**Alleys.** A public right-of-way, not intended to be a vehicular arterial or to provide the primary means of access to abutting property, but used for service access to the rear or side properties otherwise abutting a public street.

**Applicant.** Any person who submits subdivision plans to the county for the purpose of obtaining approval thereof.

**Architect.** A qualified person registered and currently licensed or otherwise authorized to practice architecture in the State of Georgia.

**Buffer.** That portion of a given lot, not covered by buildings, pavement, parking, access areas, and service areas, established as landscaped open space for the purposes of screening and separating properties. A buffer consists of trees, shrubs, and other natural vegetation, to be replanted where sparsely vegetated or disturbed.

**Building line.** A line beyond which no foundation wall or part of the structure of any building shall project, with the exception of roof overhang, walkways, and the subsurface projection of footings; provided, however, that such overhang does not exceed six feet and does not encroach upon the adjacent property or right-of-way.

**Building.** Any structure, except a manufactured home or mobile home, which has a roof and which is for the shelter, support, or enclosure of persons, animals, or property of any kind.

**Comprehensive Plan.** The most current Comprehensive Plan(s) for Pierce County and the Cities of Blackshear, Offerman, and Patterson, as duly adopted and subsequently amended by the respective member governments. This plan includes future land use designations, community work programs, and other elements for each respective local government.

**Conditional Use Permit.** A Conditional Use Permit is a use which, within certain districts specified by this ordinance, is not permitted as a matter of right but may be permitted within these districts by the applicable governing body (City Council or County Commission) after the Planning, Zoning, and Code Enforcement Board has reviewed the proposed use and provided a recommendation to the applicable governing body. Standards for Conditional Use Permit review are in Section 16-3.

**Consultant.** The licensed design or engineering professional or firm hired by the subdivider to oversee all aspects of the subdivision and design process.

**County commission.** The Board of Commissioners of Pierce County, Georgia.

**County.** Pierce County, Georgia.

**Crosswalk.** A right-of-way within a block dedicated to public use for pedestrian use only and so designed as to provide access to adjacent streets or lots.

**Cul-de-sac.** A street having only one end open for access to another street, the other end being terminated by a turnaround as specified in this article.

**Curb Cut.** The providing of vehicular ingress and/or egress between a property and an abutting public street.

**Developer.** Same as subdivider (see definition).

**Development.** The act or process of erecting buildings, structures, or of making improvements to property, or laying out and dividing land.

**Dwelling Unit.** An enclosure of one or more rooms, including kitchen and bathroom facilities, designed or constructed as a unit for residential occupancy by one household.

**Easement.** A grant by the owner of land for the use of such land by others, including public usage, for a specific purpose or purposes.

**Governing Authority.** As used in this ordinance, the Board of County Commissioners of Pierce County and/or the City Councils of the Cities of Blackshear, Offerman, and/or Patterson, as applicable.

**Hardship.** A situation arising as the result of extraneous or unique circumstances which deprives the developer of the reasonable use of his/her land if the strict application of the various provisions of this article are applied. (See Variance)

**Improvement plan.** The second stage of plat or subdivision plan review.

**Land characteristics.** A soils inventory of the area proposed for development. The inventory will include a soils map and identification of soil types. This information may be obtained by request of the property owner from the local Natural Resources Conservation Service office.

**Landscape architect.** A design professional registered and currently licensed or otherwise authorized to perform professional services, including, but not limited to, consultation, investigation, planning, design, preparation of drawings and specifications, and responsible supervision, all in connection with the preservation or determination of proper land uses, natural land features, esthetics, planting plans, the shaping of land to produce the best functional and esthetic effect, and grading plans with determination of drainage. This term shall also include the consideration of environmental problems involving land areas, as such problems relate to the public health, safety, and welfare.

**Lot of Record.** A lot which is part of a subdivision recorded in the office of the Clerk of the Superior Court of Pierce County, or a parcel described by metes and bounds, the description of which has been so recorded prior to the adoption of the Pierce County, Blackshear, Offerman, and Patterson Subdivision Regulations.

**Lot Width or Frontage.** The width in linear feet of a lot or parcel where it abuts the right-of-way of any public street. In the case of corner lots and through lots, the longest side of the lot that runs adjacent to the right-of-way shall be considered the lot width. In the case of irregularly shaped lots, the side of the lot that most closely approximates a straight line and abuts the right-of-way shall be considered the lot width.

**Lot, Corner.** A lot having frontage on two or more public streets at their intersection.

**Lot, Through.** A lot other than a corner lot, having frontage on more than one street; or a corner lot having frontage on three or more streets.

**Lot.** A tract or parcel of land, held in a single ownership by one person, or in common ownership by more than one, which has both usable lot area and lot dimensions equal to or greater than the lot width and lot area requirements established by this ordinance for the zoning district in which such tract of land is located and for the use proposed for the tract of land. (See Sections 3-20 and 3-21)

**Manufactured Home Park.** An area, under single ownership and not subdivided into customary lots planned for individual ownership, containing three or more manufactured homes used as living facilities, with each such home having its own defined space; or an area containing three or more spaces designed or intended for the parking of manufactured homes to be used as living facilities for rent or lease.

**Manufactured Home.** A factory-built structure, transportable in one or more sections, designed to be used as a dwelling with or without a permanent foundation, constructed on or after June 15, 1976 in compliance with the Manufactured Home Construction and Safety Standards (42 U.S.C. 5401-5426).

**Mobile Home.** A factory-built structure, transportable in one or more sections, designed to be used as a dwelling with or without a permanent foundation, constructed prior to the enforcement of the

Manufactured Home Construction and Safety Standards (42 U.S.C. 5401-5426), effective June 15, 1976. Mobile homes, as defined herein, may not be placed within any zoning district in Pierce County or the Cities of Blackshear, Offerman, and Patterson.

**Non-Conforming.** A building, structure, lot, or use of land existing at the time of the enactment of this ordinance which does not conform to the regulations of the district in which it is located.

**Open Space.** That required portion of a lot at ground level, unoccupied by enclosed buildings and available to all occupants of the property.

**Owner(s).** If a sole proprietorship, the proprietor; if a partnership, all partners (general and limited); if a corporation, all officers, directors, and persons holding at least ten percent (10%) of the outstanding shares.

**Planning Staff.** Qualified employees of the government of Pierce County or the Cities of Blackshear, Offerman, and Patterson charged with handling matters related to planning, such as comprehensive plans, future land use, subdivision of land, and other related matters. This definition shall include the Zoning Administrator, the Planning Director, their designees, and staff employed under their supervision, as appropriate.

**Planning, Zoning, and Code Enforcement Board.** An advisory board whose members are appointed by the governments of Pierce County and the Cities of Blackshear, Offerman, and Patterson, Georgia. The primary purpose of the Planning, Zoning, and Code Enforcement Board is to provide recommendations to the local governing bodies regarding land development decisions; the Board is not authorized to take any final action regarding the zoning or use of any property, this being the prerogative of the local governing bodies (i.e., County Commission and City Councils). For full details on the role of the Planning, Zoning, and Code Enforcement Board, the Board's Charter should be consulted.

**Plat, final.** The final stage of plat or subdivision plan review.

**Plat, preliminary.** The first stage of plat or subdivision plan review.

**Plat.** A map, generally of a subdivision, showing the location, boundaries and ownership of individual properties.

**Principal Building.** The building containing or to contain the principal use of a lot.

**Principal Use.** The principal purpose for which a lot or the main building thereon is designed, arranged, or intended, and for which it is or may be used, occupied, or maintained.

**Private right-of-way.** A portion of land being used or to be used as a street, road, thoroughfare, crosswalk, pipeway, drainage canal, and/or other similar uses and designated by means of right-of-way but not deeded to the governing authority.

**Public right-of-way.** A portion of land being used or to be used as a public street, road, thoroughfare, crosswalk, pipeway, drainage canal, and/or other similar uses and designated by means of right-of-way deed to the governing authority.

**Public water and sewage systems.** A system owned and operated by Pierce County or one of its incorporated municipalities.

**Setback.** The minimum distance required between the parcel boundary and a building or structure located on the parcel.

**Street, public.** Right-of-way dedicated to the city, county, state, or federal government, or owned by the city, county, state, or federal government, which is developed, maintained, and used primarily for the purpose of transportation and/or movement, by vehicle, foot, or other means, and for access to abutting property.

**Structure.** Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, manufactured homes, billboards, swimming pools, carports, and fallout shelters, but do not include walls or fences.

**Subdivider.** Any person, firm, corporation, association or partnership or any agent thereof who undertakes or proposes to undertake the subdivision of land so as to constitute as herein defined.

**Subdivision.** The division of a lot, tract or parcel of land into four or more lots, tracts, parcels, or other divisions of land for the purpose, whether immediate or future, of sale or building development. The following shall not be considered subdivisions within the meaning of this article.

1. Division in two or more lots where each lot has a minimum of three acres and no streets are created.
2. Divisions of property upon court order, including but not limited to judgments or foreclosure.
3. Where the combination or recombination of portions of previously platted lots where the total number of lots, tracts, parcels, sites, or plots of land is not increased and the resultant lots, tracts, parcels, sites, or plots of land are equal to the standards of these regulations, the zoning ordinance, or other applicable regulations or ordinances as officially adopted by the Pierce County or the applicable municipality.

**Subdivision plans.** Subdivision plans are interpreted to be all plans required for delineation of rights-of-way, easements, lots, preservation areas, etc., and all construction plans required for the development of all physical facilities pertaining thereto.

**Tax assessor.** The Pierce County Board of Tax Assessors.

**Tract.** A portion of land with definite and ascertainable limits or boundaries. (See definition of "Lot".)

**Utility.** Any community service available to the public by means of an overhead or underground distribution or collection system such as electricity, telephone, water, gas, and sewage disposal.



**Variance.** A relaxation of the standards of this Ordinance that will not be contrary to the public interest and where, owing to conditions peculiar to the property, the literal application of this Ordinance would cause an unnecessary hardship. The final action on variances is taken by the Zoning Board of Appeals after said board receives a recommendation from the Planning, Zoning, and Code Enforcement Board.

**Yard, Front.** That area of a lot lying between the abutting street right-of-way line and the principal building of the lot and extending across the front of a lot from side lot line to side lot line.

**Yard, Rear.** That area of a lot extending across the rear of a lot from side lot line to side lot line and lying between the rear lot line and the principal building on the lot.

**Yard, Side.** That area of a lot between the side lot line and the principal building on the lot extending from the front yard to the rear yard.

**Zoning Administrator.** The person, officer, or official and this authorized representative, whom the County Commission and/or City Councils have designated as their agent for the administration of these regulations.

**Zoning District.** A delineated section or sections of Pierce County and/or the Cities of Blackshear, Offerman, and Patterson for which the zoning regulations governing the use of buildings and premises, the height of buildings, the size of yards, the intensity of use, and various other requirements are uniform.

### SECTION 3. GENERAL PROVISIONS

**3-1 Platting Authority.** From and after the passage of this ordinance, the Planning, Zoning, and Code Enforcement Board shall be the official platting authority, and no plat of a land subdivision shall be recorded in the office of the Clerk of the Superior Court of Pierce County unless it has the approval of the Planning, Zoning, and Code Enforcement Board inscribed thereon. The filing or recording of a plat of a subdivision without the approval of the appropriate reviewing agencies and/or authorities as required by this ordinance is declared to be a violation of this ordinance.

**3-2 Use of Plat.** The transfer of, sale of, agreement to sell, or negotiation to sell land by reference to, exhibition of, or other use of a plat of a subdivision that has not been given final approval by the Planning, Zoning, and Code Enforcement Board and recorded in the office of the Clerk of the Superior Court of Pierce County is prohibited, and the description by metes and bounds in such an instrument of transfer or other document shall not exempt the transaction from prescribed penalties.

**3-3 Opening and improving public streets.** The Board of Commissioners of Pierce County, or the City Councils of Blackshear, Offerman, or Patterson, shall not accept lay out, open, improve, grade, pave, or light any street, or lay any utility lines in any street, which has not attained the status of a public street prior to the effective date of this article, unless such street corresponds to the street location shown on an approved subdivision plat or the major thoroughfare plan; provided that the County Commission or City Council may accept, lay out, open, and improve any street not so platted if it first submits such proposed action to the Planning, Zoning, and Code Enforcement Board for its review and comment. Developers of subdivisions will be solely responsible for acquiring all rights-of-ways so that in the event the local government needs to perform maintenance, rights-of-ways will be in place..

**3-4 Issuance of building permits.** The Zoning Administrator will not issue building permits for a parcel of land, lot, tract, or building site subject to this article that has not been designated and recorded as required by this article.

**3-5 Zoning ordinance compliance.** No final plat of a subdivision shall be accepted for review which does not conform with the Zoning Ordinance for Pierce County and the Cities of Blackshear, Offerman, or Patterson. Proposed subdivisions must conform with the zoning district classification requirements applicable to the land for which it is proposed..

**3-6 Official interpretation.** The requirement(s) of this article, as they may apply to a proposed land subdivision, shall be officially interpreted by the Zoning Administrator. In cases where the subdivider disagrees with the official interpretation of these regulations, the subdivider may appeal to the Zoning Board of Appeals.

**3-7 Non-conforming lots.** Any lot for which a plat or legal description (i.e., metes and bounds) has been recorded in the Office of the Clerk of Superior Court of Pierce County which was recorded prior to the adoption of the Zoning Ordinance for Pierce County and the Cities of Blackshear, Offerman, or Patterson, shall be recognized as a non-conforming lot of record and

may be utilized for any of the uses permitted by the Zoning Ordinance in its respective zoning district, subject to current Zoning Ordinance limitations.

**3-8 Variances.** All variances shall be recommended by the Planning, Zoning, and Code Enforcement Board or their designee on a case-by-case basis. Any request for variance shall be based on circumstances unique to the subject property. Proposed alternate design of improvements must follow accepted engineering practices and principles. Final decisions on variances are made by the Zoning Board of Appeals. The City Council or County Commission may function as the Zoning Board of Appeals for the applicable jurisdiction.

**3-9 Appeals.** Any party aggrieved because of alleged error in any order, requirements, decision, or determination made by the Zoning Administrator, the Planning, Zoning, and Code Enforcement Board, or any other party in enforcement of this Ordinance, may appeal to the Zoning Board of Appeals, by filing in writing with the Zoning Administrator. The appeals procedure shall be the same as used in appeals on zoning cases.

**3-10 Appeal from the Zoning Board of Appeals, County Commission, or City Council.** Any party aggrieved by any decision of the Mayor and Council may seek review of such decision by a Court of Record, as provided by law.

**3-11 Exempt subdivisions:** Any subdivision that has approved zoning and has had a plat submitted for approval prior to the adoption of this ordinance, shall be declared an exempt subdivision, and acted upon under the conditions of the ordinances that were in place at the time such plat was submitted.

## SECTION 4. APPROVAL OF SUBDIVISION

**Pre-application procedure.** The subdivider may hold a pre-application meeting with the Planning Staff to discuss any proposed subdivision, as well as general design standards, zoning, and related matters.

The subdivider may submit pre-application plans and data for review, advice, and assistance by the Zoning Administrator or his/her designee. Professional assistance at this early stage may save time and effort during later steps in the subdivision process.

Pre-application plans and data should include:

- A. Location sketch map, showing the location of the site relative to the County or City, as appropriate.
- B. A simple sketch plan on a topographic survey or similar base map, showing the existing boundaries of the subject lot and adjacent lots, the general layout of proposed new lots to be created, proposed streets, major drainage ways, and other features, including streams, creeks, wetlands, or potential wetlands, in relation to existing conditions on the site and the surrounding street system.
- C. General subdivision information, including information on proposed or existing covenants, wooded areas, available and proposed community facilities, utilities, typical lot size, and any other pertinent information.

The Planning Staff and other affected government agencies will review all data submitted and advise the subdivider or developer of significant items which should be considered prior to submittal of the Preliminary Plat, Final Plat, or development plans.

Subdivisions shall be officially reviewed and approved in three stages (Preliminary Plat, Improvement Plan, and Final Plat), as described below:

### **4-1 Preliminary Plat.**

- 4-1.1 Purpose:** The purpose of the preliminary plat is to safeguard the subdivider from unnecessary loss of time and expense in preparation of a subdivision plat which does not conform with the specifications of the subdivision ordinance. The preliminary plat requires only approximate accuracy of scale and dimension. Public agencies having jurisdiction will review preliminary plats regarding matters within their jurisdiction. During the review process, the subdivider or his/her agent may be called upon for consultation.

All subdivisions which do not involve the platting, construction, or opening of new streets, water facilities, or sewer facilities may be accepted by the Zoning Administrator in the form of a Final Plat, provided that the essential data required by the reviewing agencies to ensure compliance with the intent of these regulations is submitted.

The preliminary plat shall include the items listed below.

- a. **Title Block and North Arrow:** The preliminary plat will show the name of the proposed subdivision; its location by county and city; the name, address, and registration number of the surveyor preparing the plat; and the date of the plat. A north arrow shall be included with a notation referencing the bearings to magnetic north, astronomical north, and/or grid north.
- b. **General Layout:** The preliminary plat shall show information as to the proposed street layout and widths, layout and dimensions of lots, and proposed open space. Any lands to be dedicated will be identified. Plat scale, total acreage of the site, and total number of lots to be created shall also be indicated. Lot and block identification and building setback lines shall also be indicated.
- c. **Topography:** The preliminary plat shall show existing contour lines dashed and any proposed contour lines solid, both set of lines to be at two (2) foot intervals, in relation to mean sea level (M.S.L.).
- d. **Drainage:** The preliminary plat shall include a drainage, sedimentation, and soil erosion plan certified by a professional engineer or registered land surveyor. The plan shall provide a means of detaining stormwater runoff on-site, up to and including a twenty-five (25)-year storm event, with such runoff to be released from the property at the same rate of flow that existed prior to the development of the property. The engineer or surveyor shall certify that the designed stormwater detention system for the development will fully satisfy these provisions. Prominent drainage features that could affect the design of the subdivision, such as lakes, depressions, and streams, shall be shown. Engineering data showing the high water elevation and how it was established shall be submitted with the plat.
- e. **Existing Features:** The preliminary plat shall show the locations and names of existing and platted property lines, streets, railroads, public and private rights-of-way, sanitary sewer (with their size), water mains (with their size), bridges, culverts, storm drainage (including dimensions), easements, parks and other public spaces, land lot and land district lines, city limits lines, and names of adjoining property owners or subdivisions. Groups of trees and swamp areas shall also be indicated.
- f. **Wetlands:** Location of wetlands boundaries shall be delineated on the preliminary and final plats. All preliminary and final plats delineating wetlands shall bear the note: "No fill or work shall be permitted within jurisdictional wetlands without a prior permit from the U.S. Army Corps of Engineers."
- g. **Location Map:** The plat shall include a small scale map of sufficient clarity so that the location of the proposed subdivision can be readily determined.

- h. **Water and Sewer:** A statement from the subdivider shall be submitted with the preliminary plat which will describe the method by which sanitary sewer and water facilities will be provided. If non-public sewer or septic tanks are proposed to serve a subdivision, then a soils inventory, soils percolation test results, and soil map shall accompany the preliminary plat at the time of submission. The soil map shall show location and identification of each soil class and site of each percolation test. Percolation tests shall be made in accordance with County Health Department requirements.
  - i. **Future Tract Plan:** In cases where a subdivision is to be developed in stages with additional plats being filed at a later date, the filing of the preliminary plat will be accompanied by a Future Tract Plan, a reasonably accurate sketch showing the future street system and topography for the entire tract. Once the required future tract plan has been given approval, 5 copies of the approved future tract plan must be provided for distribution to the various reviewing agencies and the city/county inspections office.
  - j. **Tax Map and Parcel Number:** The preliminary plat shall show the existing official tax map and parcel numbers affecting the property.
  - k. **Variances:** If any variances have been granted affecting the subdivision of the property, such variances shall be noted, giving the nature and date of the variance(s).
  - l. **Zoning:** The preliminary plat shall show the existing official zoning for the property as depicted by the Official Zoning Map.
  - m. **Parent Tract Information:** The preliminary plat shall show the remaining frontage and acreage information for the parent, or remnant tract.
  - n. **Points of Reference:** The preliminary plat shall show the location, bearing, and distance to the nearest land lot corner and the intersection of two public rights-of-way or the intersection of those street or road centerlines.
- 4-1.2 Filing:** Any person desiring to subdivide land shall file with the Zoning Administrator five (5) copies of the preliminary plat accompanied by a letter of application. In the event that a proposed subdivision abuts a state route, the applicant shall submit two (2) additional copies to be forwarded to the Georgia Department of Transportation for their review.
- 4-1.3 Staff Development Review:** Upon receipt of the filing of the preliminary plat, the Zoning Administrator shall prepare those materials for presentation to the Planning Staff. The Planning Staff shall review the preliminary plat for technical compliance with the Zoning Ordinance, Subdivision Ordinance, Comprehensive Plan, and any other ordinances that might impact the proposed land subdivision. The Planning Staff shall recommend in writing approval, conditional approval, postponement, or disapproval within thirty (30) days of submission.

**4-1.4 Approval by Individual Agencies.** No preliminary plat shall be approved by the Planning, Zoning, and Code Enforcement Board unless it is approved by the Health Department and has received the assignment of map and parcel numbers by the Pierce County Board of Tax Assessors. These agencies shall approve, with or without modification, or disapprove the preliminary plat to the extent that each has jurisdiction. If the plat is rejected, reviewing agency shall provide the Planning, Zoning, and Code Enforcement Board with a written statement specifying the reasons why the plat fails to comply. Pursuant to OCGA 32-6-151, where the proposed subdivision abuts a state route, the Planning, Zoning, and Code Enforcement Board must also obtain approval of the Georgia Department of Transportation (GDOT).

**4-1.5 Review by Planning, Zoning, and Code Enforcement Board:** The Planning, Zoning, and Code Enforcement Board shall review the preliminary plat, giving due consideration to the review of the Planning Staff and relevant agencies. After reviewing, the Planning, Zoning, and Code Enforcement Board shall issue either preliminary approval, conditional approval, postponement, or disapproval.

- a. **Preliminary approval** means that the developer is now authorized to proceed with the preparation of the required improvement plan. Lots shall not be sold nor shall building construction begin at this time. Preliminary approval grants the developer a maximum time of eighteen (18) months within which he/she shall submit the improvements plan and final plat for approval unless a time extension is granted by the Planning, Zoning, and Code Enforcement Board before the expiration of the 18-month period. If such extension is granted, it shall be for not more than twelve (12) additional months. Failure to submit improvement plan and final plat within this time period, including extension if any, shall invalidate preliminary plat approval, and require resubmission of the preliminary plat.
- b. **Conditional approval** means the developer may proceed after written notice from the Zoning Administrator, as outlined under “Preliminary Approval” above but only after he has submitted to the Zoning Administrator five (5) copies of the corrected preliminary plat, incorporating any conditions or changes required by the Planning, Zoning, and Code Enforcement Board.
- c. **Postponement** means action is delayed for specific reasons which shall be noted and transmitted in writing to the developer by the Zoning Administrator. Postponed preliminary plats may be reconsidered by the Planning, Zoning, and Code Enforcement Board without re-submittal to the reviewing agencies.
- d. **Disapproval** means denial of the application for subdivision because the developer’s preliminary plat is not in compliance with this ordinance. For further consideration, the developer must rework and resubmit the

preliminary plat as though it were a completely new preliminary plat. The specific reasons for disapproval shall be stated to allow for correction.

#### 4-2 Improvement Plan.

- 4-2.1 General Requirements:** Subdivision plats receive their second official consideration as “improvement plans.” These plans shall be approved by the Zoning Administrator, who shall certify that the improvement plan is in conformance with this ordinance, official County and/or City specifications, and the requirements of the approved preliminary plat. The process of improvement plan approval is between the Zoning Administrator and the developer, and is not subject to review and approval by the Planning, Zoning, and Code Enforcement Board. No developer shall proceed with any construction work in the proposed subdivision before obtaining improvement plan approval.
- 4-2.2 Professional Engineer Consultant (if applicable) Required:** Should certain design calculations be required to resolve flow problems, possible erosion or drainage problems, or other detailed design problems which might be encountered in the process of preparing the required improvement plan, the Zoning Administrator shall be authorized to require the services of a professional engineer or consultant in the improvement plan design process. Should such services be required, such plans shall reflect the engineer or consultant’s state registration. All professional surveying, engineering, or consultant service costs shall be the sole responsibility of the applicant.
- 4-2.3 Filing:** To secure formal review of the improvement plan, the developer shall file with the Zoning Administrator three (3) certified white background prints of the improvement plan, signed and sealed by the developer’s registered consultant. The Zoning Administrator will then distribute the improvement plan to the reviewing agencies, which shall jointly review the improvement plan and shall approve or deny the improvement plan.
- a. **Approval** means the developer is now authorized to proceed with the physical improvements in the subdivision, after securing all required building permits, and may proceed with the preparation of the final subdivision plat.
  - b. **Conditional approval** means the developer may proceed as outlined in the preceding paragraph, but only after submitting to the Zoning Administrator three (3) copies of the corrected improvement plan, incorporating any conditions or changes required by the Zoning Administrator or other applicable agencies.
  - c. **Denial** means disapproval of the improvement plan. For further consideration, the developer must rework the improvement plan to conform to the requirements of this ordinance, and then submit the reworked improvement plan to the Zoning Administrator.



**4-2.4 Plans and Data Required for Improvement Plan Submission:** The plans for the required public improvements shall be prepared for approval by the reviewing agencies prior to any construction work, and only after approval of the preliminary plat. Such improvement plans shall show the proposed locations, dimensions, types, grades, and general design features of each structure or other improvement, and shall be based on reliable field data. Improvement plan approvals shall remain valid for a period of two (2) years. If the subdivided land is sold prior to approval of the final plat, a review by the Planning Staff shall be required.

The improvement plan shall be submitted on white background prints. The sheet size shall be 24 by 36 inches unless another size is approved by the Zoning Administrator. The improvement plan shall include the following information:

- a. **Construction plans.** The developer shall provide the plan and profile of each proposed street, indicating the existing ground surface elevation and proposed street grade surface, including extensions, except where the street connects to an existing street, for a distance of one hundred (100) feet beyond the tract boundary. Design shall be in accordance with the best and most current engineering practices.
- b. **Street-typical sections.** A typical section of each proposed street shall be submitted, showing the width of pavement and the rights-of-way.
- c. **Water supply, sanitation systems, and storm water drainage.** The plan shall show proposed water and sanitation facilities, storm drainage, and any other drainage systems, with grade and sizes indicated. The anticipated location of all underground installations shall be shown. Storm water drainage shall be consistent with all applicable ordinances. Water and sewer systems shall be approved by the Pierce County Health Department and all relevant state agencies. Maintenance easements shall be required for all facilities located outside of public rights-of-way.
- d. **Utility service agreement.** A developer's agreement for utilities service, including broadband internet service where feasible, shall be required before final improvement plan approval is granted.
- e. **Other public improvements.** A plan shall be prepared for parks, recreation, or other public use areas and improvements if included in the preliminary plat.
- f. **"As Built Plans."** The designing surveyor or engineer shall submit to the Zoning Administrator two (2) sets of white background prints of certified "as built" plans prior to the recording to the final plat.

### 4-3 Final Plat.

**4-3.1 Conformance:** The final plat shall be consistent with the approved preliminary plat. If desired by the subdivider, he may submit only that portion of the preliminary plat he proposes to record and develop at that time; provided, that such portion

conforms with all requirements of this ordinance. The recorded plat (final plat) is to be prepared and sealed by a registered land surveyor, licensed in the State of Georgia. No plat of a land subdivision shall be recorded unless the plat conforms to the requirements of the Zoning Ordinance and this Subdivision Ordinance, and the applicable local government has formally accepted dedication of any proposed streets and encroachments. The plat shall not be recorded until the developer submits to the Zoning Administrator all final permits required for the construction of all improvements from all applicable state, local, and federal agencies.

**4-3.2 Filing:** The final plat filed with the Zoning Administrator shall include the following:

- a. A letter of application, containing:
  - 1) The name and address of the person(s) developing the subdivision and their agents;
  - 2) Zoning of the property to be subdivided;
  - 3) Description of intended phases of development, if the subdivision is to be developed in phases;
  - 4) Plans for serving the proposed subdivision with sewer and water facilities.
- b. A complete list of deviations, if any, from the approved preliminary plat.
- c. A copy of the agreement for providing the necessary water and sewer facilities.
- d. A fee to cover the cost of investigation and review of the preliminary plat, improvement plans, final plat, and final recording will be charged at the time of application. The fees are determined by the Pierce County Board of Commissioners in cooperation with the City Councils of Blackshear, Offerman, and Patterson.
- e. Five (5) copies of the final plat, which shall include the following:
  - 1) **Sheet design:** The final plat shall conform to the items listed under the preliminary plat (see Section 4-1.1) and the requirements thereof, as set forth in this ordinance. The sheet size shall be 24 by 36 inches unless another size is approved by the Zoning Administrator. The final plat shall be drawn to an appropriate scale (stated and graphical). If necessary, more than one sheet may be used as long as a key map is provided to related each sheet to the entire platted area.

2) **Surveyor certificate:** The following certificate shall be entered on the face of the plat: “I certify that all measurements are correct and were prepared from an actual survey of the property made under my supervision; the field data upon which this plat is based has a closure precision of one foot in \_\_\_\_\_ feet and an angular error of \_\_\_\_\_ per angle point, and was adjusted using \_\_\_\_\_ rule; the plat has been calculated for closure and is found to be accurate within one foot in \_\_\_\_\_ feet; monument and pin locations are correctly shown by the symbols \_\_\_\_\_ and the pins are \_\_\_\_\_ [type of metallic material and length].

Signed \_\_\_\_\_ (Seal) (Date)

Surveyor, Georgia Registration no. \_\_\_\_\_

3) **Flood-prone areas:** Any flood-prone areas must be indicated on the final plat.

4) **Wetlands:** Any identified wetlands must be indicated on the final plat, and proof of compliance with any U.S. Army Corps of Engineers requirements for wetlands must be submitted prior to recording of the final plat. Should no wetlands exist in the subdivision, the plat must include a statement to that effect.

5) **Groundwater recharge areas:** Any identified groundwater recharge areas must be indicated on the final plat. If none are present in the subdivision, the plat must include a statement to that effect.

f. **Owner certificate:** The following certificate shall be entered on the face of the plat:

We, the undersigned owner(s) and/or mortgagee(s) of the \_\_\_\_\_ Subdivision, hereby offer to dedicate and/or reserve for public use the rights-of-way, easements, and other public areas as designated on this plat.

Owner	Date	Mortgagee	Date
_____	_____	_____	_____
_____	_____	_____	_____

g. **Approvals:** The following spaces shall be provided in the form listed below for approval by all agencies having jurisdiction. Placement on plat may vary.

Approved by the Pierce County Health Department, Pierce County, Georgia.

Date \_\_\_\_\_ Signed \_\_\_\_\_

Health Department Representative

Approved by the Pierce County Planning, Zoning, and Code Enforcement Board

Date \_\_\_\_\_ Signed \_\_\_\_\_

Planning Director

h. **Surveying data:** The final plat shall contain the location, bearing, and length of every street line, lot line, and boundary line, whether curved or straight. A note will be made on the plat as to whether curved dimensions are arc or chord distances. Easement lines (and width), land lot lines, and land district lines will be shown. The final plat shall also identify each tract within the proposed subdivision by block and lot number.

i. **Dimensions:** All dimensions shall be shown in feet and decimals to the nearest one-hundredth (1/100) of a foot, and all angles shall be shown to the nearest second. The error of closure shall not exceed one in ten thousand (1/10,000), or as defined by the technical standards required by Section 15-6-67, O.C.G.A., of the Law Governing the Practice of Professional Engineering and Surveying, as amended. The final plat shall have a note listing the following:

Total acres \_\_\_\_\_

Total lots \_\_\_\_\_

j. **Monuments:** The final plat shall show the accurate location, material, and description of all monuments. A permanent master bench mark shall be established (subject to the approval of the Zoning Administrator) within or adjacent to the site by transfer of levels, not less than third order accuracy, from the nearest approved bench mark of known mean sea level (M.S.L.) elevation, showing its location on the final plat and recording its elevation to the nearest hundredth (1/100) of a foot.

k. **Easements:** The final plat shall show the location and width of all public utility easements and drainage easements where required, including required maintenance easements outside of public rights-of-way.

**4-3.3 Filing certificate:** The final plat shall be deemed filed with the Planning, Zoning, and Code Enforcement Board when it is filed with the Zoning Administrator. At the time of filing, a certificate of filing shall be furnished to the applicant which will include the time and date of filing. The final plat shall be prepared in accordance with this ordinance and applicable County and/or City requirements by a registered land surveyor who is licensed under the laws of the State of

Georgia. The Zoning Administrator shall have the authority to reject the final plat if they find that it does not conform with the approved preliminary plat or this ordinance. If the plat is rejected, the Zoning Administrator shall provide the subdivider with a written statement specifying all the respects in which it does not conform. The subdivider may appear to the Planning, Zoning, and Code Enforcement Board from such rejection.

- 4-3.4 Approval by individual agencies:** No final plat shall be approved unless the Planning, Zoning, and Code Enforcement Board first obtains approval of the Pierce County Health Department. This and other agencies shall approve, with or without modification, or disapprove the final plat to the extent to which each has jurisdiction. Within ten (10) days of time of submittal, the developer will be notified of approval or disapproval. If disapproved, reasons for disapproval shall be noted.
- 4-3.5 Staff development review:** Upon receipt of the final plat, the Zoning Administrator shall prepare those materials for presentation to the Planning Staff. The Planning Staff shall review the final plat for technical compliance with the Subdivision Ordinance, Zoning Ordinance, Comprehensive Plan, and other ordinances that might have an impact on the proposed land subdivision. The Planning Staff shall provide a written statement recommending either approval, conditional approval, postponement, or disapproval.
- 4-3.6 Coordination:** It shall be the responsibility of the Zoning Administrator to ensure that the respective reviews of the Health Department, Planning Staff, and other applicable agencies are brought together in a timely fashion.
- 4-3.7 Review by the Planning, Zoning, and Code Enforcement Board.** The Planning, Zoning, and Code Enforcement Board or their designee shall review and approve the final plat, giving due consideration to the reviews of the Planning Staff and the Health Department.
- 4-3.8 Recording a plat:** Upon satisfactory compliance with this ordinance, and after acceptance by the applicable local government of any proposed streets and improvements, and the posting of the required guarantee, the local government shall release the plat to the Zoning Administrator for recording.
- 4-3.9 Revision to a recorded plat:** Proposed revisions to a recorded plat which do not affect platted rights-of-way may be submitted for administrative approval in accord with the provisions of Section 4-3.12. In addition, a revision to a recorded plat shall show the name, phase (if applicable), date of the recorded subdivision plat being revised, and the exact citation with regard to the County Land Records and the book and page number wherein said plat is recorded. Revision to a recorded plat which involve platted rights-of-way or other major changes shall be submitted as a preliminary plat.

- 4-3.10 Distribution:** The Zoning Administrator shall distribute the final plat to the following agencies: Clerk of Court, Public Works Department, Building Inspector, Utilities Department, Fire Department, Police Department, Tax Assessor, Health Department, E-911, Servicing Telecommunications Company, Servicing Electrical Utility Company, Servicing Cable TV and Broadband Companies, Board of Education, and Planning, Zoning, and Code Enforcement Board.
- 4-3.11 Administrative approval of re-subdivisions and combination of lots:** Where located on an existing road or street, the combination of existing lots, or the modification of boundaries between lots, where the total number of lots does not increase, and the resultant lots are equal to the current standards of the Subdivision Ordinance and Zoning Ordinance as determined by the Planning Staff, shall be subject to administrative approval. Such plats shall conform fully to the requirements of this ordinance and the Zoning Ordinance. No non-conforming lots shall be created. It shall be the responsibility of the Zoning Administrator to coordinate said administrative review.
- 4-3.12 Exempt Plat Process:** Any plat submitted for recording to the office of the Clerk of Superior Court, Pierce County that is not subject to this ordinance shall comply with O.C.G.A. 15-6-67(d), as amended. All plats exempt from the standard review process must be assigned a map and parcel number by the Board of Tax Assessors if a new lot is being created. Resurveys of existing parcels which do not involve a map and parcel change must be verified by the Zoning Administrator and the Tax Assessor's office. All exempt plats, which include resurveys of lots of record, exempt re-subdivisions, and exemptions by definition, must be stamped as exempt prior to recording.
- 4-4 Unlawful approval.** If any approval, certification, or any other similar action of acceptance by Pierce County or the Cities of Blackshear, Offerman, and Patterson is conditional on a prior action by the developer or any other individual or entity, and is accepted without such prior condition being substantially met or completed, then such approval, certification, or acceptance by the local government shall be void *ab initio* (from the beginning).
- 4-5 Construction of buildings.** No person or entity shall begin construction of any building on any lot or parcel until all streets have been built and completed, including paving, and all utilities are in place and installed so that any individual lot owner can connect to such utility services immediately thereafter. All such improvements must be inspected and approval given by the Building Inspector before any construction on a lot may begin.

## SECTION 5. MINIMUM DESIGN STANDARDS

### 5-1 Blocks.

**5-1.1 Non-residential:** Blocks for other than residential use shall be of such length and width as may be suitable for their prospective use, including adequate provisions for off-street parking and maneuvering space.

**5-1.2 Residential:** The length of residential blocks shall not exceed 400 feet nor be less than 150 feet. Blocks of more than 400 feet shall be permitted if pre-existing barriers such as streams, lakes, or railroads require blocks of greater length. The depth of residential blocks shall be sufficient to allow two tiers of lots, unless pre-existing barriers make this infeasible, or unless one tier backs onto a line of another person's property. The foregoing shall not prevent the inclusion of blocks of greater length and width when public use areas such as parks and playgrounds are included in the project design. These areas shall be covered by adequate maintenance agreements if not dedicated and accepted for public maintenance.

**5-1.3 Sidewalks and crosswalks:** Sidewalks shall be constructed on both sides of all streets within subdivisions where minimum lot width requirements as specified in the Zoning Ordinance are less than one hundred (100) feet. As an exception to this requirement, no sidewalks are required in subdivisions containing less than ten (10) dwelling units. Sidewalks shall be constructed with a minimum clear width of four (4) feet, unobstructed by signs, utility poles, or any other obstruction. A vegetative buffer at least two (2) feet wide shall separate the sidewalk from the street. All sidewalks shall be constructed in accordance with the standards established by the Americans With Disabilities Act.

**5-1.4 Crosswalks.** Crosswalks shall be provided where the Planning, Zoning, and Code Enforcement Board considers them necessary for direct pedestrian access to destinations, except where Georgia Department of Transportation standards shall prevail.

### 5-2 Easements.

**5-2.1 Utility:** Utility locations, wherever feasible, shall be located within the platted right-of-way. If easements are required, they shall be a minimum width of twenty (20) feet. Wherever public utility easements are planned adjacent to the subdivision tract boundary or phase, they shall be platted within said subdivision or phase thereof.

### 5-3 Lots.

**5-3.1 Minimum lot elevation:** The lot area contained within and contiguous to the building walls and for a minimum distance of ten (10) feet, measured from all sides of said building, shall have a minimum elevation of three (3) feet above the 100-year flood stage of streams or other water bodies in the particular area being

developed, based on acceptable engineering procedure and approved by the Zoning Administrator. Said minimum elevation shall be subject to approval by the Pierce County Health Department. A change in elevation necessary to meet this requirement will be permitted by filling within a designated flood hazard zone, only if all other applicable permits are obtained prior to any fill work being done.

- a) **Flood-prone areas.** Residential or commercial subdivisions shall not be permitted within the Flood Hazard District.
- b) **Wetlands.** All final and preliminary plats shall clearly delineate any identified wetlands in conformance with the Georgia Department of Environmental Protection's Part V Environmental Planning Standards (Georgia Planning Act of 1989, as amended).
- c) **Groundwater recharge areas.** All final and preliminary plats shall clearly indicate any identified groundwater recharge areas in conformance with the Georgia Department of Environmental Protection's Part V Environmental Planning Standards (Georgia Planning Act of 1989, as amended).

**5-3.2 Lot dimensions and area:** Lots hereafter established within a subdivision shall conform to the lot area and lot width requirements set forth in the Zoning Ordinance or in other sections of this ordinance. All lots shall be of such size and dimensions that will permit the location of buildings so as to conform with the building setback requirements as prescribed in the Zoning Ordinance.

**5-3.3 Through lots:** Through lots (lots having frontage on two or more roads not at an intersection) shall be prohibited, except to provide for separation of residential development from railroad rights-of-way or arterial or collector street rights-of-way.

**5-3.4 Railroad and arterial or collector rights-of-way.** Where a railroad right-of-way or arterial or collector street right-of-way abuts or runs through any portion of the subdivision, the subdivision plan shall provide for lots backing on said right-of-way. All such lots shall have a minimum depth adequate to provide for the rear yard setback as required by the respective zoning district, plus an additional 30 feet, of which 10 feet shall be a planted, non-encroachable buffer strip separating the lots from the right-of-way. The buffer strip shall be landscaped with hedges or closely planted with small trees to provide a visual screen, and shall be planted at the time of development. Said planted, non-encroachable buffer strip shall be clearly indicated on the final plat.

**5-4 Building lines.** All building setback lines shall be as specified in the Zoning Ordinance.

**5-5 Commercial and industrial use buffer zones.** When a portion of the subdivision is to be devoted to commercial and/or industrial purposes, and when the commercial and/or industrial area adjoins residential lots, or when a portion of a proposed subdivision adjoins an area zoned for commercial or industrial use, a buffer zone not less than 20 feet in width shall be provided. Said



buffer strip shall be landscaped with hedges or closely planted with small trees to provide a visual screen, and shall be planted at the time of development. No building or portion thereof may be constructed in said buffer strip. Said buffer strip shall be clearly indicated on the final plat.

**5-6 Streets.** The street and road system of any subdivision shall give due consideration to the Comprehensive Plan and any applicable local, state, or federal transportation plans.

**5-6.1 Access:** Every lot of every subdivision shall abut a public street or an approved private street, which shall be developed and maintained by the appropriate governing body. Where the subdivision does not immediately adjoin a public street, the subdivider shall provide a public street to connect from an existing public street to the subdivision.

**5-6.2 Alignment and continuation:** Streets within the subdivision shall be so arranged as to provide for the alignment and continuation of, or projection of, existing streets.

**5-6.3 Connectivity:** Streets within the subdivision shall be so arranged as to maximize connectivity and minimize trip distances. Direct connectivity to nearby existing or proposed destinations, including but not limited to parks, schools, shops, or other neighborhoods, shall be provided.

**5-6.4 Cul-de-sacs:** Cul-de-sacs shall terminate in a circular turnaround having a right-of-way of not less than 90 feet in diameter. Paving within the turnaround shall have an outside diameter of not less than 70 feet. No cul-de-sac shall exceed 750 feet in length. Pedestrian connections from the ends of cul-de-sacs to other streets and nearby destinations shall be provided where feasible. Where the end of a cul-de-sac is directly adjacent to a park or school, a direct pedestrian connection from the end of the cul-de-sac to said park or school shall be provided. Dead-end streets and dead-end alleys shall be prohibited unless terminated with a cul-de-sac.

**5-6.5 Ditches:** On non-curb-and-gutter sections, ditch side slopes shall be no greater than 4:1.

**5-6.6 Half-streets:** Half-streets (streets and alleys with substandard right-of-way) and one-way streets shall be prohibited.

**5-6.7 Intersections:** The centerline of no more than two (2) streets shall intersect at any one point. No street shall intersect another street at less than eighty (80) degrees and shall as nearly as possible intersect at ninety (90) degrees.

**5-6.8 Right-of-way radius:** The right-of-way radius at street intersections shall be no less than thirty (30) feet, except where Georgia Department of Transportation standards shall prevail.

**5-6.9 Curved streets:** The centerline radius shall not be less than three hundred and fifty (350) feet for arterial streets, and one hundred and twenty (120) feet for collector and local streets.

**5-6.10 Right-of-way extension:** Where the proposed subdivision abuts undeveloped properties, it is essential that appropriate extensions of streets be left available to provide for future growth and development. Such street rights-of-way to facilitate future development shall be extended by dedication and improved to the boundary of the proposed subdivision.

**5-6.11 Distance between intersections:** No two intersections shall be closer than one hundred and twenty (120) feet from one another.

**5-6.12 Street names:** The subdivider shall indicate on the subdivision plat the proposed names of all streets within the subdivision. A streets that is obviously in alignment with, or is an extension of, an existing previously named or numbered street shall bear said street’s name. The names of all new streets within the subdivision shall be subject to the review and approval of the local governing body. New street names shall not duplicate or closely resemble the names of streets already in existence within Pierce County.

**5.6-13 Right-of-way and pavement width:** Excessively wide streets shall be discouraged due to the accompanying effects of increased traffic speed and increased runoff from impervious surfaces. Street rights-of-way shall be measured between lot lines and shall be prescribed in this section. The pavement width shall be as prescribed below.

Street Classifications	Minimum right-of-way (in feet)	Minimum lane width	Maximum lane width
Arterial	100	Travel lane: 11 feet Center turn lane: 11 feet On-street parking: 8 feet Bicycle lane: 5 feet	Travel lane: 12 feet Center turn lane: 14 feet On-street parking: 10 feet Bicycle lane: 6 feet
Collector	80	Travel lane: 10 feet Center turn lane: 11 feet On-street parking: 7 feet Bicycle lane: 5 feet	Travel lane: 12 feet Center turn lane: 14 feet On-street parking: 9 feet Bicycle lane: 6 feet
Local Street	50	Travel lane: 9 feet On-street parking: 7 feet	Travel lane: 11 feet On-street parking: 8 feet

**5.6-14 Additional rights-of-way:** If the subdivision boundary line lies adjacent to the right-of-way line of an existing street of less than minimum right-of-way width, the required extra right-of-way to bring the street to current standards shall be dedicated.

**5.6-15 Provisions for public use:** In subdividing land, due consideration shall be given to suitable sites for schools, parks, playgrounds, and other common areas for public use. Such land shall be located in accordance with the Comprehensive Plan. The acquisition of such land shall rest with the appropriate public authority.

## SECTION 6. MINIMUM IMPROVEMENTS

**6-1 General.** The subdivider shall provide all public improvements as required by this ordinance and by applicable local government specifications and requirements.

**6-2 Paving and drainage.** The subdivider shall provide street paving and proper drainage control structures, which may include ditch slopes with grass cover, paved ditches, drainage canals, erosion control devices, retention ponds, and/or curb and gutter. Grass cover shall be established on all unpaved ditches and unpaved shoulders. All streets and roads shall be paved according to standards set by the Georgia Department of Transportation Standard Specifications for Roads and Bridges.

**6-3 Curb and gutter.** Where curb and gutter are constructed, 6-inch vertical curbs shall be used on all streets. Mountable (rolled) curbs shall not be permitted.

**6-4 Monuments and pins.** The subdivider shall provide, through a licensed surveyor, the setting of all reinforced concrete monuments and pins. The reinforced concrete monuments shall be four (4) inches in diameter or square, thirty (30) inches long, with a flat top. The top of each monument shall be set flush with the ground. Said monuments shall be set within each block of the subdivision and shall be located along the longest interior straight away; a minimum of four (4) per block shall be installed and shown on the plat. Pins, a minimum of 15 inches long and ½ inch in diameter (metallic materials type to be listed on the plat) shall be placed along the exterior boundary and interior lot intersection except where concrete monuments are to be located, on each street corner, at all points of curvature in each street where the street lines intersect the exterior boundary of the subdivision, and where such corners lie within a stream mender (in which case reference pins shall be placed on the bank of the stream). The pin shall be set a minimum of two inches under the ground. The top of the concrete monument shall contain a metal plate or metal rod which shall be scored in such a manner as to properly and accurately identify the location.

**6-5 Water supply and sanitary sewerage.**

**6-5.1 Provision of facilities.** The subdivider shall provide every lot of a proposed subdivision with adequate water and sanitary sewer facilities in accordance with all applicable state and local regulations. Where existing water and/or sewer mains are in the street, but no services to the proposed lots exist, the subdivider shall arrange to have the services installed. Said facilities are to be dedicated to the local government for public maintenance and operations prior to the recording of the final plat. The entire cost of extending water and sewer lines and their associated services within the subdivision shall be borne by the developer.

**6-5.2 Private water and sanitary systems.** In subdivisions that are not to be served by a public water and/or sewer system, the subdivider shall either arrange for the provision of water and sanitary sewer service via a private system, or shall arrange for the provision of well water and on-site septic systems. Well water and septic tanks shall not be installed without first obtaining all applicable permits.

**6-5.3 Well water.** New lots that are created outside of a public water service area must either be within the service area of a private water system, or must meet all size requirements, setback limits, and other requirements for the provision of an on-site well for water service. No lot shall be created outside of a public or private water service area that does not meet all state and local requirements for well permitting.

**6-5.4 Septic tanks.** New lots that are created outside of a public sanitary sewer service area must either be within the service area of a private sewer system, or must meet all size requirements, setback limits, and other requirements for the provision of on-site septic facilities. No lot shall be created outside of a public or private sewer service area that does not meet all state and local requirements for septic tank permitting.

**6-6 Street and traffic control signs.** The developer shall pay for all street and traffic control signs required for the subdivision. These fees shall be paid to the local government prior to release of the plat for recording. The local government shall install all street and traffic signs for any subdivision in accordance with all applicable specifications, and at no cost to the local government. Such signs shall be consistent with the Federal Highway Administration's *Manual of Uniform Traffic Control Devices*.

**6-7 Storm water drainage.** The subdivider shall provide adequate storm water drainage in accordance with these regulations and applicable specifications. Where drainage conditions dictate, open ditches shall be paved. The subdivider shall also provide for adequate drainage of springs or other ground water drainage.

The drainage system for a subdivision shall be designed in accordance with sound engineering principles and procedures such that all salable parcels included in the final plat are positively drained.

The drainage system shall be designed to accommodate drainage from adjacent lands which naturally drain to or through the lands being subdivided. The drainage system shall be designed to not significantly affect the natural drainage onto adjacent lands unless appropriate easements are obtained by the developer from the owner of such adjacent lands concurring with the proposed drainage design. Evidence of such concurrence shall be submitted to the Zoning Administrator along with the improvement plans and specifications.

Drainage facilities that are designed to handle flowing water (for example, culverts and weirs) shall be hydraulically designed to function when subjected to the maximum flow rate that can be expected to occur with a 25-year storm event.

Drainage facilities that are designed to handle water accumulations (for example, detention ponds with overflow provisions) shall be designed to accommodate the maximum water level that can be expected to occur with a 25-year storm event. Necessary drainage facilities, including but not limited to culverts, rights-of-way, and easements, may be dedicated to the local government, at no expense to the local government, and at the option of the local government.

All drainage systems discharging into any creek, stream, or natural body of water, including but not limited to wetlands as determined by the U.S. Army Corps of Engineers, shall pass through an approved sedimentation or detention pond prior to such discharge.

A drainage, sedimentation, and soil erosion plan certified by a professional engineer or registered land surveyor shall be submitted to the Zoning Administrator simultaneous with the preliminary plat, at which time technical design criteria will be established. Said plan shall be consistent with the latest version of Best Management Practices as defined by the Georgia Department of Natural Resources.

## **6-8 Wetlands**

Wetlands shall be addressed per the Georgia Department of Environmental Protection's Part V Environmental Planning Standards (Georgia Planning Act of 1989, as amended).

Location of wetlands boundaries shall be delineated on the preliminary and final plats. All preliminary and final plats delineating wetlands shall bear the note: "No fill or work shall be permitted within jurisdictional wetlands without a prior permit from the U.S. Army Corps of Engineers."

All minimum lot areas per designated zoning classification requirements shall be calculated upland of any wetland boundaries within or contiguous to the project.

## **6-9 Utilities.** The installation of utilities shall be as follows:

**6-9.1 Telecommunication distribution systems:** All communication distribution systems (including broadband/internet infrastructure) installed solely for the purpose of extending communications service to a development and within the property limits of such development shall be placed as directed by the Zoning Administrator.

**6-9.2 Electric power distribution system:** All electric distribution systems installed solely for the purpose of extending electric service to a development and within the property limits of such development shall be placed as directed by the Zoning Administrator.

**6-9.3 Easements:** Developers shall allocate necessary easements with future maintenance access, as indicated by standard engineering practice and as approved by the Zoning Administrator.

**6-9.4 Location of underground installations:** The improvement plan submitted to the Zoning Administrator will set forth the anticipated location of all underground installations. Location approval or acknowledgement by the owners of the underground installations shall be submitted.

## **6-10 Street lighting.** Street lighting shall be required within all new subdivisions containing ten (10) or more dwelling units.

**6-11 Buffer strips.** The subdivider shall provide adequate buffer strips, consisting of plantings and/or visual blinds, as detailed in this ordinance.

**6-13 Installation of improvements.** No grading, paving, or construction of any improvements shall be permitted until the final plat of the subdivision has been approved by the Planning, Zoning, and Code Enforcement Board.

**6-13.1 Order of construction.** In all cases, sedimentation control devices and retention, detention, and/or sedimentation ponds shall be first in order of construction.

**6-13.2 Commencement, suspension, or resumption of work.** The subdivider or subdivider's contractor shall notify the Zoning Administrator of the commencement, suspension, or resumption of work at least one day prior to the commencement, suspension, or resumption of such work. This requirement shall not apply to work suspended due to adverse weather conditions. In the event that the subdivider or subdivider's contractor fails to comply with this requirement, the local government is hereby authorized to take whatever steps may be necessary to ensure that any work performed complies with the approved plans and specifications, the standards set forth in these regulations, and other applicable ordinances.

**6-13.3 Modifications.** If, in the course of construction, the subdivider or subdivider's contractor wishes to modify the size, type, quality, quantity, and/or location of any or all of the improvements required or regulated by these regulations, the subdivider or subdivider's contractor shall submit a written change request to the Zoning Administrator for review and written approval prior to proceeding with installation of the modified improvements.

**6-13.4 Testing.** Tests required by these regulations shall be performed solely by independent testing laboratories, the subdivider's contractor, or other qualified personnel, and shall be performed at the subdivider's expense. The results of all required tests shall be provided to the Zoning Administrator immediately on completion. All test results must be clearly indicated as to the project and the exact location of the sample. No test results shall be withheld from the Zoning Administrator.

**SECTION 7.  
VIOLATION AND PENALTIES**

**7-1 Violations.**

**7-1.1** It shall be unlawful to convey or improve property by the construction of buildings on lots of any land subdivision which has not been approved and recorded as provided in this ordinance, except those parcels recorded prior to the effective date of this ordinance.

**7-1.2** It shall be unlawful to record a subdivision plat which has not been approved by the Planning, Zoning, and Code Enforcement Board or their designee and signed by the chief elected official of the applicable local government (County Commission Chair or Mayor) or his/her designee. It shall be unlawful to alter recorded subdivision plats without prior approval of the Planning, Zoning, and Code Enforcement Board or their designee, unless the purpose of such alteration is to combine or increase the size of existing lots.

**7-1.3 Each day's violation a separate offense:** After due notice has been given, each and every day's violation of any provision of this ordinance shall constitute a separate offense.

**7-2 Violation and penalty.** Any person who violates any provision of this subdivision ordinance shall, upon conviction in Recorder's Court, be penalized by the imposition of a fine not exceeding \$500.00 per day and/or imprisonment for a period not greater than sixty (60) days.

## **SECTION 8. LEGAL STATUS**

**8-1 Effect of invalidity of part of resolution.** Should any section or provision of this ordinance be decided by the courts to be invalid, such decision shall not affect the validity of this ordinance as a whole or any other part thereof.

**8-2 Conflict with other laws.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**8-3 Amendment.** This ordinance may be amended from time to time by any of the local governments to which this ordinance is applicable. All amendments shall first be submitted to the Planning, Zoning, and Code Enforcement Board for its review and recommendation. Prior to enacting an amendment to this ordinance, the applicable local government shall hold a public hearing thereon. Notice of the public hearing, including the subject, date, time, and location of the public hearing, shall be published in the official legal organ of the applicable local government at least fifteen (15) days but not more than forty-five (45) days prior to the public hearing.

**8-3.1 Applicability of amendments.** Any amendment to this ordinance shall be applicable only within the jurisdiction of those local government(s) that have passed a resolution enacting said amendment.

**8-4 Variances.** In cases of undue hardship under this ordinance, or on questions of official interpretation, any property owner may petition the Zoning Board of Appeals for a variance. Variance applications shall be reviewed by the Planning, Zoning, and Code Enforcement Board, which shall vote to make a recommendation to the Zoning Board of Appeals regarding whether or not the variance should be granted. The vote of the Zoning Board of Appeals shall constitute the final action with regard to a variance application. The City Council or County Commission may function as the Zoning Board of Appeals for the applicable jurisdiction. All variance requests shall require a public hearing in the same manner as an amendment. None of the items listed in Section 6 of this ordinance, Minimum Improvements, shall be subject to variance.

**8-5 Separability.** If any section, clause, portion or provision of this ordinance is found unconstitutional, such invalidity shall not affect any other portion of this ordinance.

**8-6 Effective Date.** This ordinance shall take effect and be enforced within each jurisdiction from and after its adoption and passage by the governing body of that jurisdiction.



**SECTION 9.  
SCHEDULE OF FEES**

**10-1 Plat review fee schedule.** All plats to be reviewed, including phases, shall adhere to a fee schedule as approved from time to time by the Planning, Zoning, and Code Enforcement Board.

**10-2 Variance requests.** All variance requests shall be accompanied by an application fee and costs to cover all publications of required public notices and staff review costs as approved from time to time by the Planning, Zoning, and Code Enforcement Board.