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ARTICLE I – AUTHORITY AND JURISDICTION

Section 1.1. Authority

The general planning authority contained in Article IX, Section 2, paragraph 4 of the 1983 Constitution, grants authority to the governing body of each county and municipality to regulate subdivisions and land development.

State law reference-Such act is not included in the Official Code of Georgia, but planning and zoning authority is contained in the Const., art. IX § 2, para. 4.
(Ord. of 11-3-92, § 1.1)

Section 1.2 Jurisdiction

These regulations shall apply to all unincorporated land located within the boundaries of the County of Bulloch.
(Ord. Of 11-3-92, § 1.2)

ARTICLE II – PURPOSE AND SHORT TITLE

Section 2.1. Purpose

The public health, safety, economy, good order, appearance, convenience, morals and general welfare require the harmonious, orderly and progressive development of land within Bulloch County, Georgia. In furtherance of the general intent of this Appendix, the regulation of land subdivision by municipal and county governing authorities is authorized for the following purposes, among others:

- (a) To encourage the development of economically sound and stable municipalities and counties;
- (b) To assure the timely provision of required streets, utilities and other facilities and services to new land developments;
- (c) To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments;
- (d) To assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational and other public purposes; and
- (e) To assure, in general, the wise and timely development of new areas, in harmony with the comprehensive plan (if applicable) of the municipalities and the county.

(Ord. Of 11-3-92, § 2.1)

Section 2.2. Short title

This appendix shall be known as and may be cited as the “Bulloch County Subdivision Regulations”.

(Ord. Of 11-3-92, § 2.2)

ARTICLE III – RULES AND DEFINITIONS

Section 3.1. Rules

In the construction of these regulations, the rules and definitions contained in this section shall be observed and applied, except when the content clearly indicates otherwise:

- (a) Words used in the present tense shall include the future, and the words used in the singular number shall include the plural number, and the plural, the singular.
 - (b) The word “shall” is mandatory and not discretionary.
 - (c) The word “may” is permissive.
 - (d) The masculine gender includes the feminine and neuter.
- (Ord. of 11-3-92, § 3.1)

Section 3.2 Definitions

3.2.1. *Accessory building.* A secondary building or structure subordinated to and not forming an integral part of the main or principal building on a lot or parcel, but pertaining to the use of the main building.

3.2.2. *Alley.* A narrow thoroughfare dedicated or used for public passageway up to 20 feet in width, which usually abuts the rear of the premises, or upon which service entrances or buildings abut, and which is not generally used as a thoroughfare by both pedestrians and vehicles, is not used for general traffic, and is not otherwise officially designated as a street. A way which affords only a secondary means of access to abutting property.

3.2.3. Reserved.

3.2.4. *Buildable area.* That portion of any lot which may be used or built upon in accordance with the regulations governing the given zoning district within which the particular lot is located, once the various front, side and rear yard setbacks required for the district have been subtracted from the total area.

3.2.5. *Building.* Any structure having a roof and intended for shelter, housing or enclosure of persons, animals, or property of any kind.

3.2.6. *Building line.* A line extended along the foundation of a building from which is measured the distance that a building must be set back to meet the minimum distance from the building line to the front, rear or side property line or in some cases, to the center line of an adjacent roadway.

3.2.7. *Building site.* The ground area of a building or buildings together with all open spaces surrounded by said building or buildings.

3.2.8. *Building and zoning official.* One or more persons, officers or officials or his authorized representative, whom the county manager has appointed to administer and enforce, individually or collectively, the building code, subdivision, and zoning ordinances.

3.2.9. *Certified document.* A survey, sketch, plat, map or other exhibit is said to be certified when a written statement regarding its accuracy or conformity to specified standards is signed by the specified professional engineers, registered surveyor, architect or other legally recognized person.

3.2.10. *Density.* The number of units or buildings per acre, or the number of people per unit, building, acre or mile, or the quantity of people, structures or units within a specified area.

3.2.11. *Easement.* The right or privilege of using another's property, for purposes such as constructing and maintaining sanitary sewers, water mains, electric lines, telephone lines, storm sewers, gas lines, bicycle paths, pedestrian ways, ingress and egress.

3.2.12. *Engineer.* Any person being licensed by the state of Georgia as an engineer capable of determining the correct manner in which to construct roads, streets, highways, water and sewage systems, drainage system, structures or other technical related areas.

3.2.13. *Family.* Two or more persons occupying a single dwelling unit where all members are related by blood, marriage, adoption, or in foster care. Refer to zoning ordinance for standards.

3.2.14. *Flood prone areas.* The land that is usually flooded whenever a rise in the water level of a creek, stream, river or other body of water is experienced. That land adjacent to a creek, stream, river channel, canal or other body of water that is designated as a floodplain or flood prone area by a governmental agency.

3.2.15. Reserved.

3.2.16. *Governing authority.* The board of commissioners of the county.

3.2.17. *Lot.* Parcel of land shown on a recorded plat or on the official county zoning maps (if applicable) or any piece of land described by a legally recorded deed.

3.2.18. *Lot area.* Shall mean the total area of the lot including easements.

3.2.19. *Lot, corner.* A lot located at the intersection of two or more streets.

3.2.20. *Lot, double frontage.* A lot, other than a corner lot, which has frontage on more than one street.

3.2.21. *Lot, interior.* Any lot which is not a corner lot that has frontage only on one street other than an alley.

3.2.22. *Lot line, front.* In the case of a lot abutting upon only one street, the front lot line is the line separating such lot from such street. In the case of a corner lot, that part of the lot having the narrowest frontage on any street shall be considered the front lot line. In the case of any other

lot, one such line shall be elected to be the front lot line for the purpose of this article; provided it is so designated by the building plans which meet the approval of the building official.

3.2.23. *Lot line, rear.* The rear lot line is that boundary which is opposite and most distant from the front lot line. In the case of a lot pointed at the rear, or any odd-shaped lot, the rear lot line shall be determined by the building official.

3.2.24. *Lot lines, side.* A side lot line is any lot boundary line not a front lot line or a rear lot line. A side lot line separating a lot from a street is an exterior side lot line. A side lot line separating a lot from another lot, or lots, is an interior side lot line.

3.2.25. *Lot, reverse frontage.* A lot having frontage on two or more public streets, the access of which is restricted to one street.

3.2.26. *Metes and bounds description.* A method of property description whereby properties are described by means of their direction and distances from an easily identifiable location or point.

3.2.27. *Manufactured home.* A dwelling unit fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying it is constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, U.S.C. § 5401, *et seq.* (the HUD Code, which became effective on June 15, 1976), and meeting the development standards for the zone in which located.

3.2.28. *Planning and Zoning Commission.* The county planning and zoning commission.

3.2.29. *Plat.* A map, plan or layout of a county, city, town, section or subdivision indicating the location and boundaries of properties prepared and stamped by a registered surveyor.

3.2.30. Reserved.

3.2.31. Reserved.

3.2.32. *Principal building.* The building on a lot in which the principal use of the lot is conducted.

3.2.33. *Public use.* Use of any land, water, buildings by a municipality, public body or board, commission or authority, county, state or federal government, or any agency thereof for a public service or purpose.

3.2.34. Reserved.

3.2.35. Reserved.

3.2.36. *Reserve strip.* A strip of land adjacent to a public street or similar right-of-way which has been reserved for the purpose of controlling access to the public way.

3.2.37. *Right-of-way line.* The boundary of a strip of land designed, reserved, dedicated, or

purchased for the purpose of pedestrian or vehicular access.

3.2.38. *Setback*. The minimum horizontal distance between the right-of-way line, rear or side lines of the lot and the front, rear or side lines of the building. When two adjoining lots under the same ownership are used, the exterior property lines of the lots so grouped shall be used in determining setbacks.

3.2.39. *Site*. An area designated as a separate and distinct parcel of land on a legally recorded subdivision plat or in a legally recorded deed.

3.2.40. *Street*. A right-of-way affording primary access to abutting property. For the purposes of these regulations, the term shall also mean avenue, boulevard, road, lane and other public or private ways.

3.2.41. *Street, arterial*. Shall mean a street of exceptional continuity that is intended to carry the greater portion of through-traffic from one area of the county to another.

3.2.42. *Street, collector*. "Street collector" shall mean those streets which are neither local streets nor arterial streets. Their location and design are such that they are of exceptional continuity, serve as routes passing through residential areas, and serve as means of moving traffic from local streets and feeding it into arterial streets.

3.2.43. *Street, cul-de-sac*. A short local street having but one end open for vehicular traffic, the opposite end being terminated with a permanent turn-around.

3.2.44. *Street, dead-end*. A street not intersecting other streets at both ends, and distinguished from a cul-de-sac by not being terminated by a vehicular turnaround.

3.2.45. *Street, local*. "Street, local" shall mean streets which provide only access to adjacent properties and by nature of their layout serve only vehicles with either origin or destination within the area.

3.2.46. *Street, marginal access*. "Street, marginal access" shall mean a minor service street which parallels and which is immediately adjacent to an arterial street (frontage road).

3.2.47. Reserved.

3.2.48. *Surveyor*. A person who is licensed by the state of Georgia as a registered land surveyor.

3.2.49. *Structure*. Anything constructed or erected that requires a fixed location on the ground or which is attached to something having a fixed location on the ground.

3.2.50. *Subdivider*. Any person, firm or corporation who or which divides for sale, rent or lease or develops any land deemed to be a subdivision as herein defined.

3.2.51 *Subdivision*. The division of a lot of record into two or more lots, building sites, or other divisions for the purposes of sale, devise or development, whether immediately or in the future,

except that a subdivision does not include either of the following:

- (a) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are at least equal to the standards of the zoning ordinance; and
- (b) The division of land where no new street is involved; provided, however, that a division of land that was previously approved as a subdivision with a new street or streets shall not come within this exception.

Plats of such exceptions shall be required to be submitted as information by the planning and zoning commission which shall indicate such fact on the plats.

3.2.52. *Use.* Any purpose for which a building or tract of land may be designed, arranged, maintained, or occupied; or any activity, occupation, business, or operation carried on in a building or structure or on a tract of land.

3.2.53. *Waterfront.* Any site shall be considered as waterfront property provided any or all of its lot lines abut on or are contiguous to any body of water including creek, canal, river or any other body of water, natural or artificial, including marshland, not including a swimming pool, whether said lot line is front, rear or side.

3.2.54. *Yard.* A required open space on a lot that is left unoccupied with structures and facilities, except as permitted in this ordinance. A yard may also be known as a setback.

3.2.55. *Yard, front.* The open space on a lot located between the right-of-way boundary of the abutting street and the front building line as extended to the lot lines to either side. Any yard lying between an abutting street and the building line is considered a front yard. For example, in the case of a corner lot which is abutted on two sides by streets, both yards abutting the streets would be front yards; setbacks and other development standards for front yards would apply to both of these yards.

3.2.56. *Yard, rear.* The open space located between the rear property line and the rear building line as extended to the side lot lines.

3.2.57. *Yard, side.* The open space located between the side property line and the side building line as extended to the front and rear lot lines.

3.2.58. *Zoning ordinance.* An officially adopted ordinance (if applicable) that regulates the manner, type, size and use to which a piece of property may be put.

(Ord. Of 11-4-97, § 3.2)

ARTICLE IV – PROCEDURE FOR PLAT APPROVAL

Section 4.1. Four-step review

The procedure for review, consideration, and approval of a subdivision plat consists of four separate steps. These are:

- (a) Review of sketch plans by the building and zoning official, county engineer, county planner and public safety director;
- (b) Consideration and approval of sketch plan by planning and zoning commission;
- (c) Review of preliminary plat (unless no new streets are involved and all lots are larger than three (3) acres) by the building and zoning official, county engineer and public safety director; and
- (d) Review of final plat by the building and zoning official and engineer.

Approval at steps (a), (c) and (d) is contingent upon full compliance with requirements of this ordinance. Approval at step (b) is discretionary. Steps (a), (b) and (c) shall be completed prior to making any street improvement or installing any utilities. Step (d) shall be completed prior to the sale of any lots in the proposed subdivision.

(Ord. Of 11-4-97, § 4.1)

Section 4.2. Review procedure

The following procedure shall be followed in the submission, review, and action upon all subdivision plats:

4.2.1. *Sketch plan review procedures.* At least 25 days prior to the regularly scheduled monthly meeting of the planning and zoning commission, the subdivider shall submit to the building and zoning official and the planning and zoning commission or its representative ten (10) copies of a sketch plan of the proposed subdivision. If phase development is contemplated, then a sketch plan for each phase will be required simultaneously. Included with the sketch plan must be a sketch map which shows the subdivision in relation to the surrounding area. The purpose of the sketch plan is to assist the subdivider prior to extensive site planning necessary for the preparation of the preliminary plat and to enable the subdivider to become familiar with the regulations affecting the land to be subdivided. Utilizing the comprehensive plan and zoning ordinance, the building and zoning official and the planning and zoning commission shall review and approve, disapprove, or approve with modification the sketch plan within 45 days from the meeting at which it is considered. Pertinent comments and recommendations shall be noted in the minutes of the planning and zoning commission meeting. Failure of a subdivider to submit a preliminary plat within 18 months from the approval of the sketch plan will require resubmittal of the sketch plan to the planning and zoning commission for reconsideration.

4.2.2. *Preliminary plat procedures.*

- (a) Application for preliminary approval of a subdivision plat shall be submitted to the building and zoning office after approval of the sketch plan. The plat of the subdivision shall be submitted in four blue line prints and shall be such as to meet the minimum requirements contained herein. Any preliminary plat submitted to the building and zoning office shall contain the name, phone number, and address of the subdivider (or subdivider's designee); and no preliminary plat shall be approved by the building and zoning office without full compliance with the requirements of this ordinance. Actions by the building and zoning official may be appealed to the planning and zoning commission. Notice of the time and place of the hearing shall be sent by registered or certified mail to the subdivider or designee to the address listed on the plat not less than five (5) days before the hearing date fixed. Appeals from a decision of the planning and zoning commission shall be heard by the governing authority, with the same notice of hearing provided. All appeals must be filed within 30 days of the date on which the action being appealed was taken.
- (b) Additional copies of the plat and supplemental information may be requested by the building and zoning official. The above-mentioned copies shall be distributed as required by section 5.2.4 of this ordinance and additionally as deemed necessary by the building and zoning official. The person or agency to which a copy of the preliminary plat is directed shall indicate any desired changes or comments on the plat and submit the plat to the building and zoning office prior to formal approval of the preliminary plat.
- (c) The building and zoning official shall act on the preliminary plat within 30 days after formal submission, and, if approved, shall indicate in writing, stating the conditions of such approval, if any, or if disapproved, shall express in writing his disapproval and the reasons therefor. Failure of the building and zoning official to act within 30 days after formal submission of the preliminary plat shall be deemed to constitute approval and a certificate to that effect shall be issued by the building and zoning official on demand; provided, however, that the subdivider may waive this requirement and consent in writing to the extension of such period.
- (d) Preliminary approval of the subdivision plat shall be noted on the plat and certified by the building and zoning official. Also noted shall be the date on which the building and zoning official granted preliminary approval and the date of written notification to the subdivider or subdivider's authorized agent. Failure of a subdivider to initiate any development within 18 months from the approval of the preliminary plat will require resubmittal of a sketch plan to the planning and zoning commission for approval, unless an extension is requested by the subdivider and approved by the planning and zoning commission.
- (e) Approval of a preliminary subdivision plat shall not constitute approval of the final subdivision plat. Preliminary approval shall constitute approval of the proposed widths and alignments of streets and the dimensions and shapes of lots subject to the final approval of the county health department. Application for approval of the final record plat will be considered only after the requirements for final plat approval as specified herein have been fulfilled and after all other specified conditions have been met. Upon approval of the preliminary subdivision plat by the building and zoning official, the

subdivider may proceed to comply with the other requirements of these regulations and the preparation of the final subdivision plat.

4.2.3. *Final plat procedure.* Application for final approval of the subdivision plat shall be submitted to the building and zoning official after approval of the preliminary plat (where applicable). Six (6) copies of the final plat are required. The building and zoning official shall examine the final plat to determine if it meets all requirements of these regulations, conforms to the approved preliminary plat, and whether streets and easements qualify for dedication. If roads are to be built, subdivider will indicate such subdivider's proposal for a bond or bank letter of credit to the governing authority to assure their proper and timely construction. The building and zoning official shall grant approval or require the subdivider to make necessary modifications to conform to the standards required by the final plat. Actions of the building and zoning official and decisions of the planning and zoning commission may be appealed under the same procedure as outlined in Section 4.2.2. If approved, a plat can be recorded in the clerk's office of the Bulloch County Superior Court upon authentication by the building and zoning official. For purposes hereof, authentication shall be in the following form, to wit: Approved for recording on the _____ day of _____, 20____ by the Bulloch County building and zoning official.
(Ord. Of 11-4-97, § 4.2)

Section 4.3. Reserved

Section 4.4. Federal Housing Administration approval

In the event the subdivider plans to secure approval of the subdivision design by the Federal Housing Administration, it is suggested that such approval be secured after submission to and approval of a preliminary plat by the building and zoning official.
(Ord. Of 11-4-97, § 4.4)

Section 4.5. Approval of subdivision in flood prone area

No portion of a subdivision which is subject to inundation by a flood of 100-year frequency or less shall be approved unless it conforms to the Bulloch County Flood Damage Prevention Ordinance and other local, state, and federal laws and regulations. All subdivisions must be designed to minimize flood damage; all public utilities and facilities, such as sewer, gas, electrical and water systems shall be located, elevated and constructed to minimize or eliminate flood damage; adequate drainage must be provided to reduce exposure to flood hazards; water supply systems and/or sanitary sewage systems must be designed to minimize or eliminate flood damage; adequate drainage must be provided to reduce exposure to flood hazards; water supply systems and/or sanitary sewage systems must be designed to minimize or eliminate infiltration of floodwaters into the system and discharges from the system into the floodwaters; on-site waste disposal systems must be located so as to avoid impairment of them or contamination from them during flooding.
(Ord. of 11-4-97, § 4.5)

ARTICLE V – PLAT REQUIREMENTS

Section 5.1. Sketch plan.

5.1.1. *Scale.* The sketch plan shall be drawn at a scale of not less than 100 feet to one inch.

5.1.2. *Vicinity map.* The sketch plan shall include a vicinity map at a scale showing the relationship of the proposed subdivision to surrounding development.

5.1.3. *Other requirements.* The sketch plan shall show:

- (a) Proposed name of subdivision;
- (b) Name, address and telephone number of petitioner and architect, surveyor, engineer or designer;
- (c) All names and addresses of all property owners of the site;
- (d) All names and addresses, as listed by the county assessor, of all owners of the land adjacent to the site and location of those property lines;
- (e) North indicator;
- (f) Date of preparation;
- (g) Total acreage of the tract to be subdivided, lot layout, and estimated lot sizes;
- (h) Zoning district classification of land to be subdivided and adjoining land;
- (i) Existing and proposed uses of land throughout the subdivision, including streets, roads, utility easements, and land reserved or dedicated for public or common use;
- (j) In case of a resubdivision, a copy of the existing plat with proposed resubdivision superimposed thereon;
- (k) Location of natural features such as streams, lakes, swamps, and land subject to flood based on a 100-year flood frequency on the property to be subdivided;
- (l) Location of existing buildings on the property to be subdivided;
- (m) Location of city limit lines and county lines (if applicable);
- (n) Sketch plan shall be on one sheet where practical. If the complete plan cannot be shown on one sheet, it may be shown on more than one sheet with an index map on a separate sheet of the same size.
- (o) Map and parcel number.

- (p) Wetlands as shown by the soils maps of Bulloch County.
- (q) Location and setback from tower(s) on the property or on adjacent properties.

5.1.4. *Subdivision of part of property.* The subdivider shall submit a sketch plan of such subdivider's entire tract even though such subdivider's present plans call for the actual development of only a part of the property.

5.1.5. *Recorded deed and plat.* Along with the sketch plan, the subdivider shall submit a copy of the recorded deed vesting title in the owner(s) and a copy of any recorded plat showing the property.
(Ord. Of 11-4-97, § 5.1)

Section 5.2 Preliminary plat.

The preliminary plat shall be drawn to a scale of not less than one inch equals 100 feet and meet the minimum standards of design set forth in these regulations and shall include the following information in regards to the portion of the tract to be subdivided unless otherwise noted:

5.2.1. *General conditions.*

- (a) Full name of subdivision.
- (b) Name, address and telephone number of petitioner and architect, surveyor, engineer or designer.
- (c) All names and addresses of all property owners of the site.
- (d) All names and addresses of all deed record owners of the land adjacent to the site.
- (e) Graphic scale, north point and date. The north point shall be identified as magnetic, true or grid north.
- (f) Vicinity map at a scale showing the relationship of the subdivision to the surrounding area.
- (g) Acreage to be subdivided.
- (h) A written legal description (metes and bounds with all bearing and distances) of the acreage to be subdivided.
- (i) Proper identification of the boundaries of the tract to be subdivided with all bearings and distances indicated. The boundary survey shall be to such a degree of accuracy that the error of closure is 1:7,500 or greater.
- (j) Map and parcel number.

5.2.2. *Existing conditions.*

- (a) Topography by contours at vertical intervals of not more than two feet. A certificate from an authorized engineer or surveyor shall be required stating that the drainage from the property is adequate and will not adversely affect adjacent property owners.
- (b) Zoning district classification (if applicable) of land to be subdivided and adjoining land.
- (c) In case of resubdivision, a copy of the existing plat with proposed resubdivision superimposed thereon.
- (d) Location of natural features such as streams, lakes, swamps, and land subject to flood based on a 100-year flood frequency on the property to be subdivided.
- (e) Location of existing adjoining property lines and existing buildings on the property to be subdivided.
- (f) Location and right-of-way of streets, roads, railroads and utility lines on the property to be subdivided. Specify whether utility lines are in easements or right-of-way and show location of poles or towers.
- (g) Size and location of existing sewers, water mains, drains, culverts or other underground facilities within the street or within the right-of-way of streets or roads adjoining the tract. Grades and invert elevations of sewers shall be shown.
- (h) The acreage of each drainage area affecting the proposed subdivision. The drainage area may extend beyond the area to be subdivided.
- (i) All elevations shall refer to mean sea level datum where public water and/or public sewers are to be installed.
- (j) Location of city limit lines and county lines (if applicable).
- (k) Location of any wetlands situated on the property to be subdivided.

5.2.3. *Proposed conditions.*

- (a) Layout of streets, roads, alleys, public crosswalks, with widths, road names, or designations, grades and cross sections.
- (b) Profile of proposed streets showing natural and finished grades with percent of grade slope.
- (c) Detailed layout of all lots, including building setback lines; scaled dimensions on lots; utility easements with width and use.
- (d) Construction drawings of sanitary sewers (if applicable) with grade, pipe size, location

of manholes, and points of discharge and percolation tests, soil borings and wells as specified by the health department.

- (e) Construction drawings of storm sewer system with grade, pipe size, and location of outlet. Storm sewers shall be sized to accommodate runoff from a ten-year frequency rainfall.
- (f) Plans of all drainage provisions, retaining walls, curbing, planting, anti-erosion devices or other protective devices to be constructed in connection with or as a part of the proposed work, together with a map showing the drainage area of land tributary to the site and estimated runoff of the area served by any drains.
- (g) Construction drawings, prepared and approved by an engineer licensed in the state of Georgia, of water supply system with pipe sizes and location of hydrants and valves.
- (h) Designation of all land (if any) to be reserved or dedicated for public use.
- (i) Designation of proposed use of all lots to be used for other than single-family residential (if any).
- (j) Proposed major contour changes to areas where substantial cut and/or fill is to be done.
- (k) A timing schedule indicating the anticipated starting and completion dates of the development sequence and the time of exposure of each area prior to the completion of effective erosion and sediment control measures.
- (l) Total number of lots, total acreage, total length and width of new streets.

5.2.4. *Review and approval.* The preliminary plat shall be approved by the building and zoning official only after review and approval of the following:

- (a) The health department shall review the sewage disposal facilities to be provided on all preliminary plats after being provided with such percolation test or other information as it may require. In addition, it shall make determinations in all matters concerning the public health, as specified herein. Such determinations and recommendations shall be forwarded to the building and zoning official in writing.
- (b) The zoning official shall review the preliminary plat for conformity of its proposed streets with adopted design standards, if any, and existing and proposed public street improvements.
- (c) A land disturbing activity permit, pursuant to the Bulloch County Soil Erosion and Sedimentation Control Ordinance, including all amendments in effect as of the date of application for such permit, shall be required prior to any land disturbing activity on the project site. "Land-disturbing activity" includes, but is not limited to, clearing, dredging, grading, excavating, transporting and filling of land. An approved Sediment and Erosion Control Plan and review by the Soil Conservation Service and/or other agencies or officials designated by the building and zoning official is required as part of the

- application for the permit.
- (d) Written approval from 911 on the proposed street name(s)

(Ord. of 11-4-97, § 5.2)

Section 5.3. Final plat.

If the final plat is drawn in two or more sections, each section shall be accompanied by a key map showing the location of the several sections. The final plat shall contain the following specific information:

- (a) Name of owner of record.
- (b) Name of subdivision, date, north arrow and graphic scale.
- (c) Name, registration number and seal of registered land surveyor.
- (d) Names of counties in which subdivision is located and location map.
- (e) Sufficient data to determine readily and reproduce accurately on the ground the location, bearing, length and width of every street and alley line, lot line, easement, boundary line and building line, whether curved or straight. This shall include the radius, point of tangency and other data for curved property lines and curved streets, to an appropriate accuracy and in conformance with good surveying practice.
- (f) Names of owners of record of all adjoining land and all property boundaries, watercourses, streets, easements, utilities and other such improvements, which cross or form any boundary line of the tract being subdivided.
- (g) Exact boundaries and original property lines within the tract of land being subdivided shown with bearings and distances.
- (h) Streets and alleys, rights-of-way and street names.
- (i) Rights-of-way of easements; location, widths and purposes.
- (j) Lot lines, minimum building setback lines, street trees and lot numbers.
- (k) Parks, school sites or other public open spaces, if any.
- (l) Location of any wetlands situated on the property to be subdivided.
- (m) All dimensions shall be to the nearest 1/100 of a foot and angles to the nearest second.
- (n) Accurate description of the location of all monuments and markers.
- (o) A final plat shall be a good legible print, blue, white or other commercial print reproduced

from a tracing made in India ink on a commercial grade of tracing cloth, tracing film, or tracing paper with a sheet size of not more than 24 by 36 inches, leaving a two-inch binding edge.

(p) Utility easements by widths and locations to include:

- (1) Water;
- (2) Gas;
- (3) Sanitary sewer;
- (4) Storm drainage;
- (5) Electrical lines;
- (6) Telephone lines.

(q) The following signed certificates shall appear on the final plat which is submitted to the building and zoning official by the subdivider:

- (1) *Certificate of approval for recording, building and zoning official.* (To be placed on an original of the approved final plat by the building and zoning official and returned to the subdivider for recording). "The subdivision plat known as _____, has been found to comply with the Bulloch County Subdivision Regulations and was approved by the building and zoning official on the _____ day of _____, 20____, for recording in the office of Clerk of Court of Bulloch County, Georgia.

Bulloch County Building and Zoning

(Signature of Building & Zoning Official)

Printed name and title

Date

(Signature of County Engineer)

Printed name and title

Date

- (2) *Certificate of accuracy.*

"I hereby certify that this Plat is a true, correct and accurate survey as required by the Bulloch County Subdivision Regulations; and was prepared from an actual survey of the property made under my supervision, and that monuments shown

have been located and placed to the specifications set forth in said regulations.

By (Registered land surveyor)
(Signature)

_____ (Seal Required)
(Typed Name)

Registered Land Surveyor No. _____
Date _____

(3) *Certificate of ownership and dedication, individuals.*

"It is hereby certified that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby dedicate all streets, alleys, walks, parks and other sites to public or private use as noted. It is further certified that the streets, drainage system, sewer system and water system in _____ Subdivision as shown on the plat dated _____ prepared by _____ have (has) been installed in accordance with the Preliminary Plat (Construction Drawings) approved (Date) _____. It is understood this is not an assumption of maintenance by the governing authority. This dedication is for the public's right of ingress and egress only.

_____ (Owner)
Date _____ Printed Name (and Address)

(Witness) _____ (Owner)
Printed Name _____ Printed Name (and Address)

(Witness) _____
Printed Name _____

(4) *Certificate of ownership and dedication, corporation.*

"It is hereby certified that _____, a corporation duly organized and existing under the laws of the state of Georgia is the owner of the property shown and described thereon, and that all streets, alleys, walks, parks, and sites shown thereon, are dedicated to public or private use as noted. It is understood that this is not an assumption of maintenance by the governing authority. This dedication is for the public's rights of ingress and egress only.

(Corporate seal required)

(Witness) _____ Corporation Name)
Printed Name _____ Printed Name (and Address)

(Witness) _____ (Principal authorized to sign)
Printed Name _____ Printed Name, Title

(Principal authorized to sign) _____

Printed Name, Title

5.3.1. *Final plat approval.* The final plat shall be approved by the building and zoning official after review and approval by the following:

- (a) County board of health (when required);
- (b) County soil conservation district (when required);
- (c) County manager or his designee;
- (d) Georgia Department of Natural Resources (when required).

5.3.2. *Permanent reference points.* Prior to the approval of the final plat, all of the subdivision's permanent reference points shall have been placed in accordance with the following requirements:

- (a) *Subdivision corner tie.* At least one corner of the subdivision shall be designated by course and distance (tie) from a readily discernible reference marker. If a corner is within 2,000 feet of a U.S. Coast and Geodetic Station, U.S. Geological Survey, or Georgia Grid System coordinated monument, then this corner shall be marked with a monument so designated by computed X and Y coordinates which shall appear on the map with a statement identifying this station or monument to an accuracy of 1:10,000. When such a monument or station is not available, the tie shall be made to some permanent and readily recognizable landmark or identifiable point, physical object or structure. In subdivisions of more than ten lots, the information for this corner tie shall include elevation above sea level making it in effect a benchmark which can be used to determine if individual lots are in a flood prone area.
- (b) *Monuments.*
 - (1) Monuments shall be located in the ground at all angles in the boundaries of the subdivision; at the intersection lines of streets and at the intersection of the lines of streets with boundaries of the plat and at the intersection of alleys with the boundaries of the subdivision; at all points of curvature, points in the side lines of streets and alleys; and at all angles of an intermediate traverse line.
 - (2) It is not intended or required that monuments be placed within the traveled portion of a street to mark angles in the boundary of the subdivision if the angle points can be readily reestablished by reference to monuments along the side lines of the streets.
 - (3) All required monuments shall be placed flush with the ground where practicable.
 - (4) If the required location of a monument is in an inaccessible place, or where the location of a monument would be clearly impracticable, it is sufficient to place a reference monument nearby and the precise location thereof shall be clearly indicated on the plat and referenced to the true point.

- (5) All monuments used shall be made of a minimum of solid iron or steel bars at least one-half inch in diameter and 24 inches long.
 - (6) If a point required to be monumented is on a bedrock outcropping, a steel rod at least one-half inch in diameter shall be drilled and grouted into solid rock to a depth of at least eight inches.
 - (c) *Control corners.* Within each block of a subdivision at least two monuments designed and designated as control corners shall be installed. All control corners shall be constructed of concrete and shall be at least four inches in diameter or square and not less than three feet in length. Each monument shall have imbedded in its top or attached by a suitable means, a metal plate of noncorrosive materials and marked plainly with the point, the surveyor's registration number, the month and year it was installed and the words "control corner."
 - (d) *Property markers.* A steel or wrought iron pipe or the equivalent not less than one-half inch in diameter and at least 24 inches in length shall set all corners, except those located by monuments.
 - (e) *Accuracy.* Land surveys, both within the limits of incorporated areas and beyond shall be at an accuracy of at least 1:7,500.
- (Ord. Of 11-4-97, § 5.3)

ARTICLE VI – REQUIRED IMPROVEMENTS

Section 6.1. Number of lots versus improvement standards.

By permitting varying numbers of lots and varying levels of improvements, regulations enable the small developer to provide for growth in the rural, more slowly developing area of the county characterized by a lower lot absorption rate. Less restrictive development standards are imposed according to quantity of lots to allow for flexibility in subdivision sizes.

<i>Subdivision Type</i>	<i>Number of lots</i>	<i>Required Improvements</i>
Minor subdivision	10 or less	Site grading for adequate drainage; street signs; paved streets
Intermediate subdivision	11 to 49	Site grading for adequate drainage; community water supply and distribution system (unless all lots are 5 acres or larger); street signs; paved streets.
Major subdivision	50 or more	Paved streets; community water supply and distribution system (unless all lots are 5 acres or larger); sewage system if soil is unable to support the required number of on-site sewage disposal units; storm drainage system.
Planned Residential Development (as defined in Section 203 of Appendix C-Zoning)	N/A	Paved streets; community water supply and distribution system; sewage system; storm drainage system.

(Ord. Of 11-4-97, amended 12-2-03§ 6.1)

Section 6.2. Required improvements.

A well-designed subdivision means little to a prospective lot buyer until such buyer can see actual physical transformation of raw land into lots with all necessary improvements provided. Likewise, a well-designed subdivision is not an asset to the community until the necessary improvements have been installed. In order that prospective lot purchasers may get useable products and new subdivisions may be an asset rather than a liability to the community, the subdivider shall install and/or pay for the improvements required by these regulations necessary to serve the subdivision prior to the approval of the final plat.

6.2.1. *Natural gas.* Gas lines will not be allowed in a right-of-way.

6.2.2. *Water supply.* When a required water system is installed, water mains shall provide a minimum flow of water of 500 gallons per minute for four minutes or 250 gallons per minute for two hours at the furthest point from the tank. Fire hydrants shall be provided at distances not greater than 1,000 feet apart. The water main may be located in the right-of-way but may not be located under the pavement. Water lines three-fourths inch in size shall be stubbed-out to the property line to serve each lot before the street is surfaced. When connection to a municipal or county water system is not available, the governing authority may make an exception to this rule. The water system shall be a permitted community water system as required by the state of Georgia Safe Water Drinking Act. An approved, signed copy from EPD (Environmental Protection Division) of the water system plans must be submitted prior to final plat approval. Well sites should be of sufficient size to accommodate and adequately maintain the well and storage tank; provided, however, that the well shall be located no closer than fifty (50) feet to any exterior property line of the subdivision.

6.2.3. *Sanitary sewage.* If a sanitary sewer is installed in a subdivision, sanitary sewers shall be installed to the plans and specifications approved by and in accordance with the rules and administrative regulations of the county health department. When the sewer line is located in a street right-of-way and it will be necessary to cut into the street surface to serve the abutting lots, a connection shall be stubbed-out to the property line to serve each lot prior to surfacing the street.

6.2.4. *Sewage disposal systems.* Prior to the construction of any community sewage disposal system, such as private septic tanks, an oxidation pond or other facility, the location, size, plans and specifications of such a facility shall be approved by and be in accordance with the rules and administrative regulations of the governing authority and the county health department.

6.2.5. *Curb and gutters.* If concrete curbs or paved valley type gutters are required, they shall be installed in accordance with plans and specifications prepared by an engineer, registered surveyor or architect, and approved by the county engineer or the local governing authority or its designee.

6.2.6. *Street grading and surfacing.* Street grading, base preparation, and surfacing shall be carried out by the subdivider according to plans and specifications approved by the county and the Georgia Department of Transportation.

6.2.7. *Storm drainage.* An adequate drainage system, including necessary open ditches, pipes, culverts, storm sewers, intersectional drains, drop inlets, bridges and other necessary appurtenances shall be installed by the subdivider according to plans and specifications approved by the county engineer.

6.2.8. *Street name signs.* Street name signs shall be installed at all intersections within a subdivision. The location and design shall be approved by the governing authority or its designee.

6.2.9. *Topsoil.* Topsoil shall not be removed from residential lots or used as spoil, but shall be redistributed so as to provide at least six inches of cover on the lots and at least four inches of

cover between sidewalks and curbs, and shall be stabilized by seeding or planting.

6.2.10. *Paving.* In all subdivisions, regardless of size, if the minimum lot size is less than 20,000 square feet or the minimum lot width is less than 100 feet, paving will be required for all streets, including private streets, within the subdivision.

6.2.11. Reserved.

6.2.12. *Subdivision entrances.* At the sketch plan stage, the planning and zoning commission may limit the number of entrances, driveways, or “curb cuts”. At the preliminary and final plat stages, the building and zoning official shall coordinate with the county manager, county engineer, and public safety director with respect to entrances, driveways, or “curb cuts”. Design standards on county or state roads shall be consistent with all state, federal, and local laws and applicable ordinances, including the Georgia Department of Transportation Rules and all amendments or revisions in effect as of the date of the preliminary plat approval. At the sketch plan stage, the planning and zoning commission may consider safety as well as require available alternatives for reducing the number of entrances, driveways or “curb cuts”.
(Ord. Of 11-4-97, amended 3-4-03 § 6.2)

Section 6.3. Final plat revisions.

If it should become necessary to revise a final plat due to a dimensional error, a revised plat shall be submitted to the county clerk of court for final recording after the building and zoning official has approved and signed the revised plat.
(Ord. of 11-4-97, § 6.3)

Section 6.4. Performance bonds or bank letters of credit.

In lieu of the installation and completion of required improvements prior to the final approval of a plat, the governing authority or its designee may accept a bond or bank letter of credit, in an amount and with a surety or bank and containing conditions and terms satisfactory to it, providing for and securing to the county a period specified by the governing authority or its designee and expressed in the bond or bank letter of credit; and the county is hereby granted the power to enforce such bonds or bank letters of credit by all appropriate legal and equitable remedies. The form of performance bond or bank letter of credit is subject to approval by the governing authority or its designee.
(Ord. of 11-4-97, § 6.4)

Section 6.5. Acceptance of streets by the county.

The county shall not accept title to or assume responsibility for maintaining any street until at least one (1) year after the street has been paved and until at least 50% of the lots have been built upon.
(Ord. Of 11-4-97, § 6.5)

Section 6.6. Private streets.

A street which is not accepted as a public street shall have the status of "private street." Private streets may be approved for development only when they are eligible for categorization as a local street. Said street shall be designed so as to prohibit through traffic. To allow for installation of utilities, there will be a 60-foot easement indicated on the plat. Any private street shall be developed to present county standards. For subdivisions having five or fewer tracts or lots, a private street shall be exempted from the paving requirements except as provided in section 6.2.10. Prior to the issuance of building permits for lots within the development, the developer shall file with the county manager a release of maintenance agreement, releasing the county from any present or future maintenance of said streets. A sign indicating the existence of a private street will be erected at the intersection of each public street and private street. A disclosure statement shall be present on all plats of the subdivision and/or individual lots and included in all sales contracts. The statement shall set forth the ownership of the streets, the rights of purchasers and others to use the streets, provisions and responsibilities for maintenance and liability, and the rights of purchasers to enforce said provisions. Further, the statement shall advise purchasers that the county board of commissioners is not responsible for the maintenance of private streets. Each lot owner shall have title to the centerline of the private street adjacent to his lot subject to the 60-foot easement described herein. An alternative is the establishment of a responsible association with the authority to maintain the private streets.
(Ord. of 11-4-97, § 6.6)

Section 6.7. Access.

The planning and zoning commission shall not approve a subdivision in a location where the existing roads providing primary access are inadequate to serve the additional traffic generated by the development. If the ditches on existing county roads are to be used for drainage from the subdivision, the developer will re-grade said ditches and provide an all-weather drainage outlet. All re-grading and drainage outlets shall be approved by the governing authority or its authorized representatives.
(Ord. of 11-4-97, § 6.7)

ARTICLE VII – DESIGN STANDARDS

Section 7.0. Scope.

The design standards shall conform to the minimum requirements of the property's zoning designation and as outlined in the zoning ordinance.
(Ord. of 11-4-97, § 7.0)

Section 7.1. Streets.

Streets shall conform to current county road construction and maintenance specifications.

- (a) Subgrade shall be compacted to 100% of the laboratory maximum dry density.
- (b) Sand-clay base must be Class B or better and meet section 814 of the Georgia D.O.T. specifications.
- (c) Sand-clay base must be compacted to 100% of the laboratory maximum dry density and be no less than six (6) inches in depth.
- (d) Graded aggregate base should meet section 310 of the Georgia D.O.T. specifications and be no less than four (4) inches in depth. It shall be compacted to 100% of the maximum dry density.
- (e) Soil aggregate meeting section 816 of the Georgia D.O.T. specifications may be used upon approval of the county engineer.
- (f) All base courses shall be primed in accordance with section 412 of the Georgia D.O.T. specifications.
- (g) Asphalt mixtures must be an F-mix and satisfy section 828 of the Georgia D.O.T. specifications.
- (h) A job mix formula for hot mix asphalt should be submitted to the county at least two (2) weeks prior to paving. All mixtures must contain hydrated lime or anti-strip additive. Minimum thickness shall be one and one-half (1½) inches.
- (i) Surface treatment construction shall be in accordance with section 424 of the Georgia D.O.T. specifications.
- (j) Any pertinent laboratory testing, to verify the above items, shall be done for every 1000 square yards of material placed.

7.1.1. *Conformity to existing maps or plans.* The location and width of all proposed streets shall (if applicable) be in conformity with official plans and maps and with existing amended plans of the planning and zoning commission.

7.1.2. *Continuation of adjoining street system.* The proposed street layout shall be coordinated with the street system of the surrounding area. Where possible, existing major streets shall be extended.

7.1.3. *Access to adjacent properties.* Where it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property and a temporary turnaround shall be provided. Houses fronting on minor streets shall have access from minor streets only.

7.1.4. *Street names.* Proposed streets, which are obviously in alignment with other existing and named streets, shall bear the assigned name of the existing streets. In no case shall the name of the proposed streets duplicate or be phonetically similar to existing street names, irrespective of the use of suffix, street, avenue, boulevard, drive, place, court, etc. It shall be unlawful for any person in laying out any new street or road to name such street or road on any plat, by marking or in any deed or instrument, without first obtaining approval of the county manager or his designee.

7.1.5. *Minor streets.* Minor streets shall be so laid out that their use by through-traffic will be discouraged.

7.1.6. *Trees.* It is recommended that as many trees as possible remain on the site during the initial clearing and grading and that trees normally remain unless they lie within a planned public right-of-way, within a planned building site or within the necessary paved areas surrounding or adjacent to the primary structure.

7.1.7. *Railroads and highways (freeways, expressways).* Railroad rights-of-way and limited access highways where so located as to affect the subdivision of adjoining lands shall be treated as follows:

- (a) In residential districts a buffer strip not less than 25 feet shall be provided adjacent to the railroad rights-of-way or limited access highways. This strip shall be part of the platted lots and shall be so designated on the plat: "This strip is reserved for the planting of trees and shrubs by the owner. The placement of structures hereon is prohibited."
- (b) If applicable, in districts zoned for business, commercial, or industrial uses, the nearest street extending parallel or approximately parallel to the railroad shall, wherever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial sites.
- (c) All other streets which are parallel to the railroad, when intersecting a street which crosses the railroad at grade, shall, to the extent practicable, be at a distance of at least 150 feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

7.1.8. *Street jogs.* Street jogs with centerline offsets by less than 125 feet shall be prohibited.

7.1.9. *Right angle intersections.* Street intersections shall be as nearly a right angle as practicable.

7.1.10. *Cul-de-sac.* All dead end streets shall be provided with a turnaround having a roadway diameter of at least 60 feet and a right-of-way diameter of at least 100 feet. Temporary dead-end streets shall be provided with a turnaround having a 30-foot radius or as approved by the public safety director.

7.1.11. *Alleys.* Service alleys or drives may be required in multiple dwelling, commercial, and industrial developments and shall have a minimum width of 15 feet, but shall not be provided in one and two-family residential developments unless the subdivider provides evidence satisfactory to the planning and zoning commission of the need for alleys.

7.1.12. *Street right-of-way widths.* Minimum street right-of-way widths shall be as follows:

(a) *Curb and gutter type construction. (Speed limit shall be posted 45 MHP or less)*

	<i>Pavement Width (feet)</i>	<i>Right-of-Way (Feet)</i>
(1) <i>Local street:</i>		
2-lane with parking	32	60
(2) <i>Collector street:</i>		
2-lane	20	60
2-lane with left turn lane	30	60
2-lane with left turn and service lane	40	60
4-lane	48	80
4-lane with service lanes	78	90
(3) <i>Arterial street:</i>		
2-lane	24	60
4-lane	48	80
4-lane with service lanes	64	100
4-lane with left turn lane	68	100
4-lane with left turn lane and service lanes	86	100

(b) *Shoulder-type lane.*

	<i>Pavement (feet)</i>	<i>Shoulder (feet)</i>	<i>Right-of-Way (feet)</i>
(1) <i>Local:</i>			
2-lane	20	5	60
2-lane cul-de-sac	60	5	100
(2) <i>Collector or arterial:</i>			
2-lane	22	6	60
	28		

4-lane	44	10	100
4-lane with left turn lane	55	10	100

(c) *Inverted crown type construction.*

	<i>Pavement (feet)</i>	<i>Grass Shoulder</i>
(1) <i>Local:</i>		
2-lane	20	5' Centipede or comparable mat
2-lane cul-de-sac	60	5' Centipede or comparable mat
(2) <i>Collector or arterial:</i>		Not allowable.

(d) *Notes.*

- (1) When inverted crown is used the minimum grade shall not be less than one-half of one percent.
- (2) Except for local street, roadway widths shown do not provide for on-street parking; service lanes are intended only for loading and unloading of passengers and goods and for disabled vehicles and not for the storage of vehicles.
- (3) Right-of-way (henceforth referred to as R/W) width listed is for only that portion of the typical section between the limits indicated in diagram. Sloping rights of additional R/W will be required for cut and fill slopes outside these limits; these future slope areas beyond indicated R/W limits should also be kept clear of development until slopes have been constructed.
- (4) R/W widths greater than "minimum" are encouraged because they make for a safer, more aesthetic and more "comfortable" facility and permit future roadway widening without disrupting abutting property.

7.1.13. *Sight distance for vertical curves.* Where vertical curves are used, the minimum sight distance shall be as follows:

	<i>Design Speed (mph)</i>	<i>Minimum Curve Radii (feet)</i>	<i>Minimum Stopping Sight Distance (feet)</i>
(a) Local	30	275	200
(b) Collector	35	350	240
(c) Arterial	40	500	275.1

7.1.14. *Horizontal curves.* Where a deflection angle of more than ten degrees occurs in the alignment of a marginal access or minor street or road, a curve of reasonable radius shall be introduced. A curve shall be introduced at any change in direction of a collector, industrial or

commercial service street or major thoroughfare. On major thoroughfares the centerline radius of curvature shall be determined by the state department of transportation or county engineer. On collector, industrial or commercial service streets, the centerline radius of curvature shall not be less than 350 feet. On minor streets, the centerline radius of curvature shall not be less than 150 feet unless the topography of the land to be subdivided makes this impractical.

7.1.15. *Street grades.* Grades on major thoroughfares shall be established by the state department of transportation or county engineers. Grades on collector streets shall not exceed eight percent unless topographic conditions make this impractical. Grades on minor residential streets shall not exceed 15 percent, unless topographic conditions make this impractical. All road side ditches shall have a minimum grade of not less than one-half of one percent. (Ord. of 11-4-97, § 7.1)

Section 7.2. Easements.

Easements having a minimum width of 15 feet and located along the side or rear lot lines shall be provided as required for utility lines and underground mains and cables. (Ord. of 11-3-92, § 7.2)

Section 7.3. Pedestrianways.

Crosswalks, not less than 10 feet wide, may be required by the planning and zoning commission where it is deemed essential in order to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities. (Ord. of 11-4-97, § 7.3)

Section 7.4. Lots.

Residential lots shall meet the minimum lot width and area requirements of the design standards of the zoning district in which the lot is located.

7.4.1. *Orientation of lot lines.* Side lot lines shall be as nearly at right angles as possible to street lines.

7.4.2. *Lots abutting public streets.* Each lot shall abut upon a dedicated public street on which it has access.

7.4.3. Reserved.

7.4.4. Reserved.

7.4.5. Reserved.

7.4.6. Reserved.

7.4.7. *Building setback lines.* A building line meeting the front yard setback requirements

of this appendix shall be established on all lots.
(Ord. of 11-4-97, § 7.4)

Section 7.5. General suitability.

7.5.1. *Soils.* The planning and zoning commission and the building and zoning official shall not approve a subdivision where the soil conditions have been determined not suitable for development by the Bulloch County Health Department pursuant to local, state, and federal laws, regulations and standards.

7.5.2. *Flooding.* Flood prone areas shall be consistent with the Bulloch County Flood Damage Prevention Ordinance.
(Ord. of 11-4-97, § 7.5)

ARTICLE VIII – PLANNED DEVELOPMENTS

Section 8.1. Planned developments.

In order to prevent creation of traffic hazards and insure the provision of off-street parking and the provision of necessary utilities, plans for planned developments such as mobile home parks, apartment buildings and complexes, condominiums, planned unit developments and commercial developments consisting of three (3) or more businesses shall be submitted to the planning and zoning commission for review and approval.

8.1.1 *Conceptual site plan.* The conceptual site plan submitted to the planning and zoning commission shall show the following information:

- (a) The site plan shall be drawn at a scale of not less than 100 feet to one inch.
- (b) All names and addresses of developers.
- (c) All names and addresses of all property owners of the site.
- (d) All names and addresses, as listed by the county assessor, of all owners of the land adjacent to the site and location of those property lines.
- (e) Graphic scale, north point and date. The north point shall be identified as magnetic, true or grid north.
- (f) Vicinity map at a scale of not less than one inch equals one mile showing the relationship of the subdivision to the surrounding area.
- (g) Acreage to be developed.
- (h) A written legal description (metes and bounds with all bearing and distances) of the acreage to be developed.
- (i) Proper identification of the boundaries of the tract to be developed with all bearings and distances indicated. The boundary survey shall be to such a degree of accuracy that the error of closure is 1:7,500 or greater.
- (j) Topography by contours at vertical intervals of not more than two (2) feet. A certificate from an authorized engineer or surveyor shall be required stating that the drainage from the property is adequate and will not adversely affect adjacent property owners.
- (k) Location of natural features such as streams, lakes, swamps, and land subject to flood based on a 100-year flood frequency on the property to be developed.
- (l) Location of existing adjoining property lines and existing buildings on the property to be developed.

- (m) Location and right-of-way of streets, roads, railroads and utility lines on the property to be developed. Specify whether utility lines are in easements or right-of-way and show location of poles or towers.
- (n) Size and location of existing sewers, water mains, drains, culverts or other underground facilities within the street or within the right-of-way of streets or roads adjoining the tract. Grades and invert elevations of sewers shall be shown.
- (o) The acreage of each drainage area affecting the proposed development. The drainage area may extend beyond the area to be developed.
- (p) All elevations shall refer to mean sea level datum where public water and/or public sewers are to be installed.
- (q) Location of city limit lines and county lines (if applicable).
- (r) Location of any wetlands situated on the property to be developed.
- (s) Layout of streets, roads, alleys, public crosswalks, with widths, road names, or designations, grades and cross sections.
- (t) Profile of proposed streets showing natural and finished grades with percent of grade slope.
- (u) Construction drawings of sanitary sewers (if applicable) with grade, pipe size, location of manholes, and points of discharge and percolation tests, soil borings and wells as specified by the health department.
- (v) Construction drawings of storm sewer system with grade, pipe size, and location of outlet. Storm sewers shall be sized to accommodate runoff from a ten-year frequency rainfall.
- (w) Plans of all drainage provisions, retaining walls, curbing, planting, anti-erosion devices or other protective devices to be constructed in connection with or as a part of the proposed work, together with a map showing the drainage area of land tributary to the site and estimated runoff of the area served by any drains.
- (x) Construction drawings, prepared and approved by an engineer licensed in the State of Georgia, of water supply system with pipe sizes and location of hydrants and valves.
- (y) Designation of all land (if any) to be reserved or dedicated for public use.
- (z) Proposed major contour changes to areas where substantial cut and/or fill is to be done.
- (aa) A timing schedule indicating the anticipated starting and completion dates of the development sequence and the time of exposure of each area prior to the completion of effective erosion and sediment control measures.

8.1.2. *Review and approval.* The conceptual site plan shall be approved by the planning and zoning commission only after review and approval of the following:

- (a) The health department shall review the sewage disposal facilities to be provided on all site plans after being provided with such percolation test or other information as it may require. In addition, it shall make determinations in all matters concerning the public health, as specified herein. Such determinations and recommendations shall be forwarded to the building and zoning official in writing.
- (b) The county manager or his designees shall review the plan for conformity of its proposed streets with adopted design standards, and existing and proposed public street improvements.
- (c) A land disturbing activity permit, pursuant to the Bulloch County Soil Erosion and Sedimentation Control Ordinance, including all amendments in effect as of the date of application for such permit, shall be required for any land disturbing activity on the project site. "Land disturbing activity" includes, but is not limited to, clearing, dredging, grading, excavating, transporting and filling of land. An approved Sediment and Erosion Control Plan and review by the Soil Conservation Service and/or other agencies or officials designated by the building and zoning official is required as part of the application for the permit.

8.1.3. *Enforcement of planned development requirements.* No building permit shall be issued and no connection to a public water system or public sewer system shall be made until the plans for the planned development have been approved by the planning and zoning commission and so noted on prints of the development plan.

8.1.4. *Standards.* In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the planning and zoning commission that the street and parcel proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

- (a) All streets within a planned development must be paved according to current county specifications.
- (b) Special requirements may be imposed by the planning and zoning commission and governing authority with respect to street, curb, gutter, and sidewalk design and construction.
- (c) Special requirements may be imposed by the planning and zoning commission and governing authority with respect to the installation of public utilities, including water, sewer and storm water drainage.
- (d) Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.

(e) Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.
(Ord. of 11-4-97, § 8.1)

ARTICLE IX – VARIANCES

Section 9.1. Variances.

When, due to unnecessary or undue hardship experienced by an owner of a tract of land, it is impractical for a developer to comply with the interpretations of the design requirements of these regulations, the planning and zoning commission shall be authorized to vary such requirements provided the intent and purpose of these regulations are not violated. Such variations, and the reasons for granting them, shall be entered into the minutes of the planning and zoning commission. Provided, however, that the following variances must be approved by the board of commissioners upon recommendation from the planning and zoning commission: (a) any variance from the exemption from paving requirements stated in section 6.6; (b) any variance from the requirements from water supply and distribution systems stated in section 6.1 or section 6.2.2.

(Ord. of 11-4-97, § 9.1, amended 2-6-01)

ARTICLE X – APPLICATION OF REGULATIONS

Section 10.1. Filing and recording.

No plat of a subdivision within Bulloch County shall be filed or recorded by the county clerk of the court until the final plat shall have been submitted to the building and zoning official and approved in accordance with these regulations.

(Ord. of 11-4-97, § 10.1)

Section 10.2. Unauthorized conveyances.

No lot, street, alley, improvement, easement, right-of-way or other property or property right of any kind shall be conveyed, by deed or otherwise, to the county, the governing authority or other public authority without its express acceptance of such conveyance as indicated by the signature of its authorized agent on such deed or other document of conveyance.

(Ord. of 11-3-92, § 10.2)

Section 10.3. Reserved.

Section 10.4. Reserved.

Section 10.5. Schedule of filing fees.

Fees as set forth in the schedule of fees and charges shall be paid in connection with application.

(Ord. of 11-4-97, § 10.5)

ARTICLE XI – CONSTRUCTION SCHEDULE

Section 11.1. Prior approval.

No construction or land disturbing activity of any kind, including grading, installation of improvements, or building shall begin on any land subject to these regulations without prior approval and implementation of the preliminary plat and soil erosion and sedimentation control plan where required by local, state or federal laws or regulations.
(Ord. of 11-4-97, § 11.1)

Section 11.2. Grading and land-disturbing activity.

Where applicable, grading and land-disturbing operations may commence once approval of the preliminary plat and issuance of the land disturbing activity permit are granted. Soil erosion and sedimentation control measures prescribed in the soil erosion and sedimentation control plan must be installed prior to any land-disturbing or grading activity where applicable.
(Ord. of 11-4-97, § 11.2)

Section 11.3. Utilities.

Utility installation shall not occur until the county engineer has approved the rough grade of the street and shoulder preparation.
(Ord. of 11-4-97, § 11.3)

Section 11.4. Inspections.

Periodic inspection during the installation of the required improvements in a subdivision shall be made by the building and zoning official and county engineer to insure conformity with the approved plans and specifications. The subdivider shall notify the building and zoning official when each phase of the installation is completed and ready for inspection.
(Ord. of 11-4-97, § 11.4)

Section 11.5. Sale and transfer.

No lot or parcel of land shall be sold or transferred or a building permit issued until the final plat, of which said lot or parcel is a part, shall have been approved and recorded as provided for in these regulations.
(Ord. of 11-3-92, § 11.5)

Section 11.6. Construction standards.

A building or structure shall be considered substandard if or when it does not meet the

requirements of the Uniform Building Code of Georgia, or any other code or ordinance adopted by the county or its governing authority.
(Ord. of 11-3-92, § 11.6)

Section 11.7. Building permits.

The building official shall not issue any permit for the construction of any building or structure to be located in any subdivision or planned development until the required plat has been approved and recorded as provided for in these regulations.
(Ord. of 11-4-97, § 11.7)

Section 11.8. Occupancy.

Within each phase of development, no building may be occupied for dwelling or other purposes nor shall an occupancy permit be issued for any building until all roads and required utility installations, including water supply and sanitary sewer systems, have been completed to the satisfaction of the building official.
(Ord. of 11-3-92, § 11.8.)

ARTICLE XII – VIOLATIONS AND PENALTIES

Section 12.1. Filing or recording.

The filing or recording of a final plat of a subdivision without the approval required by these regulations, or the filing and recording of any sketch plan or preliminary plat as a “record” plat, is hereby declared to be a misdemeanor and, upon conviction, is punishable as provided by law. (Ord. of 11-4-97, § 12.1)

Section 12.2. Recording official.

The county clerk of court shall not accept, file, or record any sketch plan or any preliminary plat as a “record” plat, or any final record plat involving any area subject to these regulations which has not been approved according to these regulations. Should any public official violate the provisions of this section, he shall in each instance be subject to the penalty provided in this article and the governing authority shall have such rights and remedies as to enforcement or collection as provided and may enjoin any violations thereof. (Ord. of 11-4-97, § 12.2)

Section 12.3. Transfer of lots in unapproved subdivisions.

It shall be unlawful for the owner or agent of the owner of any land to be subdivided within the county to transfer or sell or agree to sell or negotiate to sell such land by reference to or exhibition of or by other use of a plat or subdivision of such land before such final plat has been duly approved and recorded in the office of the clerk of the court in and for the county. The description of metes and bounds in the instrument of transfer or other document used in the process of selling or transfer shall not exempt the transaction from the requirements of this subsection. The county may enjoin such transfer or sale or agreement by appropriate action. (Ord. of 11-4-97, § 12.3)

Section 12.4. Erection of buildings.

Any building erected in violation of these regulations shall be deemed an unlawful structure, and the building official or other official designated by the board of commissioners may bring appropriate action to enjoin such erection or cause it to be vacated or removed. (Ord. of 11-4-97, § 12.4)

Section 12.5. Street names.

It shall be unlawful for any person in laying out any new street or road to name such street or road on any plat, by any marking or in any deed or instrument, without first obtaining the approval of the governing authority. (Ord. of 11-4-97, § 12.5)

ARTICLE XIII – LEGAL STATUS PROVISIONS

Section 13.1. Interpretation.

The regulations expressed in this document shall be considered as the minimum provisions for the protection of the health, safety, economy, good order, appearance, convenience and welfare of the general public.
(Ord. of 11-3-92, § 13.1)

Section 13.2. Conflict with other laws, ordinances, or regulations.

Whenever the requirements made under authority of these regulations impose higher standards than are required in any other statute or local ordinance or regulation, provisions of these regulations shall govern.
(Ord. of 11-3-92, § 13.2)

Section 13.3. Separability.

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such a declaration shall not affect the ordinance as a whole, or any other part thereof other than the part so declared to be unconstitutional or invalid.
(Ord. of 11-3-92, § 13.3)

Section 13.4. Repeal of conflicting ordinances.

All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.
(Ord. of 11-3-92, § 13.4)

Section 13.5. Amendments.

The planning and zoning commission shall consider and make a recommendation to the board of commissioners on any amendment to these regulations. The planning and zoning commission, at its option, may hold a public hearing on any amendment to these regulations. Recommendations of the planning and zoning commission shall be forwarded to the board of commissioners. The board of commissioners shall hold a public hearing on any proposed amendment to these regulations prior to its adoption, notice of which shall be given not less than 15 days nor more than 45 days prior to the hearing date. The notice of the hearing shall be made in a newspaper of general circulation in the county.
(Ord. of 11-4-97, § 13.5)

Section 13.6. Savings provision.

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the county under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm or corporation, by lawful action of the county or its governing authority except as shall be expressly provided for in these regulations.

(Ord. of 11-3-92, § 13.6)

Section 13.7. Effective date.

This ordinance is adopted to amend certain provisions of the Bulloch County Subdivision Regulations previously adopted on November 3, 1992 ("the original ordinance"). The original ordinance shall remain valid and effective in all respects, except for those provisions that are amended by this ordinance. Those provisions of this ordinance that amend the original ordinance shall be effective November 4, 1997. The effective date for those provisions of the original ordinance that have not been amended remains their original effective date.

(Ord. of 11-4-97, § 13.7)

ARTICLE XIV – PLANNING AND ZONING COMMISSION

Section 14.1. Organization.

The planning and zoning commission shall consist of seven members, appointed by the governing authority to serve for overlapping three-year terms or until their successor has been appointed. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall be removable for cause by the governing authority upon written notice and an opportunity to be heard. The governing authority shall determine the amount of compensation, if any, to be paid to the members of the planning and zoning commission.

(Ord. of 11-4-97, § 14.1)

Section 14.2. Procedure.

The planning and zoning commission shall elect from its membership a chairman, vice-chairman, and a secretary, each of whom shall serve for one year or until he is re-elected or his successor is elected. The planning and zoning commission shall adopt rules in accordance with the provisions of these regulations.

(Ord. of 11-4-97, § 14.2)

Section 14.3. Meetings.

Meetings of the planning and zoning commission shall be held monthly, at the call of the chairman, and at such other times as the planning and zoning commission determines. The chairman, or in his absence the vice-chairman, may administer oaths and compel the attendance of witnesses by subpoena. The planning and zoning commission shall keep minutes of its proceedings, show the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the clerk of the board of county commissioners and shall be a matter of public record.

(Ord. of 11-4-97, § 14.3)

Section 14.4. Filing.

The planning and zoning commission shall require an applicant to furnish such additional information as it deems necessary when filing an application and may require specific forms to be used.

(Ord. of 11-4-97, § 14.4)

Section 14.5. Interpretations.

The planning and zoning commission shall interpret requests in such a way as to carry out

the intent and purpose of these regulations.
(Ord. of 11-4-97, § 14.5)

Section 14.6. Specific limitations of powers of the planning and zoning commission.

The planning and zoning commission does not have the power to amend these subdivision regulations, or to declare these regulations or any amendment hereto invalid, or to allow any use not permitted by these regulations.

The planning and zoning commission shall grant variances only as extraordinary circumstances shall require within the spirit and purpose of these regulations.

The fact that a financial hardship will be suffered if a variance is not granted is of itself insufficient grounds for granting a variance.
(Ord. of 11-4-97, § 14.6)

Section 14.7. Approvals.

The governing authority may uphold, reverse, add, delete, or modify with conditions any recommendation by the planning and zoning commission.
(Ord. of 11-4-97, § 14.7)