

## **SUBDIVISION REGULATIONS CITY OF THOMSON, GEORGIA**

<b>Article I</b>	<b>GENERAL</b>
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### **Sec. 1.1 Jurisdiction**

These regulations shall govern all division and subdivision of land considered in whole or in part (phased construction) within the legal boundaries of the City of Thomson.

### **Sec. 1.2 Scope**

The provisions of this ordinance shall apply to all subdivisions, including subdivision of land for multi-family, commercial, and industrial uses which incorporate **new interior streets**, or extensions of existing subdivision streets within the City of Thomson. The division or subdivision of lots which do not involve the construction of new interior streets and whose frontage abuts solely upon an existing city maintained streets may, upon review and approval by the Planning Commission, be exempt from those provisions of this ordinance as designated by the Planning Commission.

### **Sec. 1.3 Purpose**

The purpose of this chapter is to:

1. Promote the public health, safety and general welfare;
2. Promote the orderly and beneficial development and expansion of communities within the city;
3. Provide adequate light and air;
4. Provide adequate water, sewerage and surface drainage;
5. Prevent undesirable overcrowding of population;
6. Secure safety from fire, panic and other dangers;
7. Promote the orderly and desirable subdivision of land;
8. Ensure the orderly and desirable development of streets;
9. Promote the orderly and desirable development of public utilities and services;
10. Provide adequate and sufficient land for schools, parks, playgrounds and other public uses; and
11. Ensure proper legal description and monumentation of all subdivided land.

### **Sec. 1.4 Interpretation of Provisions**

The interpretation of any words, phrases, or any information contained herein shall first be made by Planning Commission, thereafter, by written request in a form or on forms supplied by the Planning Commission office. Such request for formal interpretation shall subsequently be submitted to the City Planning Commission Board. The opportunity for conclusive interpretation is afforded by submittal thereafter to the Thomson City Council.

### **Sec. 1.5 Minimum Standards**

The subdivision standards contained herein shall constitute the minimum standards for the development of subdivision within the City of Thomson. Due to the varied conditions that may exist with each proposed subdivision, for the protection of the health and safety of the general public, and to protect property and property values, the Planning Commission, Planning Commission Board, and City Council may impose standards in addition to those contained herein.

<b>Article II</b>	<b>PROCEDURES FOR PLAT APPROVAL</b>
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### **Sec. 2.1 Prior Considerations**

Prior to initial application for development of a proposed subdivision within the City of Thomson, consideration should be given to the major issues and requirements which will impact the design and development of the subdivision and the resulting cost of construction. Such issues include, but are not limited to:

- A.) Suitability of Land: Land which is deemed by the Planning Commission to be unsuitable for development will be denied for development, or, the developer will be required to initiate or incorporate mitigating measures to render the land suitable for development. Land considered as unsuitable for development includes, but is not limited to:
- 1.) Flooding: Land subject to flooding, deemed by observation to be located in floodplains, and land designated as flood prone.

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- 2.) Wetlands: Land which is designated as wetlands by existing map resources or identified on-site by a qualified consultant.
- 3.) Poor Drainage: Land which is considered unsuitable due to poor drainage.
- 4.) Geologic/Topographic Conditions: Land which possesses rock formations or outcroppings, and land having steep slopes, or land which may endanger health, life, or property. Land development which may aggravate erosion, increase flood hazard, or necessitate excessive expenditures of public funds for supply and maintenance of services.
- 5.) Predetermined Unsuitable: Land which other public agencies have investigated and found, in the best interest of the public, not suitable for the type of platting and development proposed. Such lands shall not be approved for subdivision unless adequate methods are formulated by the developer for meeting the problems created by subdivision of such land.
- 6.) General: Land which is considered unsuitable due to scattered or premature subdivision of land which would endanger health, safety or property because of lack of, or adverse effect on the water supply, schools, proper drainage, transportation, other public services, or public funds for the supply or maintenance of such services.

B.) Design Costs: Developers with little or no prior experience in subdivision development will encounter significant engineering and surveying cost and time relating to the design, submittal, and applicable resubmittal of subdivision design plans.

C.) Land/Improvements: Developers will encounter significant costs in acquiring the land for the subdivision, designing the subdivision to city design requirements, the purchase and installation of the subdivision infrastructure and improvements including paved streets, drainage facilities such as drop inlets, storm water piping and detention basins; sidewalks, municipal water and sewer, underground electric service, street lights, green spaces/greenways, recreation areas, landscaping, etc

D.) Compliance Fees: Developers will experience associated cost and time in complying with pertinent federal, state, and local regulations such as wetland mitigation, city design review and fees, state erosion and sediment control (E&S) review and fees, state/federal NPDES fees.

E.) Responsibility of costs. It shall be the responsibility of the owner or developer to underwrite the total cost of the construction of the subdivision development. The furnishing of performance bonding to gain early release of lots for sale, or other transfer of title, is prohibited.

## Sec. 2.2 Preliminary Consultation

Prior to the submittal of any preliminary development plat, all subdividers or developers are required to meet with the Director of the Planning Commission, city Director of Public Works, and other applicable representatives to review the city's requirements for development. The subdivider/developer should submit a draft scaled sketch of the proposed subdivision along with data showing existing conditions within the site and its vicinity. It is not necessary or recommended that developers produce engineered plans at this time. No fee shall be charged for this informal consultation, and no formal application is anticipated. The informal consultation will cover the development and design requirements and issues applicable to their development. After consultation and upon approval by the Planning Commission, the owner/developer may draft and submit a preliminary plat as described below.

## Sec. 2.3 Submittal of Preliminary Plat

A.) Plat Requirements and Improvements: Prior to the submittal of a preliminary plat the subdivider/developer should first reference and become familiar with the zoning requirements for development which is found in the City of Thomson zoning ordinance for the zoning district in which the property is to be developed. The subdivider/developer is required to comply with those plat requirements noted herein which must be incorporated into the subdivision plans.

B.) Plan Submittal: The subdivider/developer shall submit to the Planning Commission preliminary plat sets, the number of which shall be determined by the Planning Commission, along with a subdivision review fee in an amount as approved by the City Council. The submittal of a preliminary plat to the Planning Commission for review neither constitutes an application for Board review, nor conveys developmental rights to the subdivider/developer which are conveyed only upon approval of the preliminary plat by the City Council.

C.) Plan Review: **At such time as the owner or developer submits to the Planning Commission a preliminary plat and any additional documentation as is required by the Planning Commission, and upon receipt of all applicable fees, the staff shall review the preliminary plat for conformity with the provisions of this ordinance. The Planning Commission**

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shall not accept a preliminary subdivision plan application for Board review unless, in their judgment, it is found to comply with all applicable required plan elements and required subdivision improvements. The developer should note that the review of the preliminary plat by the Planning Commission does not include or cover the state's review undertaken by the local NRCS office for erosion and sedimentation control. Upon completion of the Planning Commission and city review, staff shall inform the developer of the results of the review and any subsequent actions necessary to bring the plat into conformity with the requirements of this ordinance. Only at such time as the preliminary plat is reviewed and approved by the Planning Commission staff will the plat be eligible for presentation to the Planning Commission Board, and City Council thereafter.

D.) Application to Planning Commission Board:

1. Application **Without** Variance Request(s): After review by the Planning Commission, should the preliminary plat be found to be in full compliance with the provisions of this ordinance, without the necessity or intent of application by the developer for the granting of a variance from the provisions of this ordinance, the review of the preliminary plat by the Planning Commission Board shall neither be necessary nor required. The preliminary plat shall be forwarded by the Planning Commission directly to the City Council for review.
2. Application **With** Variance Request(s): After review by the Planning Commission, should the preliminary plat fail to be in full compliance with the provisions with this ordinance, and it is the intent of the developer to apply for variances from the provisions of this ordinance, the developer shall submit a "Variance Plat" which shall clearly indicate any variances or deviations which are being sought by the developer. After staff review of the variance plat the subdivider/developer will be directed to submit an application for preliminary plat review before the Planning Commission Board, and thereafter to the City Council. Such application shall be made by such date as is designated as the application cut-off date for such Board review.  
[Advertising] Applications for variances from the subdivision regulations shall require a public notice which shall be advertised in the local newspaper of general circulation not less than fifteen (15) days prior to such review. Unless otherwise determined by the Planning Commission, notice by on-site signage shall not be required. Developers should contact the Planning Commission for guidance on the characteristics, design, and makeup of the "Variance Plat" sheet(s) which indicate the variances applied for.

E.) Planning Commission Board Action (Variance Plat): The Board shall review the application and thereafter recommend approval of the preliminary plat, with or without conditions, or denial of the preliminary plat. The Board shall, in addition, have the opportunity of postponing their decision for a period not greater than 62 days. If action on a preliminary or variance plat(s) is not taken by the Planning Commission Board within 62 days from the date of the first hearing, the Planning Commission shall be considered as having taken "No Action" whereupon the preliminary plat shall thereafter be forwarded to the City Council for review. In addition to the 62 days, additional time may be granted for review of the plats if agreed upon by the applicant. The final action or recommendation of the Planning Commission Board shall be conveyed to the city clerk who shall then place the subdivision plat on the agenda for review by the City Council.

F.) City Council Action: The City Council upon review of the preliminary or variance plat shall consider the recommendation of the Planning Commission Board and any additional comments or information regarding the application, and shall render a final declaration as to the approval, with or without conditions, or denial of the plat. The City Council shall, in addition, have the opportunity to postpone their decision for a period not to exceed 93 days. If, however, final action is not taken by the Council within 93 days of the date of the first hearing before the City Council, the preliminary plat shall be considered as approved. In addition to the 93 days, additional time for review may be granted if agreed upon by the applicant. Approval of the preliminary plat by the City Council shall constitute authorization for the subdivider to begin construction of the subdivision in accordance with the approved preliminary plat. Any deviation from the approved plan which is found during construction, or prior to the approval of the Final or As Built plat shall immediately be addressed by appropriate corrective action and approved by the Planning Commission or City Council. The subdivider, subdivision owner, or agent shall not transfer, sell, or negotiate to sell any lots, areas, or phases of the subdivision, by reference or exhibition, except upon approval of the Final or As Built plat. Should the subdivision plat not be approved, the Planning Commission staff shall notify the applicant setting forth the reasons for such denial.

G.) Post Approval Actions:

- (1) Preliminary plat status change. It shall be understood by the owner/developer that, upon approval of a preliminary plat, time is of the essence. Upon approval it is incumbent upon the subdivider/developer to begin development and construction of the subdivision in an expeditious manner. If it is determined by the Planning Commission that continuous development activity on or within the subdivision, or of a subdivision phase, has ceased, or is otherwise in a state of inactivity for a period of six (6) months, the Planning Commission is hereby authorized to declare the status of the construction of the subdivision, and therefore the subdivision

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plat, as "Inactive". Should a subdivision receive the status of "Inactive" the developer shall be notified by standard post at his/her last known address of record that the preliminary plat approval and all development permits and approvals shall be considered as suspended until such time as the developer or subdivider shall apply for a "Reactivated" status. The criteria and procedure for reactivation shall be determined by the Planning Commission.

(2) Reactivation and conformity. Prior to such time as the owner or developer shall apply for the status of "Active" or "Reactivated", the preliminary plat, and therefore the project addressed by said plat may be subject to being brought into conformity with any current standards of planning, construction, or engineered design at such time as the project and plat is considered for reactivation.

(3) Exemption (Grandfathered Plats). Subdivision preliminary plats which have received approval from the City Council prior to the adoption of this ordinance and have been substantially (i.e. ≥90%) built out or have remained "active" as set forth in section (G)(1) above shall be considered as "grandfathered" and shall be exempt from the provisions of this ordinance.

**Sec. 2.4 Preliminary Plat Design Elements**

No Preliminary Plat shall be accepted by the Planning Commission unless the plat contains all of the following plat elements:

- [ ] 1.) A scale not greater than 1" = 100'.
- [ ] 2.) A sheet size not greater than 17" X 24".
- [ ] 3.) One complete copy of the development plan formatted to 11" X 17".
- [ ] 4.) Title: "Preliminary Development Plan"
- [ ] 5.) Site map, north arrow, date, total project acreage.
- [ ] 6.) Vicinity map.
- [ ] 7.) Name and address of property owners.
- [ ] 8.) Name and address of development designer, drafter, or engineer (incl. engineer's stamp).
- [ ] 9.) Current and proposed zoning of the development site and surrounding properties.
- [ ] 10.) Name(s) of adjoining property owners.
- [ ] 11.) Boundary line bearings and distances of perimeter boundary.
- [ ] 12.) Layout of all lots including approx. lot line dimensions (headings not necessary), the area of each lot, and front/side/rear building setback lines.
- [ ] 13.) Existing and proposed easements including width and type.
- [ ] 14.) Existing and proposed engineered water, sewer, and gas utilities.
- [ ] 15.) Existing and proposed streets/streets to include, but not limited to, street names, profiles, and length of curve radius.
- [ ] 16.) Layout of streets showing street names, street cross section diagram, right-of-ways and widths, street centerlines showing angles of deflection, angles of intersection, radii, and lengths of tangents.
- [ ] 17.) Proposed storm water facilities including, but not limited to, drop inlets, pipes, basins and profiles.
- [ ] 18.) Contour elevations not greater than two foot.
- [ ] 19.) Boundaries of any areas suspected to be prone to flooding. If none, same shall be stated on the plat.
- [ ] 20.) Any areas designated as FEMA floodplains. If none, same shall be stated on the plat.
- [ ] 21.) Any areas designated as wetlands. If none, same shall be stated on the plat.
- [ ] 22.) Location and size of all parks and recreations areas, or other areas not used for residential use.
- [ ] 23.) Any areas previously designated as, or currently used as, landfills, C&D landfills, refuse or borrow pits. If none, same shall be stated on the plat.
- [ ] 24.) Name of the subdivision. (See sec. 3.1)
- [ ] 25.) Layout design of all proposed development improvements including structures, fencing, landscaping, common/recreation areas, parking areas, drains, or cross-drains, utilities, etc.
- [ ] 26.) Any additional notation or information as may be required by the Planning Commission , Planning Commission Board, City Council, or other.
- [ ] 27.) Applicable and/or required subdivision improvements as referenced in Article IV herein.

**Article III. GENERAL STANDARDS OF DESIGN**

**Sec. 3.1 Name Designations**

A.) Name of subdivision: The name of each subdivision must have the approval of the Planning Commission. The subdivision name shall not duplicate nor closely approximate the name of an existing subdivision.

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B.) Street names. Street names shall not duplicate existing street names irrespective of the use of the suffixes such as street, avenue, boulevard, street, pike, drive, way, trail, place, court, or other derivatives which shall be approved by the Planning Commission. The Planning Commission can assist the subdivider in avoiding duplication and in coordinating the names of streets. Approved street signs shall be placed at all intersections. Proposed streets which are continuations of, or are in alignment with, existing streets shall bear the names of existing streets. Streets whose intersection or “curves” approximate a right angle (90°) may, as directed by the Planning Commission, be required to be assigned a different name.

### Sec. 3.2 Street Classification

Streets are classified in relation to the transportation function which they are to serve including the type, speed, and volume of traffic they will carry, and the required standards of design. The classifications of streets as used in this chapter shall be as follows:

Classification by traffic volume:

- Primary Arteries (Arterial) – State and federal highways and those city streets which by design, traffic volume, and speed (55+mph), or are specifically designated as a primary artery by the Planning Commission.
- Secondary Artery – City streets which are by traffic volume and speed (45-55mph) are designated as such by the Planning Commission
- Collector Streets – Streets as designated by the Planning Commission as having a lower traffic volume than an arterial streets, and having a lower required speed (25-45mph) and serve to facilitate the movement of traffic between land service streets and arterial streets.
- Land Service Streets – Streets which facilitate the movement of traffic directly from land lots to collector streets, and which require the lowest traffic speed (15-25 mph).

Classification by use: (See sec. 3.4)

1.) *Residential:*

- a.) Large lot subdivisions (Zone TR-1) (Lots  $\geq$  15,000 sq. ft., with min. frontage of 100')
- b.) Medium lot subdivisions (Zone TR-2) (Lots  $\geq$  10,000 sq. ft., with min. frontage of 75')
- c.) Small lot subdivisions (Zone: TR-3) (Lots  $\geq$  7,500 sq. ft., with min. frontage of < 75')

2.) *Industrial.*

3.) *Commercial.*

4.) *Service drive.*

### Sec. 3.3 Street System.

A.) Connection to existing streets: Existing streets that terminate at, adjoin, or traverse a proposed subdivision shall meet or exceed all requirements of this article prior to, or as a result of, approval of the preliminary plat. Public streets providing access to the subdivision shall be paved from the nearest paved street of the public street system to each subdivision entrance. It shall be the responsibility of the owner, developer, or subdivider to pave such streets.

B.) Layout of new streets: The proposed street system within a subdivision shall be determined by the Planning Commission to adequately balance the privacy of the future occupants with the free flow of traffic within the city, and to adequately provide for access for public safety by fire, police, and emergency medical vehicles, and for school buses. In making such determination, satisfaction of the following requirements shall be considered by the Planning Commission:

- (1) In the opinion of the Planning Commission, where it is necessary to provide for street access to adjoining property, proposed streets shall be extended by dedication and improvement of right-of-way to the boundary of such property.
- (2) Unless approved otherwise by the Planning Commission, a subdivision shall provide a street connection to each public street that it adjoins, and shall provide direct or indirect continuity through the subdivision between each connection.
- (3) The proposed street layout should be designed to minimize cut and fill within the right-of-way to provide better access to the subdivision lots. The design should also minimize the area of tree removal required for installation of streets, utilities and drainage features in order to reduce the number of large trees removed during construction.

C.) Interval of intersection with arteries. Subdivision streets which intersect a city arterial street shall do so at intervals not less than the following:

- (1) Primary artery, 1,000 feet;
- (2) Secondary artery, 600 feet.

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D.) Large parcels. When land is subdivided into parcels larger than ordinary building lots, such parcels should be arranged so as to allow for the opening of streets in the future.

**Sec. 3.4 Design Of Streets.**

A.) Width of street right-of-way. The minimum width of right-of-way measured from lot line to lot line shall be as follows:

Classification			Width of Right-of-Way (feet) <sup>1</sup>
Primary artery			100
Secondary artery			80
Collector street			60
Land service street:			
	(1)	Residential:	
		a. Small lot subdivisions	50 <sup>3</sup>
		b. Medium lot subdivisions	50 <sup>3</sup>
		c. Large lot subdivisions	50 <sup>3</sup>
	(2)	Industrial	60 <sup>4</sup>
	(3)	Commercial	60 <sup>4</sup>
	(4)	Service drive	40 <sup>2</sup>

<sup>1</sup> A wider width may be required by the Planning Commission.

<sup>2</sup> Requires prior approval of the Planning Commission.

<sup>3</sup> Cul-de-sac: R/W radius – 50’

<sup>4</sup> Cul-de-sac: R/W radius – 60’

[For Clarification : Generally, those roadways of the state highway system are considered as primary arteries. Secondary arteries are those city streets having significant vehicular traffic which continue into the county, and possibly out of the county (e.g. Mt. Pleasant Road, Lumpkin Street/Mesena Road, etc.)]

B.) Minimum width of pavement. The width of pavement, or path of travel, as measured from the front side of the gutters, shall be as follows:

Classification			Width of Pavement (feet) <sup>1</sup>
Primary artery			48
Secondary artery			40
Collector street			30
Land service street:			
	1.	Residential:	
		a. Small lot subdivisions	24 <sup>3</sup>
		b. Medium lot subdivisions	24 <sup>3</sup>
		c. Large lot subdivisions	24 <sup>3</sup>
	2.	Industrial	30 <sup>4</sup>
	3.	Commercial	30 <sup>4</sup>
	4.	Service drive	20 <sup>2</sup>

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<sup>1</sup> A wider width may be required by the Planning Commission.

<sup>2</sup> Requires prior approval of the Planning Commission.

<sup>3</sup> Cul-de-sacs: 40' Radius

<sup>4</sup> Cul-de-sacs: 50' Radius

C.) Vertical alignment of streets.

(1) Grades on arteries, collectors, and industrial land service streets shall not exceed seven percent (7%); grades on commercial land service streets shall not exceed ten percent (10%); grades on residential land service streets shall not exceed ten percent (10%); all curbed and paved raised edge streets shall have a minimum grade of one percent (1%).

(2) All changes in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance, which shall be measured from the driver's eyes, which are assumed to be 3\_ feet above the pavement surface, to an object six inches high on the pavement. The minimum sight distance shall be the minimum stopping sight distance for the rated speed of the street as follows:

Street Classification	Design Speed (mph)	Minimum Stopping / Sight Distance (feet)
Primary artery	55+	400
Secondary artery	45 - 55	300
Collector street	25 - 45	200
Land service street:		
Residential	25	125
Commercial	20	75
Industrial	25	125
Service drive	15	40

D.) Horizontal alignment of streets.

(1) A tangent of at least 100 feet in length shall be introduced between reverse curves on arterial and collector streets.

(2) Street jogs with centerline offsets of less than the minimum stopping sight distance set forth in this section of the street intersected shall not be allowed.

(3) All streets shall intersect at right angles. Such intersecting streets shall continue as perpendicular from the center point of the intersection for not less than the minimum stopping sight distance for their respective rated speeds in accordance with this section.

(4) Right-of-way lines at street intersections shall have a radius of curvature of not less than 20 feet. Wherever necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street corner to less than normal width, the street right-of-way line at such street corner shall be rounded or otherwise set back sufficiently to permit such construction.

(5) Where a deflection angle of more than ten degrees in the alignment of a street occurs, the radius of curvature of the centerline of such street shall be not less than the following:

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Street Classification	Minimum Radius of Curvature of Centerline (feet)
Primary arterial	690
Secondary artery	430
Collector street	230
Land service street:	
Residential	90 <sup>1</sup>
Commercial	90
Industrial	150
Service drive	50

<sup>1</sup>The Planning Commission may approve a 50 foot curvature to make more efficient use of land.

E.) Service drives. Service drives or alleys shall be provided to the rear of all lots used for business purposes, and shall not be provided in residential blocks, except where the subdivider produces evidence satisfactory to the Planning Commission of the need for alleys or service drives, such as subdividing adjacent to an artery, or where specifically required by the Planning Commission.

F.) Cul-de-sacs.

- (1) Cul-de-sacs will not be permitted as a design substitute for a connected or looped street, block street or grid pattern.
- (2) Cul-de-sacs shall be redesigned and connected into a continuous or looped street should the straight linear distance separation be less than 600 feet between cul-de-sacs, or a cul-de-sac and an existing or proposed street, as measured from the closest right-of-way of each.
- (3) Cul-de-sacs shall not be more than 1,000 feet long, or less than 300 feet long, unless necessitated by topographic or other conditions and are approved by the Planning Commission.

G.) Courts. Where street pavement and right-of-ways deviate from a straight right-of-way into a semi-circle set off to the side of the street, often named as a “Court”, the design of such court shall approximate the one half of the dimensional requirements of a cul-de-sac as referenced in Section 3.4. Excessive paved areas within courts will not be permitted. The entry and exit curb radii shall be of suitable length to afford ease of entry and exit.

**Sec. 3.5 Street Construction.**

The construction of all public streets within the City of Thomson to include all subdivision streets, including the design and materials of construction shall come under the authority of the City of Thomson. To assist the developer in acquiring information regarding street design in the City of Thomson, please contact the Planning Commission.

**Sec. 3.6 Blocks.**

A.) Length. Subdivisions employing a street block design shall have blocks which shall not be less than 400 feet, nor more than 1,200 feet in length, except as the Planning Commission considers necessary to secure efficient use of land or desired features of street patterns. In blocks greater than 800 feet in length, the Planning Commission may require one or more pedestrian easements of not less than ten (10’) feet in width which are paved, or are of suitable material, and which extend entirely through the block. [Also see Sec. 3.8 (B) (2)]

B.) Width. Blocks shall be wide enough to allow two rows of lots, except where a lot backs up to an arterial street/street, in which case, the Planning Commission may approve a single row of lots.

**Sec. 3.7 Lots.**

A.) Adequate building sites. The owner, developer, or contractor shall be responsible for assuring that each lot shall contain a suitable building site not subject to flood or periodic inundation. Wherever fill is proposed to raise land at the building site, the developer or contractor shall assure that such fill shall be compacted to the degree of suitability for its use. At the discretion of the Planning Commission, a compaction test by a certified testing company may be required to verify suitable compaction. Such tests shall be at the expense of the contractor or developer, or other party.

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B.) Arrangement. Each lot must abut a public street or street for a distance as prescribed by the City of Thomson Zoning Code. Side lot lines shall be at or near right angles to right-of-ways. Lot lines protruding excessively into adjacent lots will not be approved. With the exception of lot lines approximating the center line of waterways or shorelines of water bodies, excessive irregular lot lines or angles may not be approved.

C.) Minimum lot dimensions and areas:

(1) The size and shape of lots shall meet the minimum standards set forth in the city's zoning regulations. Orientation of lots shall be such as the Planning Commission deems appropriate for the use contemplated, type of water supply and sewage disposal, soil characteristics, improvements, and relation to the street system.

(2) The minimum depths of building setback lines for lots platted for all purposes shall be subject to the provisions of the city zoning regulations. To prevent obstruction of vehicular sight lines at intersections, unless otherwise approved by the zoning code, the building setback distances for corner lots shall be the minimum building setbacks from the centerline of both streets/streets.

(3) Properties reserved or platted for alternate or dissimilar use (commercial, industrial, multi-family, townhouse, etc.) or purposes shall be adequate in size to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes. Land shall not be platted for such uses unless the subdivider can demonstrate to the Planning Commission:

a.) A site arrangement that prevents undue interference with through traffic. Alternate uses shall utilize a single collector for all heavy traffic between the area and the general system of streets and streets. Parcels for such uses shall be oriented at right angles with the collector and with adjacent railroads;

b.) An on-site parking area for each use;

c.) A mitigating buffer (vegetative buffer, berm, fencing, etc.) against any adverse effects on any present or future adjacent residences; and

d.) A parcel size sufficient in area to allow future expansion if applicable.

D.) Lot Division Prohibited. Effective with the adoption of this ordinance, the division of any lot, tract, or parcel within any existing subdivision is prohibited. Upon the recording of the Final or As Built plat for a newly constructed subdivision, such division is prohibited.

E.) Dual frontage lots.

(1) Dual frontage lots in the interior blocks of a subdivision should be avoided except where specifically required by the Planning Commission to provide separation of residential development from arterial and collector streets or to overcome specific disadvantages of topography and orientation of property.

(2) Dual frontage lots shall be permitted where such rear yards abut an existing public street, but where access from the rear yard to the public street is prohibited.

(3) An easement to the city may be required which extends along the entire right-of-way of the public street (see (2) above), across which there shall be no right of access, and screening shall be provided along the right-of-way abutting such public street, as follows:

F.) Easements.

a. In the R-1, residential-agricultural zoning district, an easement of 30 feet in width in which the existing vegetation shall be left undisturbed, but may be supplemented with additional plantings.

b. In all other residential zoning districts, the easement shall constitute a vegetative buffer the width of which shall not be less than the minimum front building setback from the centerline of the public road/street as is required by the zoning district in which it is located, or not less than 25 feet in width if it creates an opaque soil berm screen to a height of not less than six feet.

c. The continued maintenance of such easements shall be the responsibility of the property owner, owner or developer of the subdivision, approved homeowner's association, or other party as approve by the Planning Commission or county.

d. Except where alleys or rear service drives are permitted for such purpose, easements shall be required along rear and/or side lot lines, or elsewhere, if necessary, not less than 10 feet nor exceeding 20 feet in width, for the extension of existing or planned utilities.

G.) Buffer/Landscape. All buffer and landscaped areas are subject to the review and approval of the Planning Commission. Existing trees with ten inches diameter (dch –diameter at chest height) or greater shall not be removed unless removal is approved by the Planning Commission to prevent danger due to injury or disease to the tree. Modifications may be approved by the Planning Commission to achieve equivalent screening results depending on the topography, orientation or other physical factors of the site.

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H.) Lot Entrances/Exits.

(1) All lots within subdivisions shall have one entrance (driveway) accessing each lot unless such lots are of sufficient width to accommodate a second access. Corner lots may have a second access providing each access is a minimum of 200' feet from the front corner juncture of the lot's right-of-way, or otherwise approved by the Planning Commission.

(2) All subdivision lot access shall be from interior subdivision streets.

### **Sec. 3.8 Public Use And Service Areas.**

A.) Public open spaces. Where a school or recreation area, which is shown on an official map or in a plan made and adopted by the local Board of Education, is located in whole or in part in the applicant's subdivision, the Planning Commission may require the dedication or reservation of such open space within the subdivision, up to a total of ten percent of the gross subdivision area, including any water frontage for park, school, or recreational purposes.

B.) Community Assets. In all subdivisions, due regard shall be shown for all natural features such as large trees and watercourses and for historical areas and similar community assets which, if preserved, will add attractiveness and value to the property.

### **Sec. 3.9 Drainage.**

In addition to the requirements set forth in section Article IV, Sec. 4.2 (B.), any plan for subdividing property shall include the incorporation of and compliance with the provision of the city's Stormwater Runoff Management Ordinance with additional emphasis on the review of adjacent properties and public infrastructure for the prevention of adjacent and downstream flooding.

### **Sec. 3.10 Disposal.**

A.) Refuse (Burn) – The disposal of refuse including tree stumps, limbs, leaves, or other items which are approved by the city and state as inert material may be disposed of by burning between October 1<sup>st</sup> and April 30<sup>th</sup> of each year, and only upon receipt of an applicable burn permit issued by the Georgia forestry service. From May 1<sup>st</sup> through September 30<sup>th</sup> such refuse shall be disposed of only in a manner, and at such location, as may be approved by the Planning Commission.

B.) On-site waste facilities – If required by the Planning Commission, the developer, contractor or subcontractor(s) shall be required to provide on-site portable waste disposal facilities for the use of his/her workers. The adequate number of such units, their placement, and the timely disposal of collected wastes shall be the responsibility of the developer or contractor(s).

## **ARTICLE IV. MINIMUM STANDARDS FOR IMPROVEMENTS**

**In addition to the other requirements imposed by this ordinance, and unless otherwise noted, all of the subdivision required improvements referenced below shall be incorporated into all subdivisions. However, only those improvements indicated below by an “(R)” are required to be shown on the preliminary and Final plat before such plat shall be considered for staff review, application for Board review, or recorded.**

### **Sec. 4.1 Required Improvements.**

A.) Lot Markers. In addition to the development's outer perimeter, all lot boundaries shall be marked with iron pipes, pins, or rebar not less than one half (1/2") inch in diameter and not less than twenty-four inches (24") long, and shall be driven so as to be flush with the finished grade. Prior to submittal of a Final or As Built plat all lot lines at their juncture with the right-of-way shall be indicated with a 1"X2" or greater wooden posts or three inch (3") diameter or greater white PVC pipe, or other markers as approved by the Planning Commission, which shall clearly indicate the lot number. Such marker shall extend a minimum of twenty-four (24") above common grade. Lot markers located in the center of the front property line are not acceptable.

B.) Storm Drainage **(R)**. An adequate drainage system, including, but not limited to pipes, culverts, drains, inlets, headwalls, bridges, and detention/retention facilities, shall be provided as engineered for the proper drainage and detention/retention of all surface water. All engineered storm drainage systems shall be approved before such systems may be installed and before preliminary and final plat approval will be issued by the Planning Commission.

C.) Street Development.

Every subdivision lot or parcel shall have access to a street system which shall be designated and engineered according to the design criteria contained in Article III herein, and such criteria referenced below.

(1) Preparation of right-of-way. The full width of all streets shall be prepared so that pavement, sidewalks, and other required improvements may be constructed in such a manner that future extension of additional utilities or street improvements will not damage yards of abutting property. Abutting property shall be suitably sloped to the right-of-way line. Due regard shall be shown for desirable trees not impairing visibility.

(2) Preparation of subgrade. Before grading is started, the entire area to be paved shall first be cleared of all stumps, roots, brush and other objectionable materials. In all areas to be graded or filled, the subdivider shall stockpile the topsoil to be spread later in all disturbed areas not paved.

(3) Protection of banks. Immediately after grading, filling, and re-spreading of topsoil, all areas of disturbed soil shall be fertilized, seeded, sodded, or otherwise appropriately treated with suitable vegetative cover to retard erosion. The stabilization as evidenced by an adequate stand of grass on all right-of-ways shall be obtained to the satisfaction of the City of Thomson Streets Department before approval of the final plat.

(4) Street Base. Street base material and compaction shall conform to the city's specifications for such, and shall be approved by the City of Thomson.

(5) Curb-and-gutter and paving **(R)**. All new streets shall be surfaced by the developer with paving materials as required by city specifications regarding street paving and surface materials. Concrete curbs and gutters shall be required on all new streets and shall be constructed by the subdivision developer in accordance with the city's specifications for curbs and gutters. Where a subdivision abuts an existing state highway or city street, the developer shall be required extend the subdivision's street improvements (paved streets, curb/gutter, etc.) out to, and to improve such public street in compliance with the minimum requirements of this chapter.

(6) New streets **(R)**. The preparation and development of all new streets shall comply with the city's specifications herein, and shall be approved by the city before such streets may be developed and accepted by the City Council.

(7) Turn Lanes **(R) < (If required)**. Center turn lanes may be required at entrances into residential, industrial, and commercial developments which front on arterial streets. Turn lanes shall be 12 feet in width for a minimum distance of 200 feet which distance shall be measured from the intersection of the right-of-way lines. Contact the Planning Commission for analysis of city streets at proposed subdivision entrances and the requirements for turn lanes.

(8) Accel/Decel Lanes **(R)**. Accel/decel lanes shall be required for all subdivision entrances fronting a primary or secondary arterial roadway, or a major collector road or street of increased speed and traffic flow as determined by the Planning Commission. Accel/decel lanes shall be constructed to the design criteria as provided.

(9) Number of entrances **(R)**. To facilitate ease of traffic, subdivisions having frontage greater than 2,000' on an existing public street shall provide more than one entrance to such subdivision.

D.) Sidewalks **(R)**. Concrete sidewalks shall be required for all residential subdivisions, multi-family and PUD developments. Sidewalks may be required in industrial and commercial developments depending on the characteristics and density of the development. Sidewalks shall be constructed on both sides of the streets and shall be four feet (4') in width and four inches (4") in depth. For standard (upright) curb and gutter, the sidewalk may join or abut the back side of the curb. For roll-top curbing, the front (street) edge of the sidewalk shall be placed not closer than five feet (5') from the back side of the curb. Sidewalks shall not be located less than one foot from all front property lines to prevent interference or encroachment by fencing, walls, hedges or other plantings or structures placed on the property line at a later date. At street corners and other required locations, sidewalk handicap ramps shall be installed. In addition to interior subdivision sidewalks, sidewalks along exterior roadways or other public right-of-ways shall also be required where deemed by the Planning Commission as an integral part of a pedestrian traffic system within a one-mile radius of existing or planned schools, neighborhood recreation, or commercial areas, or other public places, and for continuation of existing sidewalks.

E.) Site Improvements. Earthen banks which infringe on sight lines at street intersections shall be appropriately graded to correct the deficiency. Wherever grading or filling occurs on lots within the subdivision, the subdivider shall first stockpile the topsoil from the affected areas and shall immediately, upon conclusion of such grading, re-distribute the topsoil to support growth of lawn grass and other vegetation, and shall immediately seed such areas with appropriate vegetative cover to prevent erosion, silting of streams and other damages. Due regard should be shown for such desirable trees which are already on the site, and grading and filling should be planned to preserve as many of such trees as possible; however, no retained planting shall infringe on sight lines at intersections. If trees are planted by the subdivider, they shall be located five feet inside or behind property lines where they are less subject to injury, decrease the chances of motor accidents and enjoy more favorable conditions for growth. If trees are to be planted within a

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planting strip in the right-of-way, the proposed locations and species of such trees to be used must be submitted for the Planning Commission's approval since the public inherits the care and maintenance of such trees. Where land is platted or reserved for commercial or industrial use bordering or across from residential lots, a suitable buffer of trees and shrubs which are approved by the Planning Commission shall be required, such trees and shrubs shall not infringe on sight lines at intersections where planted.

F.) Sanitary Sewerage **(R)**.

- (1) Sewerage systems. All subdivisions (including any/all phases) shall be connected to an existing public sewerage system.
- (2) Every habitable lot shall be provided with its own on-site sewerage system connection (tap).
- (3) Proposed (future) sewerage lines. When it has been confirmed that the city will be installing sewerage lines within certain areas of the city, any new subdivisions developed within those areas or along proposed lines will be required to install capped "dry lines" within the development to provide service to all lots therein. Dry lines may be required to tap into the new city sewerage line upon installation and activation.
- (4) Septic systems. The installation and use of septic tanks is prohibited unless specifically authorized by the city, and installation is approved by the appropriate health official.
- (5) Community sewerage systems. Private community or group sewerage systems are prohibited.

G.) Public Water Systems **(R)**.

- (1) Water system. All subdivisions (including all phases) shall be connected to a public water system.
- (2) Every habitable lot shall be provided with its own on-site water system connection (tap).
- (3) Future water lines. When it has been confirmed that the city will be installing water lines within certain areas of the city, any new subdivisions developed within those areas may be required to install capped "dry lines" within the development. Dry lines shall be required to tap into the new city water line upon installation and activation.
- (4) Community water systems. Private community or group water systems are prohibited.
- (5.) Fire Hydrants. Fire hydrants shall be provided as engineered with a separation as required by the city. Final grading around fire hydrants shall not be less than thirty-six inches (36") below the center of the largest horizontal supply hub of the hydrant with the uniform grade extending outward from the hydrant for a radius of not less than six feet (6'). Hydrant grading requirement shall also include hub clearance from such subdivision improvements as the top side of any curbing, sidewalks, etc.

H.) Entrance Landscaping **(R)**. All entrances into subdivisions shall be decoratively landscaped according to a landscaping plan submitted by the owner or developer which shall be reviewed and approved by the Planning Commission. Such plan shall incorporate the use of ornamental trees, shrubs, and low growth ground cover in an acceptable ratio or coverage to prevent the coverage from appearing sparse. The planting of annual flowers is recommended. The planting of shade trees is optional and shall be approved by the Planning Commission based upon consideration of root growth interference with underground utilities, possible damage to curb and gutter and streets, annual leaf cleanup, and future maintenance. The size and location of the landscaped area shall not be less than 189 sq. ft. in area on each side of the subdivision entrance, and shall be located at the immediate entrance to the subdivision in an area configuration as approved by the Planning Commission.

I.) Entrance Sign **(R)**. Every subdivision shall have an entrance sign which shall be prominently displayed giving the name of the subdivision in lettering the type and size and easily readable from a distance of one hundred feet (100') at the posted speed. Such sign shall be of monument type only, shall have a masonry base a minimum of 24" high and constructed of brick or stone. All materials shall be approved by the Planning Commission. **Unless otherwise approved by the Planning Commission, such sign shall not exceed six (6') feet in height, twelve (12') feet in width, or seventy-two square feet (72 sq. ft.) in area. If illuminated, such illumination shall be external only. Unless otherwise approved, such sign shall be positioned perpendicular to the existing city street. Upon prior review and approval of the Planning Commission the identification of the subdivision may be placed on a decorative element located at the entrance to the subdivision such as a masonry wall or fence.**

J.) Underground Electrical Supply. All subdivisions with interior streets shall provide electrical service by means of buried services. Such services shall be accessed from street right-of-ways except where topographical conditions prohibit such direct access in which case 10' utility easements shall be provided along rear or side property lines.

K.) Street Lights **(R)**. All subdivisions shall install, for the benefit of its residents, a street lighting system consisting of single standards (poles) with one or more lighting fixtures permitted. Lighting standards shall be of metallic composition, fiberglass, or other material and color as approved by the Planning Commission. Standards shall not exceed 25' in height or be separated by a distance greater than 300'. Upon approval of the Planning Commission,

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standards may be placed within sidewalks and within the right-of-way area, but no closer than three feet (3') from any property lines. Developers shall install street light lines which shall be fuse protected and shall provide cutoff switching to allow for periodic or emergency maintenance or shutoff by city staff.

L.) Open Space or Recreation Areas (R). Every subdivision shall provide an open space or recreation area set aside for the benefit of its residents which shall be of a minimum area size as indicated below, and should be equipped with such amenities and/or equipment as is suitable for light exercise and recreation such as park benches, picnic tables, and walking path(s). Land exhibiting characteristics unsuitable for such use as noted in section (2.1)(A) shall not be approved. The owner or developer shall be responsible for all signage related to the open space and the safety of its use as required and approved by the city. The continued maintenance shall be the responsibility of the owner or developer, approved homeowner's association, or other party as approved by the Planning Commission and/or city.

Subdivision Lots	Open Space
2-10	Not Required
11-25	.25 acre
26-50	.50 acre
51-100	1.0 acre
101- 150	1.5 acre
151- 200	2.0 acre
200+	2.50 acre + .25 acre per 50 residential lots thereafter.

Open Space and recreation areas may, upon approval of the Planning Commission, qualify toward green space requirements depending on size, location, design, characteristics of its natural vegetation, and any open space or park amenities.

M.) Green Space/Greenways (R). All subdivisions shall provide for an area or areas of undisturbed green space which shall be maintained in their natural state unless otherwise approved by the Planning Commission. The total areas of such green space(s) shall be not less than 5% of the total area of the subdivision and shall be readily accessible to all subdivision residents by way of adequate street frontage. The area or areas which are designated as "Green Space(s)" shall have an area configuration suitable for such designation as approved by the Planning Commission. Those areas not eligible for green space designation or use shall include, but not be limited to, those areas allotted for storm water detention, right-of-ways, and areas of unsuitable terrain or possessing other negative characteristics. The location, size, design, placement, number, frontages, and other elements of green spaces shall come under the review and approval of the Planning Commission.

N.) Final Grading. The developer or contractor shall be responsible for the proper final grading of the right-of-ways and other graded areas within the subdivision as referenced in Section 4.2 (E) above. Top soil shall be provided to sufficiently cover all infrastructure, and of such thickness to prevent the exposure of buried infrastructure during periods of rainfall until the graded areas are stabilized. Final top grading shall be of a smooth consistency having suitable grades and slopes to allow for the safely and ease of operation of maintenance equipment.

O.) Traffic Signs/Signals. Prior to the approval of a Final plat, the subdivision owner or developer shall be responsible for the purchase and installation of all traffic signs and signals within the subdivision, to include the subdivision entrance(s). Signs and signals and their method of installation and placement shall first be approved by the city.

P.) Residential Driveways. Paved driveways shall be required for each lot from the street pavement, shall traverse the right-of-way, and shall terminate in alignment with the rear of the residential structure or such other point of termination as approved by the Planning Commission such as a garage or carport. Such driveway shall be a minimum of 10' in width and 4" in depth.

Q.) Subdivision Covenants. Subdivision owners or developers shall establish protective covenants to maintain the aesthetic appearance of the subdivision, to prevent the degradation of properties and property values, to provide additional safeguards for the health and safety of its residents, and to maintain the overall quality of life within the subdivision. Covenants should include applicable issues appropriate to their particular subdivision. Owners/Developers should contact the Planning Commission for relevant issues to include as covenants.

**Article V. Post Approval**

**Sec. 5.1 Post Approval Development.**

- A.) Development Rights. Upon approval by the City Council of the Preliminary Plat, development rights shall be approved for the developer to begin construction of the subdivision. As referenced in Article II, Sec. 2.3 (G) the developer should construct the subdivision in a timely manner.
- B.) Improvement Responsibility. It shall be the responsibility of the owner or developer to underwrite all construction costs of the subdivision development. The furnishing of performance bonding may be required by the Planning Commission, however, the submitting of a performance bond to gain early release of lots for sale or other transfer of title is prohibited. [Re: 2.1 (E)]
- C.) Construction Inspections. During construction, it shall be the responsibility of the developer or contractor(s) to periodically call for inspections by the appropriate city authorities or agents. Requests for inspections shall be made 24 hours in advance of the requested date and time of the inspection. Developers and contractors are prohibited from continuing with construction or installation of infrastructure until they have received inspection approval for the phase of construction and installation for which the inspection was requested. Inspections include, but are not limited to:
- (1.) Stream, Drainage, and Storm Water Facilities: Inspection by the city to confirm the placement and size of all piping, catch basins, detention/retention outfall structures, and approved outfall of storm water lines originating from streets.
  - (2.) Water/ Sewer Lines, and Hydrants: Inspection by the City of Thomson Utilities Department and any other applicable city department of the installation of all water and sewer lines, and fire hydrants. Inspections shall be made by city personnel or other authorized agent. Inspection approval shall be received by the developer or contractor prior to the covering of any utilities which include, but not limited to; water lines, sewer lines, manholes, fire hydrants, lift stations, and taps made to such utility lines.
  - (3.) Streets: The street contractor shall have each sub-base and base tested by an approved testing firm and lab to confirm compaction and moisture content. The results of such test shall be reviewed and must receive approval from the city. In addition, sub-bases and bases shall be inspected upon completion by the city. The inspection by the city of the asphalt layering of the roadway shall take place at the time that the asphalt is applied. Should the contractor elect or fail to call for asphalt inspections, the City reserves the right to implement core sampling of the roadway at contractor's expense. Upon completion of the installation of the right-of-way improvements the contractor shall establish a "stand of grass" to the satisfaction of the city to include the placement of turf grass as referenced in sec. 4.2 (D).
  - (4.) Right-Of-Ways and Improvements: Right-of-ways shall have a finish grade as referenced in sec. 4.2.
  - (5.) Safety: The installation of guard rails or other safety facilities may be required. The inspection of the installation of sidewalks and curb and gutter shall take place prior to the pouring of concrete. If required, the inspection of the installation of buried electrical cable for the street lighting system to confirm the location and depth of burial of the cable prior to covering same
  - (6.) Inspection of all Green Space(s), Open Spaces and associated facilities and improvements.
  - (7.) Any other inspections, as may be required by the Planning Commission or other appropriate party for verification of proper construction and installation.

To ensure the inspection of the proper installation of infrastructure and other subdivision improvements within the subdivision, the city may initiate any measures to enforce such requirements including, but not limited to, the issuance of "Stop Work" orders until such inspections are made and approved, or such corrections have been remedied to the satisfaction of the city or applicable party(s).

Post Construction Inspection. At such time as the owner/developer considers the subdivision and all improvements therein to be substantially complete the owner/developer shall notify the Planning Commission at which time the staff of the Planning Commission and any applicable city department shall conduct a post-construction inspection of the subdivision to determine if the construction and infrastructure elements of the subdivision are in conformity with the previously approved preliminary plat. Should the subdivision construction not be in conformity with the approved preliminary plat (engineered plans) and other required improvements, the developer shall be notified by the Planning Commission or other agency. The developer shall remedy any and all nonconformities in a manner and method as is prescribed by the Planning Commission and/or city department. Should the post construction inspection indicate conformity with the preliminary plat, or at such time as all nonconformities are corrected and approved by the Planning Commission, city department(s), or other agency, the developer will be directed to proceed with the drafting and subsequent submittal of the Final or As Built plat. The Planning Commission may, at its discretion, require written verification from any inspecting party, department, or individual providing

confirmation that the subdivision has been constructed according to the plans and specification as shown on the previously approved preliminary plat.

## Section 5.2 Final Plat (As Built Plat)

After the subdivision and all improvements have been completed, installed, and approved, at its discretion, the Planning Commission may approve the subdivision for building permits. In lieu of approving the entire subdivision, the Planning Commission, at its discretion, may elect not to approve the subdivision plat as a "Final" plat for the entire subdivision but instead, elect to approve the plat of individual subdivision lots, or a plat of a "phase" of the subdivision.

Final plats of real estate in the city shall be prepared in accordance with the standards set forth in O.C.G.A. tit. 15, ch. 6, art. 2, and shall comply with the following.

A.) Conformity. Plats shall conform substantially to the preliminary plat as approved and any remedy of nonconformities as approved by the Planning Commission and/or City Council.

B.) Number of copies. Prior to the submittal of a hardcopy Final or As Built subdivision plat the party responsible for the submittal of the plat should first contact the Planning Commission for instructions as to the number of copies to submit and any additional elements, other than those elements indicated immediately below, that must be added to the plat.

C.) **Digital Copy.** In addition to the number of hardcopies required, a digital (CD, or email) copy shall be submitted in pdf. or other suitable format.

D.) Plat Elements. The Final or "As Built" plat shall contain, at a minimum, the following:

- [ ] 1.) Plats shall be produced on sheets which are not larger than 17" X 24". – (Max. recordable plat size.)
- [ ] 2.) Plats shall be drawn to a scale of not more than 1" = 100'.
- [ ] 3.) Subdivision name and vicinity map. If the plat represents a phase of the subdivision, show a reduced representation of the entire subdivision with the particular phase outlined or boxed.
- [ ] 4.) Name/address of developer, subdivider, surveyor, and engineering firm.
- [ ] 5.) Name/address of drafting or engineering firm to include engineer's signature and professional stamp.
- [ ] 6.) North point and date.
- [ ] 7.) Total number of lots, and total acreage of subdivision or subdivision phase.
- [ ] 8.) Lot lines with dimensions and bearings; minimum front building setback lines; lots numbered in numerical order, and the area of each lot;
- [ ] 9.) All dimensions shall be to the nearest one-hundredth of a foot, and all bearings and angles shall be to the nearest minute.
- [ ] 10.) Exact boundary lines of the subdivision tract; names and locations of adjoining subdivisions and streets; and the location and ownership of adjoining property.
- [ ] 11.) Layout of streets showing street names, right-of-ways, pavement widths, and street centerlines.
- [ ] 12.) Locations, dimensions, and purposes of any parks or recreational areas, land to be dedicated for public use, land to be used for purposes other than residential, and land for future development.
- [ ] 13.) Location, dimension, and purpose of easements as prescribed in Section 3.8 (B) herein.
- [ ] 14.) Location, material and description of any monument and markers (excluding lot number markers).
- [ ] 15.) Sufficient data to readily determine and reproduce on the ground the location, bearing and length of every street, lot line, boundary line, front building setback line and block line, whether curved or straight.
- [ ] 16.) FEMA designated floodplains, and other areas prone to flooding. If none, state same on plat.
- [ ] 17.) All areas designated as wetlands. If none, state same on plat.
- [ ] 18.) All waters considered as state waters to include stream bank buffers. If none, state same on plat.
- [ ] 19.) All other subdivision as-built and in-place improvements including sidewalks, street lights, etc.
- [ ] 20.) Such other information as may be required by the Planning Commission, city health officer, City Council, or other designated official or office of same.
- [ ] 21.) Each plat, if required, shall contain in such language as prescribed by the Planning Commission, a certificate by the surveyor as to survey and platting requirements; a certificate by the engineer as to engineering requirements; a certificate by the owner as to ownership and proposed dedication of streets, easements, utilities; a certificate as to floor elevation as related to the sanitary sewer system; and a certificate or stamp of final plat approval by the Planning Commission.

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- [ ] 22.) At the time of requesting final plat approval, a signed copy of any legal instruments, with all exhibits attached, as required by the Planning Commission or this ordinance which may be furnished to the city for review by the city attorney.
- [ ] 23.) Any other notation or information as may be required.

E.) Review and approval. Upon receipt by the Planning Commission of a Final Plat the Planning Commission shall review the Final plat for conformity with the provisions of Section D immediately above. If approved, the Planning Commission shall indicate same by stamp of approval on the Final Plat copy(s). Upon approval, the owner or developer shall record the Final plat which authorizes the sale of lots within the subdivision. No building permits shall be issued until such time as the subdivision and all improvements therein have been completed and approved, and the Final plat has been recorded.

F.) Taxes Paid. All property taxes and other jurisdictional obligations associated with the subdivision shall be fully satisfied prior to approval of the Final plat.

**Article VI. Development Assurances, Dedication, Variances**

**Sec. 6.1 Assurance of Continued Maintenance.**

To assure the proper installation and maintenance of all subdivision improvements prior to the City of Thomson accepting same, the following requirements shall be met.

A.) Developer Maintenance Period. The City of Thomson shall not accept any subdivision streetways, right-of-ways, or other subdivision improvements for a period of not less than twelve (12) months from the date that all subdivision improvements have been initially completed, inspected, and approved as evidenced by approval of the Final plat. If approved, the City of Thomson shall notify the owner or developer of same in writing at which time the Developer Maintenance Period shall commence. In addition to the minimum one year period developer maintenance period requirement, the city may require that 60% of the lots within the subdivision, or subdivision phase, have fully constructed residential structures in place prior to consideration of the acceptance or dedication of any subdivision improvements. The Developer Maintenance Period and the 60% "built-out" requirement will allow for sufficient time to detect any hidden defects in the subdivision improvements which are not readily identifiable at the time of initial inspection of the improvements, and will assure that all subdivision improvements will be properly maintained. The initial twelve (12) month Developer Maintenance Period may be extended at the option of the City Council.

[Bond] The Planning Commission may require the developer/owner to maintain in force a performance bond securing the installation and approval of such subdivision improvements.

B.) Maintenance Assurance. The subdivision developer or owner shall be required to keep all subdivision streets, right-of-ways, required traffic signs and signals, and all other subdivision improvements in good repair during the Developer Maintenance Period, and any extensions thereof. As an assurance of such continued maintenance the city and/or Planning Commission may designate a lot or lots which shall be held in abeyance (not eligible for sale or issuance of building permits) until the owner or developer is in full compliance with the intent and conditions of the Developer Maintenance Period.

**Sec. 6.2 Dedication of Subdivision Improvements.** After the Developer Maintenance Period and any applicable required extensions have expired, or terminated upon approval by the city, the subdivision developer or owner shall request the Planning Commission and applicable city departments to make a final inspection of all subdivision improvements. Should any defects exist, they shall be immediately remedied after which a final inspection shall again be requested. Upon inspection approval the subdivision owner or developer shall request in writing that all subdivision improvements be dedicated to, and accepted by, the City of Thomson. Upon acceptance by the city all approved lots being held shall be released for construction whereupon the subdivision owner or developer shall be relieved of future maintenance and assurances related to all subdivision improvements.

**Sec. 6.3 Variances.**

A.) Board Variances. Upon review of an initial verbal request for the granting of a variance(s) the Planning Commission shall investigate the circumstances surrounding the variance request to ascertain the validity and legitimacy of such request. Only if the causes prompting the request are beyond the control of the developer will the Planning Commission allow an application to be submitted for Planning Commission Board review. Mere inconvenience, financial or otherwise, shall not constitute authorization for an application for a variance. Should a

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variance application be approved for submittal, the applicant shall submit to the Planning Commission a specific request for such which shall include specific and detailed justifications why such variance(s) should be granted. The recommending of any variances by the Planning Commission Board, and the granting as any variance by the City Council shall be stated in the minutes of the of the respective Board meeting with the reasons for which the departure was justified and the conditions under which such variance was granted.

B.) Administrative Variances. The Planning Commission is hereby authorized to grant variances to requirements of this ordinance provided the intent of this ordinance is maintained.

## **Article VII. Legal Provisions**

### **Section 7.1 Severability**

Each phase, sentence, paragraph, section or other provision of this ordinance may be severed from all other such phrases, sentences, paragraphs, sections, and provisions. Should any phrase, sentence, paragraph, section, or provision of this ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such declaration shall not affect any other portion or provisions of this ordinance.

### **Section 7.2 Interpretation of Conflicting Requirements**

Whenever the requirements of this ordinance conflict or are in any way inconsistent with the requirements of any other lawfully adopted statutes, rules, regulations, ordinances, the most restrictive, or that imposing higher standards, shall govern. No plat approval shall be issued or considered valid for any use or activity which, if known, would be otherwise illegal under the terms of any applicable local, state, or federal law.

### **Section 7.3 Repeal of Former Subdivision Ordinance**

This ordinance is the official subdivision for the City of Thomson, Georgia. All other conflicting local ordinances and resolutions adopted prior to the adoption of this ordinance are hereby repealed; provided that nothing herein shall be construed as repealing or modifying those land use approvals, permits, plats, or variances issued in good faith which were, at the time, in compliance with any previous local ordinance or resolution hereinafter repealed by this ordinance.

### **Section 7.4 Effective Date**

This ordinance shall take effect and be in full force from and after the date of its adoption by the City Council of the City of Thomson, Georgia.

### **Section 7.5 Penalties For Violation**

Penalties for violations of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions of grants of variance shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, pursuant to the GENERAL PROVISIONS, Section 1-13 of the Code of Ordinances of the City of Thomson, upon conviction, be fined not more than \$1,000, or imprisoned for not more than 60 days, or both. Each day that such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Thomson from taking such other lawful actions as is necessary to prevent or remedy any violation.

### **Section 7.6 Legal Remedies**

In the event any provision of this ordinance has been violated or is being violated, in addition to other remedies, the city may institute an injunction, mandamus, or other appropriate action or proceeding to prevent or abate such violation. The governing authority of the City of Thomson may enforce this ordinance by means of withholding plat approval, development rights, and building permits from those persons who are in violation of the ordinance. In addition, the city may issue a "stop work" order to halt construction of any project authorized by permit issued by the city until such time as the construction complies with the provisions of this ordinance.

### **Section 7.7 Enforcement**

The City of Thomson zoning administrator or authorized agent, city attorney, or other appropriate official authorized by the City Council may institute such actions as may be necessary to remedy or prosecute violations of this ordinance.

**Article VIII. Definitions**

The following words, terms and phrases, when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Words used in the present tense shall include the future tense; words in the singular number shall include the plural, and words in the plural number shall include the singular; the terms “shall” and “must” are always mandatory; the words “should” and “may” are permissive by determination of the Planning Commission and/or City Council. Words not defined below shall have their common dictionary meaning as found in The American Heritage Dictionary, Second College Edition, Copyright 1991, Houghton Mifflin Company. Doubt as to the precise meaning of any word, text, or phrase used in these regulations shall first be clarified by the Zoning Administrator, then by the Planning Commission Board.

- As Built Plat:** A complete and exacting plat of a completed subdivision, which shall include all subdivision improvements including, but not limited to, all applicable design, improvements, and infrastructure required by this ordinance which is prepared for submission to the Planning Commission for approval.
- Artery (Street/Street):** An existing or proposed street within the street system of the city typically characterized by engineered design to accommodate a high traffic volume and increased speed limits. Being the highest magnitude of street within the system they convey and receive traffic from all lower classification of street.
- Centerline:** The line determined as the centerline by the official authority having jurisdiction over the street or street; otherwise, it shall be the succession of midpoints between the identifiable limits of any improvements on the ground or of any easement.
- City Attorney:** The attorney or attorney firm representing the City of Thomson.
- City Council:** The City Council of the City of Thomson.
- Collector (Street/Street):** The classification of street/street characterized by design to convey local vehicular traffic from Land Service Streets/Streets to Arterial Streets or to serve as principal entrance streets or primary circulation routes within a neighborhood or other limited area.
- County Health Officer:** The McDuffie County Health Officer.
- Cul-de-sac:** A land service street that terminates in circular turnaround at the end of a dead-end street, and is not intended for future extension.
- Dedicated, or, Dedicated to public use:** land or improvements that has or have been deeded to and accepted by the city for public use and maintenance.
- Deflection angle:** The angle between a deviation in the direction of the centerline of a street and the extension of the centerline along a straight course from the point from which the centerline changed direction.
- Dual Frontage Lot:** A lot, whether residential or otherwise, having front and “rear” frontage on opposing streets.
- Easement:** A strip of land on which the property owner has granted a person the right to use such land for specific purposes, or the grant of such a right.
- Final Plat:** See As Built Plat.
- Hearing:** A public review of a subdivision plat during an open meeting of the Planning Commission Board or City Council taking into consideration the subdivision design, improvements, variances, or other matter relating to the subdivision development.
- Improvements:** The physical additions and changes to land that may be necessary to produce usable, desirable and acceptable lots.
- Intersection:** The point at which the centerline of a street intersects the centerline of another street or railway.
- Land Service Street:** A minor street used for traffic of relatively low speeds and volumes for primary access to abutting properties. Land service streets are not to be designed to carry through traffic from one area to another.
- Loop Street/Street:** A land service street of short length and of such design as to originate and terminate in a “T” intersection with another street.
- Multiple frontage (lot):** A lot, tract, or parcel of land abutting the right-of-way of more than one public street.
- On-site disposal:** The disposal of sewage into the ground through the incorporation of a state approved septic tank system.
- Planning Commission:** The office and/or staff of the Planning Commission of McDuffie County.
- Planning Commission Board:** The standing Commission board members of the City Planning Commission, or, those individuals appointed by the City Council as members on the Commission.
- Preliminary plat:** A plat of a proposed subdivision of land which is prepared and submitted in accordance with this regulation.
- Private street:** An access, not owned or maintained by the city, from a tract or parcel of land to a public street.
- Registered engineer:** A professional engineer licensed and registered in the state of Georgia to perform the duties of an engineer.
- Registered surveyor:** A land surveyor licensed and registered in the state of Georgia to perform the duties of a land surveyor.

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- Reserve strip: A strip or tract of land reserved for the purpose of controlling or limiting access from properties to abutting streets or streets.
- Reverse frontage (lot): A lot or tract of land that abuts two or more streets, but has access to only one of the streets.
- Service drive: A land service street that provides vehicular access to interior, back, or side of properties otherwise abutting a public street (commonly referred to as an "alley").
- Setback line: The allowable distance from the centerline of a street and side and rear property line at which a structure may be built.
- Sewerage, private: A sanitary sewerage system for the collection of water born wastes, complete with a sewage treatment plant or stabilization pond which is owned and operated by a corporation or persons other than a public agency or authority.
- Sewerage, public: A sanitary sewerage system for the collection of waterborne wastes, complete with a sewage treatment plant or stabilization pond which is owned and operated by a public agency or authority.
- Sketch plan: A general illustration, usually drawn freehand, of the proposed subdivision of land.
- Street jog: The separation between two opposing streets which enter upon a common street.
- Structure: Anything constructed or erected, whether permanent or temporary, the use of which requires a location on the ground, attached to something having a location on the ground, and which extends greater than twelve (12) inches above common grade.
- Subdivision (verb): The act of dividing a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy or building development.
- Subdivision (noun): The division and development (including re-subdivision) of land for residential, commercial, or industrial uses which involve the construction of a new street(s), or a change in existing streets.
- Subdivider: Any entity having such a proprietary interest in the land to be subdivided as will authorize the maintenance of proceedings to subdivide such land under these regulations, or the authorized agent of such entity for the purpose of proceeding under these regulations.
- Tangent: The straight line distance between the ending of one curve and the beginning of another.
- Variance: An alteration, relaxation, or exception made to the terms of these regulations where such alteration will not be contrary to the public interest, convenience and welfare, and where, owing to conditions peculiar to the property over which the applicant for a variance has no control, and where a literal enforcement of this chapter would create unnecessary and undue hardship on the applicant in the use of the property.
- Zoning/Zoning Regulations: The zoning regulations of the City of Thomson.

**Article IX. Adoption**

**The subdivision regulations contained herein are hereby adopted by the City Council of the City of Thomson, Georgia, this the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.**

**By:**

\_\_\_\_\_  
**Kenneth L. Usry, Mayor**

**Attest By:**

\_\_\_\_\_  
**Dianne Landers, City Clerk**

**Official Seal:**