COUNTY DEPARTMENT AGENDA REQUEST

Department:	Pub Wks-Eng/P&Z/Water System	Presenter(s):	Phil Mallon/Pete Frisina/Tony Parrott
Meeting Date:	Wednesday, February 3, 2010	Type of Request:	Old Business

Wording for the Agenda:

Discussion of proposed amendments to the Fayette County Subdivision Regulations and the Fayette County Development Regulations.

Background/History/Details:

On June 25, 2009, the Board of Commissioners approved amendments to the Subdivision Regulations that were basically "housekeeping" items to bring the Subdivision Regulations into compliance with State Law regarding Preliminary Plats and Final Plats. Staff requested permission to amend the Subdivision Regulations in its entirety which also required amendments to the Fayette County Development Regulations. A review committee made up of staff and private consultants and professionals have met numerous times to develop recommendations for amendments. On November 4, 2009, the Board of Commissioners recommended some changes and directed staff, including Attorney Scott Bennett, to revise the proposed amendments as discussed and return to a later Workshop Meeting.

Staff is prepared to have this issue ready for a public hearing and adoption by the Board of Commissioners at the end of February. However, if there are outstanding or unresolved issues that need more work, the Board needs to provide staff with further direction.

What action are you seeking from the Board of Commissioners?

Staff is requesting permission to advertise the proposed amendments to the Subdivision Regulations for a public hearing before the Board of Commissioners at their February 25 meeting.

Legal Ad to run a minimum of 15 days prior to the public hearing date

If this item requires funding, please describe:

Not applicable.

Has this issue come before the Commissioners in the past?	Yes	If so, when?	Wednesday, November 4, 2009
Do you need audio-visual for the presentation?	No	Back-up Material Submitted?	Yes

STAFF USE ONLY

Approved by Finance	Yes	Reviewed by Legal	Yes
Approved by Purchasing	Not Applicable	Approved by County Clerk	Yes
Administrator's Approval	Yes		

Staff Notes:

04/01/09 – BOC Workshop
04/23/09 – BOC Public Hearing (Cancelled 05/06/09 Workshop)
05/28/09 – BOC Public Hearing (Table until 06/25/09)
06/17/09 – Subdivision Regulations Committee
06/25/09 – BOC Public Hearing (Select items only)
07/09/09 – Bryan Keller, Vanessa Birrell, and Robyn Wilson
07/13/09 – Bryan Keller, Vanessa Birrell, and Robyn Wilson
07/15/09 – Bryan Keller, Vanessa Birrell, and Robyn Wilson
07/21/09 – Phil Mallon (Section 1 and 2)
07/27/09 – Subdivision Regulations Committee
07/27/09 - Bryan Keller, Vanessa Birrell, and Robyn Wilson
07/30/09 – Phil Mallon, Bryan Keller, and Robyn Wilson
07/31/09 – Phil Mallon
08/10/09 – Subdivision Regulations Committee
09/02/09 – BOC Workshop
10/06/09 – Phil Mallon
10/12/09 – Pete Frisina, Dennis Dutton, and Robyn Wilson
10/13/09 – Pete Frisina and Robyn Wilson
10/15/09 – Bryan Keller
10/16/09 – David Scarbrough
10/20/09 – Phil Mallon
10/20/09 – Phil Mallon, Pete Frisina, Vanessa Birrell, and Robyn Wilson
10/21/09 – Phil Mallon, Pete Frisina, Vanessa Birrell, Bryan Keller, and Robyn Wilson
10/22/09 – Phil Mallon
10/23/09 – Phil Mallon, Pete Frisina, Vanessa Birrell, Bryan Keller, and Robyn Wilson
10/26/09 – Phil Mallon
10/23/09 – Phil Mallon, Pete Frisina, Vanessa Birrell, Bryan Keller, and Robyn Wilson
10/26/09 – Attorney Scott Bennett
11/04/09 – BOC Workshop (Marked up version)
01/25/10 – Amendments based on comments from BOC Workshop on 11/04/09
02/02/10 – BOC Workshop (Marked up version)

PROPOSED AMENDMENTS TO
THE FAYETTE COUNTY SUBDIVISION REGULATIONS

SUBDIVISION REGULATIONS

AN ORDINANCE SETTING FORTH REGULATIONS, SPECIFICATIONS, AND PROCEDURES GOVERNING THE PLATTING OF LAND WITH THE CORPORATE LIMITS OF FAYETTE COUNTY INTO SUBDIVISIONS; REQUIRING AND REGULATING THE PREPARATION AND PRESENTATION OF SUBDIVISION PLATS FOR SUCH PURPOSES; ESTABLISHING MINIMUM IMPROVEMENTS; DEFINING TERMS AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED BY the Board of Commissioners of Fayette County and it is hereby ordained by the authority of the same:

SECTION 1

DECLARATION OF PURPOSE

In Pursuance of authority conferred by Georgia Number 358, General Planning and Zoning Enabling Act of 1957, amended, the regulations, specifications and procedures for the subdivision and subsequent development of land and for the platting thereof, prescribed and adopted by this ordinance are hereby deemed by the Board of Commissioners to be desirable and necessary in order to help insure the public health, safety, morals, and general welfare by means of harmonious, orderly, and progressive development of land. Further, the purposes of the regulations of the subdivision of land are, among others:

- To encourage and ensure the development of economically sound and stable neighborhoods;
- To assure the adequate provision of required streets, utilities, and other facilities and services to new land developments;
- To assure the provisions of reasonably safe and convenient vehicular and pedestrian traffic access and circulation;
- To assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservations of land for recreational, educational, and other public purposes;
- To assure land is developed with reasonable safeguards for environmental protection;
- To provide accurate, uniform records for identification and location of real estate boundaries; and
- To assure, in general, the wise development of new areas, in harmony with the Comprehensive Plan of Fayette County.

Change the following in its entirety:
"County Commissioners" to "Board of Commissioners"
"Planning and Zoning Commission" to "Planning Commission"
"Zoning Regulations" to "Zoning Ordinance"
"final plat to Final Plat"
"preliminary plat to Preliminary Plat"
"Subdivider to Subdivider"
Delete all sections numbers under Definitions.

SECTION 2

DEFINITIONS

~~2-1~~ For the purpose of this ordinance, the following words, terms, phases, and their derivations shall have the meaning given in this section.

Words used in the present tense include the future tense. Words used in the singular number include the plural number and words used in the plural number include the singular. The word "shall" is always mandatory while the word "may" is merely discretionary.

~~The Planning Commission's interpretation shall be final as to the meaning of any definition, statement, requirement, symbol, and/or abbreviation used in connection with these regulations and/or application thereof.~~

Words and terms not explicitly defined in this Ordinance shall have the meaning given by common and ordinary use as defined in Webster's New Collegiate Dictionary. The following specific definitions shall apply:

Board of Commissioners. The Board of Commissioners of Fayette County, Georgia.

County, The County of Fayette, Georgia.

~~2-3~~ ~~**County Commissioners.** The Commissioners of the County of Fayette, Georgia.~~

County Engineer. The official to whom the responsibilities normally associated with this title ~~have~~ ***has been*** delegated. ***Unless noted otherwise, the County Engineer shall be responsible for the implementation of the Subdivision Regulations.***

~~**Commissioners of Health.** The Fayette County Commissioner of Health, the Fayette County Health Department, and/or the State of Georgia Department of Health. The words "Commissioner of Health" are used in these regulations to denote the fact that all matters pertaining to health regulations shall be directed to that official or his staff.~~ **RELOCATE IN ALPHABETICAL ORDER**

Comprehensive Plan. The Comprehensive Plan for the County of Fayette, Georgia, approved by the ***Board of Commissioners. The Comprehensive Plan is maintained by the Fayette County Planning and Zoning Department.*** ~~Planning Commission and recommended to the County Governing Authority for their consideration which may consist of the Major Thoroughfare Plan, General Land Use Plan, Street and Road Classifications Plan, and other maps data, and descriptive matter for the physical development of the County and any portion thereof, including any amendments, extensions, or additions thereto as recommended by the Planning Commission.~~

Construction Plans. Any plans required for the review, permitting and construction of a subdivision, including, but not limited to: Site; Grading; Street Profiles; Stormwater Management; Floodplain Management, Utility; Soil Erosion, Sediment, and Pollution Control; Soil Surveys; and Construction Details.

Crosswalk. ~~A right of way within a block dedicated to public use for pedestrian use only and is so designed as to provide access to adjacent streets or lots.~~ ***Any portion of a roadway at an intersection or elsewhere distinctly indicated as a pedestrian crossing by lines on the surface, and additionally may be supplemented by a contrasting pavement texture, style, or color.***

Cul-de-sac. ~~A street having only one end open for access to another street and the other end being terminated by a turn-around as specified in these regulations. A street with only one intersection and having only one end open for access to another street, the other end being abruptly terminated with no turn-around.~~ ***A street, or segment of a street, with only one way in or out and which terminates at a turn-around constructed in accordance with the Fayette County Development Regulations.***

~~**Dead End Street.** A street with only one intersection and having only one end open for access to another street, the other end being abruptly terminated with no turn-around.~~

Development. ~~The act, process or state of erecting buildings, structures, or making improvements, or laying out and dividing land.~~ ***A substantial human-created change to improved or unimproved real estate, including buildings or other structures including an activity, action, or alteration that changes undeveloped property into developed property.***

~~**Commissioners of Health**~~ ***Environmental Health County Manager.*** ~~The Fayette County Commissioner of Health, the Fayette County Health Department, and/or the State of Georgia Department of Health. The words "Commissioner of Health" ***"Environmental Health County Manager"*** are used in these regulations to denote the fact that all matters pertaining to health regulations shall be directed to that official or his staff.~~ ***The official who is responsible for all matters within the Subdivision Regulations pertaining to health regulations and is the Director of the Fayette County Environmental Health Department.***

~~**Major**~~ ***Fayette County*** **Thoroughfare Plan.** ~~See section 2-6 (Comprehensive Plan).~~ ***The Thoroughfare Plan for the County of Fayette, Georgia, approved by the Board of Commissioners, indicating the designation of street type. The Thoroughfare Plan is maintained by the Fayette County Planning and Zoning Department.***

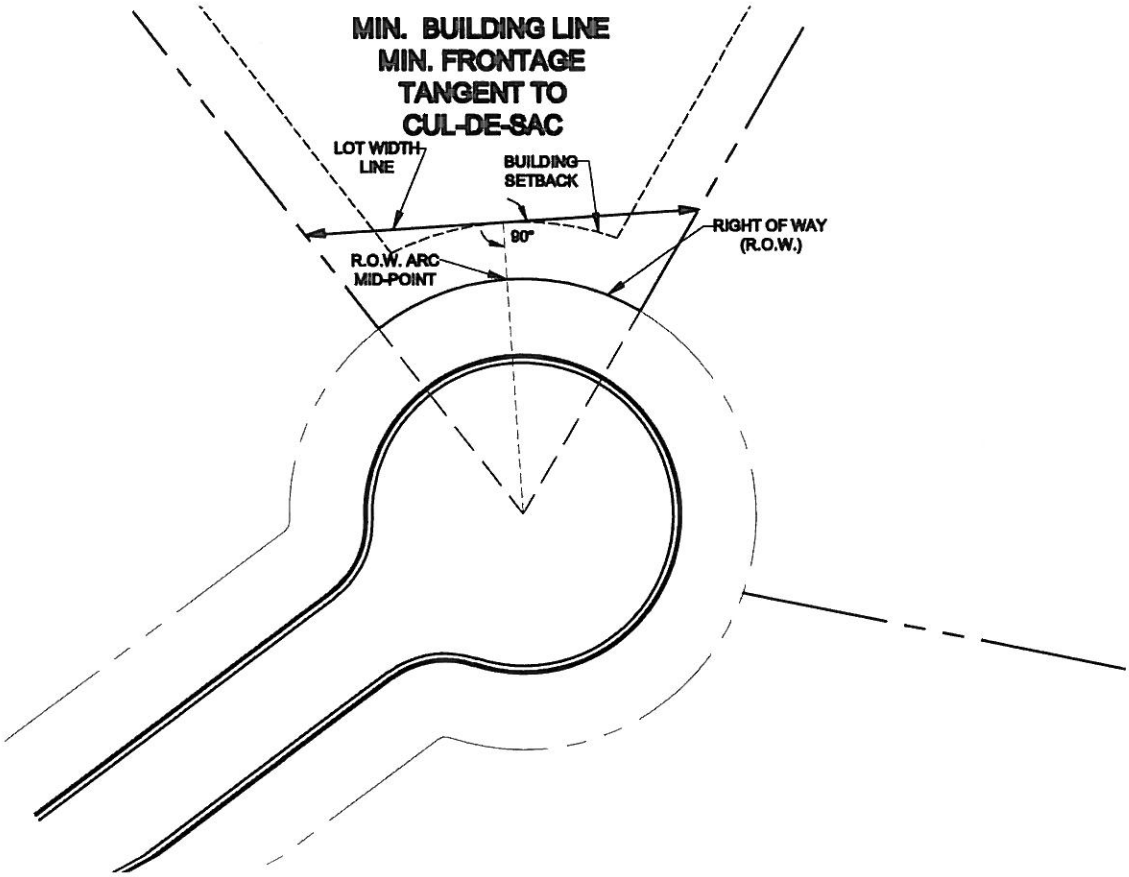
Easement. ~~A grant by the owner of land for the use of such land by others, including the public, for a specific purpose of purposes.~~ ***An interest in land owned by another person, consisting in the right to use or control the land, or an area above or below it, for a specific limited purpose (such as to cross it for access to a public road).*** (Black's Law Dictionary, 3rd Edition)

~~**Loop Street.** A street that connects to another street which is not a cul-de-sac or single access loop street at two (2) points, forming a horseshoe or loop. (Amended 5/23/85)~~

~~**Loop Street, Single Access.** A street which connects to another street at one point and intersects itself at some point, forming a "p" or similar shape. (Amended 5/23/85)~~

Lot ~~**or Acreage.**~~ ~~An undivided portion of land which is designed as a distinct and separate tract and identified by a tract number, lot number, or symbol on an approved subdivision plat properly recorded, and which is or may in the future be offered for sale, conveyance, transfer or improvement.~~ ***A tract of land of varying sizes which is designated as a single unit of property.***

Lot Width. ~~The distance between the side lot lines, measures at a building line, parallel to the street right-of-way line.~~ ***The minimum distance between side*** property ***lines either measured in a straight line parallel to the street right-of-way or a tangent and perpendicular to the mid-point of the arc in the case of the turn around portion of a cul-de-sac along the front minimum building line (see graphic below).***



~~**M.S.L.** Mean Sea Level.~~

~~**Marginal Access Street.** A street parallel to and adjacent to an arterial street providing access to abutting property.~~

Phase. A portion or section of a larger development delineated on an approved, recorded Final Plat.

Planning Commission. The ~~Fayette County~~ Planning Commission ***of Fayette County, Georgia***.

~~**Residential Street.** A street used for local circulation in residential areas providing access to abutting property.~~

Right-of-Way. ~~A portion of land being used or in the future will be used as a street, road, thoroughfare, crosswalk, pipe way, drainage canal, and/ or other similar uses and designated by means of right-of-way lines.~~ ***A strip of land, often of uniform width, that is owned by Fayette County and used, or may be used for, transportation, utilities, or similar purposes.***

Street. ~~A public right-of-way which provides vehicular access to abutting property.~~ ***A public or private thoroughfare or road, often paved, used for vehicular access to other streets and/or properties. Streets may be 1) owned and operated/maintained by Fayette County (i.e., those within a Public Right-of-Way); 2) privately owned but open for public use and maintained by Fayette County (i.e., those within a prescriptive easement); or 3) privately owned and maintained (i.e., a private road). Public streets are designated by type on the Fayette County Thoroughfare Plan.***

~~**Major Arterial Street.** A street which is designated as such on the Major Thoroughfare Plan and which is intended to provide swift and safe movement of traffic through the community.~~

~~**Secondary Arterial Street.** A street which is designated as such on the Major Thoroughfare Plan and which is intended to provide easy and convenient traffic movement within the community.~~

~~**Collector Street.** A street which is designated as such on the Major Thoroughfare Plan and which is intended to collect traffic from residential streets and direct it safely to secondary or major streets.~~

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

Subdivisions. All divisions of a tract ~~or parcel~~ of land into two (2) or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development and includes all divisions of land involving a new street or change in existing streets, and includes re-subdivision and where appropriate context, relates to the process of subdividing or to the land or area subdivided; provided, however that the following are not included within this definition:

(a) The combination or recombination of portions of previously platted lots where the total number ~~or~~ ***of*** lots is not increased and the resultant lots are equal to the standards of the ~~municipality~~ ***jurisdiction***;

(b) The division of land into parcels of five (5) acres or more where no new street is involved.

Technical Review Committee (TRC). A committee of County Staff, in regards to the Subdivision Regulations, that performs monthly review of preliminary and final plats, prior to approval by the Planning Commission.

Tract. ~~A ***parcel*** portion of land with definite and ascertainable limits or boundaries.~~ ***A specified parcel of land.*** (Black's Law Dictionary, 3rd Edition)

Utility. Any ~~community~~ service available to the public by means of an overhead or underground distribution and/or collection systems such as electricity, telephone, water, ***wastewater, stormwater, cable, natural*** gas, ***etc.***.

Zoning Administrator. The official to whom the responsibilities normally associated with this title has been delegated.

Zoning ~~Regulations~~ *Ordinance.* The Zoning ~~Regulations~~ ***Ordinance*** enacted by the ***Board of*** Commissioners of ~~the County of~~ Fayette ***County***, Georgia. ***The Zoning Ordinance is maintained and implemented by the Fayette County Planning and Zoning Department.***

SECTION 3

GENERAL

3-1 **Zoning Ordinance.** No subdivision shall be ~~accepted~~ **approved** ~~for review~~ which does not conform with the Zoning Ordinance applicable to the land for which it is proposed.

3-2 **Recordation of Final Plats.** No Final Plat shall be recorded with the Clerk of Superior Court of Fayette County, Georgia, without said plat having first been submitted to and approved by the Planning Commission. The Secretary to the Planning Commission shall endorse the plat upon approval by the Planning Commission. The Planning Commission approval is not required for Final Plats where no new streets or roads are created or no new utility improvements are required or no new sanitary sewer or approval of a septic tank is required. (Ordinance No. 2009-01 Adopted 06/25/09)

~~3-3~~ ~~***Open.*** (Ordinance No. 2009-01 Adopted 06/25/09)~~

SECTION 4

APPROVAL OF SUBDIVISIONS

Subdivisions shall be reviewed and approved in ***two (2) stages: Preliminary Plats and Final Plats. The approval process for both stages are described below. The requirements of this section are administered by the Fayette County Zoning Administrator, unless indicated otherwise.***

4-1 Preliminary Plat.

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

However, the Subdivider is ultimately responsible for compliance with all applicable statutes, ordinances, regulations, and rules. Approval of a Preliminary Plat shall not constitute a variance or authorization to violate any statutes, ordinances, regulations, and/or rules.

4-1.2 ***Preliminary Plat/Lot Layout.*** ~~**Future Tract Plan.**~~ The Subdivider shall submit to the Zoning Administrator for the Planning Commission a ~~reasonably accurate~~ ***Preliminary Plat*** *complete with an application (see Preliminary Plat Application under Forms at www.fayettecountyga.gov).* ~~plat~~ ~~in sketch form~~ of the entire tract which will show the ~~tentative~~ future street system ***and lot layout*** for the entire tract. The plat must also show future recreation areas and pedestrian circulation patterns. (Ordinance No. 2000-03)

4-1.3 ~~**Filing**~~***/Filing the Preliminary Plat and Other Requirements***. ~~Any person desiring to subdivide land shall file with the Zoning Administrator for the Planning Commission a number of copies, which number shall be determined by the Zoning Administrator, of the Preliminary Plat. In order to be considered by the Planning Commission, the Preliminary Plat shall be submitted in accordance with the schedule of hearing dates and application deadlines established by the Planning and Zoning Department. Said schedule is available in the office of the Zoning Administrator.~~ ***Preliminary Plats shall be submitted to the Planning and Zoning Department. Preliminary Plats shall be reviewed and approved by the applicable County departments and the Technical Review Committee (TRC) prior to consideration by the Planning Commission.***

The ***Preliminary*** Plat shall be prepared ***and signed and sealed,*** in accordance with these regulations and with applicable County specifications by a registered engineer, surveyor, and/or ***landscape*** architect who are licensed under the laws of the State of Georgia.

The Zoning Administrator shall have authority to reject the Preliminary Plat, if after study, he or she finds that it does not comply with these regulations. If rejected, the Zoning Administrator shall provide Subdividers with a written statement specifying all the respects in which the plat fails to comply. Subdividers shall have the right to appeal to the Planning Commission from such rejections.

~~The Preliminary Plat will be placed on a Planning Commission Agenda upon and approval from all the appropriate departments. (Ordinance No. 99-09, 6/24/99; Ordinance No. 2009-01 Amended 06/25/09)~~

~~4-1.3.~~ ~~**Plat Review Fee.** Upon the filing of any Preliminary Plat, a plat of plan review fee, established by the Board of Commissioners shall be assessed. There shall be no recording of any plat or plan until the plat of plan review fee is paid. (Amended 6/11/82)~~

4-1.4 **Approval by Individual Agencies.** ***The Preliminary Plat shall be reviewed at TRC Meeting. The checklists/comments from the applicable department are due to the Planning and Zoning Department within three (3) days after the TRC Meeting. Should the plat require corrections, the corrected copies of the plat shall be submitted to the Planning and Zoning Department for distribution to the applicable departments. The applicable department shall have a maximum of 14 calendar days from each resubmittal date to review and submit the checklists/comments to the Planning and Zoning Department.*** The ~~reviewing~~ ***applicable*** departments shall recommend approval with or without conditions or shall require modification of the Preliminary Plat to the extent that each has jurisdiction.

No Preliminary Plat shall be ***placed on the Planning Commission Agenda until it has been reviewed by the TRC and approved by the Zoning Administrator and the applicable departments*** ~~recommended for Planning Commission approval by the Zoning Administrator unless the Zoning Administrator first obtains the approval of the County Engineer and the Health Department. Percolation tests meeting Health Department requirements shall be furnished in three (3) copies. Approval will be on an individual lot basis.~~ (Ordinance No. 99-09, 6/24/99)

4-1.5 **Approval by Planning Commission.**

a. The Preliminary Plat shall be placed on the Planning Commission Agenda for consideration when the Preliminary Plat ***has been reviewed by TRC and*** is approved by all of the appropriate departments. (Ordinance No. 2009-01 Amended 06/25/09)

b. The Planning Commission shall take action on Preliminary Plats in their regularly scheduled meetings, except for revisions to a recorded plat which, under the applicable provisions of Section 4-2.7, requires approval of a new Preliminary Plat. Revisions which change a street and/or utility layout shown on a recorded plat shall be afforded a public hearing on the new Preliminary Plat, the legal notice for which shall be advertised in at least one (1) of the newspaper in which is carried the legal advertisements of the County in such a manner as to give at least seven (7) days notice of the public hearing from the date of issue. (Ordinance No. 2000-03; Ordinance No. 2009-01 Amended 06/25/09)

c. ~~Approval or disapproval of a Preliminary Plat by the Planning Commission shall be within 60 days of the date of their regularly scheduled meetings.~~ ***The Planning Commission shall have 60 calendar days to approve or deny a Preliminary Plat. The 60 calendar days begins upon approval by all of the appropriate departments. The Planning Commission may consider a Preliminary Plat at a Public Hearing or a Workshop/Public Meeting. A schedule of the Planning Commission's monthly meetings is available through the Planning and Zoning Department.*** If after 60 ***calendar*** days from the date of ***the approval by all of the appropriate departments*** ~~their regularly scheduled meetings,~~ the Planning Commission fails to act, the Preliminary Plat shall be deemed approved; provided, however, that the Subdivider may waive this requirement in writing and consent to an extension of such period. If approval of the Preliminary Plat is not recommended, the reasons therefore shall be supplied to the Subdivider. The approval of a Preliminary Plat by the Planning Commission shall not be deemed to constitute an acceptance by Fayette County of any street or other real property shown upon the plat. (Ordinance No. 99-09, 6/24/99; Ordinance No. 2009-01 Amended 06/25/09)

4-1.6 **Approval of ~~Engineering~~ *Construction* ~~Drawings~~ *Plans***. Upon approval of the Preliminary Plat by the Planning Commission, ~~the Subdivider may submit~~ construction plans ***shall be submitted to the Stormwater Management Department for distribution to the appropriate departments*** ~~to the County Engineer and Fire Marshal~~ for approval. The plans must be prepared ~~by an Engineer Registered in the State of Georgia and must bear his seal~~ ***in accordance with the requirements of the Development Regulations.*** ~~No~~ ***pPermits*** for grading, ~~or~~ construction of the ~~roads~~ ***subdivision, or any minimal improvements*** ~~will~~ ***shall*** not be given until the County Engineer***, Stormwater Management Department,*** and the Fire Marshal have approved the construction plans. ***Construction Plans and applicable permits shall expire upon expiration of the Preliminary Plat***.

Resubmitted Construction Plans, required as a result of an expired Preliminary Plat, shall be updated to comply with all applicable Federal, State, and Local regulations.

Any plans requiring approval by a State and/or Federal agency shall be submitted directly to said agency by the Subdivider. (Ordinance No. 2000-03)

4-1.7 **Expiration.** Preliminary Plats shall include the following statement: "Approval of this Preliminary Plat shall expire ~~eighteen (18)~~ ***24*** months from the date of approval by the Planning Commission unless***:***

a) A Final Plat for at least one (1) ~~section~~ ***phase*** has been approved***;*** or

b) Street base construction ***for at least 50 percent of the total linear footage of all street(s) approved on the Preliminary Plat*** ~~on at least one (1) section~~ has been completed and inspected."

Upon expiration of the Preliminary Plat, a new Preliminary Plat shall be submitted in accordance with all current regulations and requirements.

4-2. Final Plat

4-2.1 **Conformance.** The Final Plat shall conform with the layout ~~and phasing~~ indicated on the Preliminary Plat. If desired by the Subdivider, the Final Plat may ~~constitute only that phase~~ ***be developed and recorded in phases*** ~~of the Preliminary Plat he proposes to record and develop at that time~~; provided that ~~such portion~~ ***each phase*** conforms with all requirements of these regulations and the Development Regulations.(Ordinance No. 99-09, 6/24/99)

4-2.2 **Filing the Final Plat.** The Final Plat shall not be submitted for review until the minimum improvements are completed subject to the provisions ~~of Section 8~~ ***herein*** of these regulations. The Final Plat shall be submitted in accordance with the schedule of application deadlines and meeting dates, a copy of which is available in the office of the ~~Zoning Administrator~~ ***Planning and Zoning Department***. ~~Eight (8) blueline copies and one (1) mylar~~ ***The number of copies required of the Final Plat is also available in the office of the Planning and Zoning Department.*** ~~of the Final Plat shall be submitted to~~ ~~t~~***T***he Zoning Administrator shall ~~for distribution~~ ***distribute copies of the Final Plat*** to the ~~reviewing~~ ***appropriate*** departments. The ~~f~~***F***inal ~~p~~***P***lat shall be deemed filed when it has been submitted ~~by~~ ***to*** the ~~Zoning Administrator~~ ***Planning and Zoning Department complete with an application (see Final Plat Application under Forms at*** www.fayettecountyga.gov) ***by the applicant.*** (Ordinance No. 99-09, 6/24/99)

4-2.3 **Approval by Appropriate Departments.**

Final Plat reviewed at TRC Meeting. A checklist of required information from the applicable department is due to the Planning and Zoning Department within three (3) days after the TRC Meeting. Should the Final Plat require

corrections, the corrected copies of the plat shall be submitted to the Planning and Zoning Department for distribution to the applicable departments. The applicable departments shall have a maximum of 14 calendar days from each resubmittal date to review and submit the checklists/comments to the Planning and Zoning Department.

When a corrected Final Plat is resubmitted, the applicable departments shall review the resubmitted Final Plat for compliance with all applicable statutes, codes, ordinances, and rules. The review of a resubmitted Final Plat shall not be limited to only those reasons identified from a previous review.

Once the corrected copies have been approved by all applicable departments, two (2) mylars shall be submitted to the Planning and Zoning Department. Each applicable department shall be notified that the mylars are available for review in the Planning and Zoning Department. The mylars shall be available in the Planning and Zoning Department for a total of 14 calendar days to be reviewed and/or signed by the applicable departments.

Said appropriate departments shall approve, with or without modification, or disapprove the Final Plat, to the extent to which each has jurisdiction ~~within 14 calendar days from the submittal and/or resubmittal of the Final Plat.~~ (Ordinance No. 99-09, 6/24/99; Ordinance No. 2009-01 Amended 06/25/09)

~~4-2.4~~ ~~**Approval by Zoning Administrator.** Approval or disapproval of the Final Plat shall be conveyed by the Zoning Administrator to the Subdivider within ten (10) business days following the scheduled plat review meeting. If the Final Plat is disapproved, the reasons therefore shall be stated on the plat checklist. The approval of a Final Plat shall not be deemed to constitute an acceptance by Fayette County of any street or other real property shown upon the plat.~~ (Ordinance No. 99-09, 6/24/99)

~~a. Revisions to a recorded plat which, under the provisions 4-2.8, require approval of new Preliminary and Final Plats, shall be afforded a public hearing before the Planning Commission, the legal notice for which shall be advertised in at least one (1) issue of the newspaper in which is carried the legal advertisements of the County, and shall provide at least seven (7) days notice of the public hearing from the date of issue.~~

~~a. Each approved Final Plat shall include thereon the following statements:~~

Relocate the following to Section 5.

~~1. "Fayette County does not accept the ownership, maintenance or responsibility for any drainage easement or overall drainage plan, or the lack of one, indicated by this plat." (Amended 7/9/81)~~

~~2. Open.(Amended 7/12/90)~~

4-2.~~5~~***4*** **Approval by the Planning Commission.** (Ordinance No. 2009-01 Adopted 06/25/09)

a. The Final Plat shall be placed on the Planning Commission Agenda for consideration when the Final Plat is approved by all of the appropriate departments. ***No Final Plat shall be recorded with the Clerk of Superior Court of Fayette County, Georgia, without said plat having first been submitted to and approved by the Planning Commission.*** (Ordinance No. 2009-01 Adopted 06/25/09)

b. ~~Approval or disapproval of a Final Plat by the Planning Commission shall be within 60 days of the date of their regularly scheduled meetings.~~ ***The Planning Commission shall have 60 calendar days to approve or deny a Final Plat. The 60 calendar days begins upon approval by all of the appropriate departments. The Planning Commission may consider a Final Plat at a Public Hearing or a Workshop/Public Meeting.*** ~~If after 60 days from the date of their regularly scheduled meetings, the Planning Commission fails to act, the Preliminary Plat shall be deemed approved; provided, however, that the Subdivider may waive this requirement in writing and consent to an extension of such period.~~ If approval of the Final Plat is not recommended, the reasons therefore shall be supplied to the Subdivider (Ordinance No. 2009-01 Adopted 06/25/09)

c. The Secretary to the Planning Commission shall endorse the plat upon approval by the Planning Commission. (Ordinance No. 2009-01 Adopted 06/25/09)

4-2.~~6~~***5*** ***Additional Requirements for Final Plat Approval prior to*** **Recordations.** In addition to the above requirements, ***all documents, including, but not limited to: reports, bonds, irrevocable letters of credit, as-built drawings, and stormwater operation and maintenance plans and agreements, referenced on the Final Plat checklist*** ~~the following documents must~~ ***shall*** be submitted to the noted authorities. (Amended 7/12/90)

~~1. A warranty deed for the subdivision or portion of the subdivision covered by the Final Plat, shall be submitted to the Zoning Administrator. (Amended 7/12/90)~~

2. ~~A performance bond or irrevocable letter of credit to cover any asphalt pavement which the Subdivider will be completing at a later date, shall be posted with the County Engineer in accordance with Section 8 of these regulations. (Amended 7/12/90; Ordinance No. 2000-03)~~

3 ~~A performance bond or irrevocable letter of credit to cover any grassing or other erosion control items shall be posted with the County Engineer in accordance with Section 8 of these regulations.~~

4. ~~A core sample report must be submitted to the County Engineer for approval in accordance with the Development Regulations.~~

5. ~~As-built plans of all storm sewer pipes and detention ponds must be submitted to the County Engineer for approval in accordance with the Development Regulations.~~

6. ~~As-built plans of the water lines and a cost letter must be submitted to the Water System for approval.~~

7. ~~A street light petition must be submitted to the County Engineer to establish a street light district, if appropriate.~~

~~8A~~ ***One (1)*** ~~digital~~ copy, ***in a readily available digital media, except emails,*** of the ***approved*** Final Plat in a format that is compatible with Fayette County's Geographic Information System must be submitted to the ~~Engineering Department~~ ***Planning and Zoning Department for distribution to the appropriate departments.*** (Ordinance No. 2001-12)

~~4-2.6~~ ~~**Removal.** After a subdivision has been recorded, the Subdivider may petition the County Commission for permission to remove the subdivision plat from the land records of Fayette County. The County Commission may permit such removal providing that no lot in the subdivision has been sold. Upon giving its permission for such removal, the County Commission shall release the bonds and/or cash posted by the Subdivider pursuant to the provisions of Section 8.~~

4-2.6 ***Final Plat Expiration. A Final Plat shall expire 90 days after the date of approval by the Planning Commission if the Final Plat has not been recorded by the Subdivider into the Fayette County Clerk of Superior Court records. Once a Final Plat has expired, it and any Maintenance Bond and/or Irrevocable Letter of Credit (see section 9) are void and a new Final Plat and Maintenance Bond and/or Irrevocable Letter of Credit shall be submitted. The fee for the review and approval process shall be 50 percent of the original Final Plat fee.***

4-2.7 **Revision to a Recorded *Final* Plat.** Proposed revisions ***to a recorded Final Plat*** which ***substantially*** change***s*** ~~in any way~~ the street and/or utility layout, unless initiated by Fayette County, shall ~~be submitted as~~ ***require*** a revised Preliminary Plat in accordance with Section 4-1 of these regulations.

Proposed revisions ***to a recorded Final Plat*** which do not change in any way the street and/or utility layout shall be submitted as a revised Final Plat in accordance with Section 4-2 of these regulations. In addition, a revision to a recorded ***Final*** Plat shall show the name, phase (if any), date of the recorded subdivision plat being revised, and the exact citation with regard to the Clerk of Superior Court records and the book and page number wherein said plat is recorded. (Ordinance No. 2009-01 Amended 06/25/09)

Proposed revisions to any existing residential or agricultural-residential subdivisions which add property to, increases the number of platted lots, or changes the principal use on a lot(s) within a residential subdivision will be considered in public hearings before the Planning Commission and the Board of Commissioners. The legal notice shall be advertised at least seven (7) ***calendar*** days prior to the public hearing before the Planning Commission, but not more than ~~forty-five (45)~~ ***45 calendar days***, nor less than 15 ***calendar*** days prior to the public hearing before the Board of Commissioners. In the event that the time-frames above cannot be met with one (1) advertisement, the notice shall be published twice.

As applicable, a~~A~~ revised Final Plat shall comply with the revised Preliminary Plat and shall be approved by the Planning Commission. (Amended 10/26/95; Ordinance No. 2009-01 Amended 06/25/09)

4-2.8 ***Minor Revisions to a Recorded Final Plat. A minor revision to a recorded Final Plat such as the combination of lots, minor shifts to lot lines, corrections of errors and/or establishment of an easement which do not increase the number of lots, alter the road or utility layout, or change the outer boundary of the Final Plat will be reviewed by the Zoning Administrator. Based on the nature of the minor revision, the Zoning Administrator shall contact the applicable departments for their input. The signature of the Zoning Administrator and Environmental Health Specialist shall be required for approval of the minor revision prior to recording.***

~~4-2.8~~ ~~***Open.*** (Ordinance No. 2009-01 Amended 06/25/09)~~

4-2.9***9*** ~~**Distribution Schedule.**~~ **Requirements After the Recordation of an Approved Final Plat.**

After the Final Plat has been recorded, no building permits shall be issued until the Subdivider has furnished the required number of copies of the Final Plat, a recorded Warranty Deed for any Right of Way being donated to the County, and a digital copy of the Final Plat, in a readily available media, except emails, in a format that is compatible with Fayette County's Geographic Information System to the Planning and Zoning Department. The Planning and Zoning Department will be responsible for distributing the ***materials*** ~~copies of the Final Plat~~ to the appropriate departments.

(Ordinance No. 2009-01 Amended 06/25/09)

SECTION 5

THE SUBDIVISION PLAT

5-1 **The Preliminary Plat.** ***The Preliminary Plat shall contain all the following requirements and certification statements, requirements listed on the Fayette County Preliminary Plat Checklist*** *and any additional information required to address any unique circumstances as determined by staff (see Appendix A. and also see Preliminary Plat Checklist under Forms at* www.fayettecountyga.gov).

5-1.1 **Title Block.** The title block shall show the name of the proposed subdivision, County, State, name, address, and Georgia registration number of the engineer, surveyor, and/or ***landscape*** architect.

5-1.2 **North Point** ***General Requirements.*** The plat shall ***show a true north arrow*** point, ***be plotted at a standard engineering*** scale (minimum ***not to exceed*** scale 1" equals 200 feet), and ***indicate the*** total acreage of the site and total number of ~~residential~~ lots created.

5-1.3 **Topography.** ***The plat shall show existing (dashed) and proposed (solid) contour lines. Both shall be shown at*** ~~ten (10~~***) two (2) foot intervals of elevation and be based upon the datum used on the County GIS.*** ~~based upon MEAN SEAL LEVEL (M.S.L.) datum. Accuracy shall be within 1/2 contour intervals.~~

5-1.4 **Existing Features.** The plat shall show the location and names of existing and platted property lines, streets, water courses, railroads, public and private rights-of-way, sewers, bridges, culverts, drain pipes, water mains, public utility easements, parks, other public open spaces, and names of adjoining property owners or subdivisions.

5-1.5 **Dedications and Reservations.** The plat shall show all parcels of land to be dedicated or reserved for public use including the names, locations, and widths of all proposed streets, parks and other public spaces.

5-1.6 **Lot Lines.** The plat shall show all proposed lot lines, lot and block identifications, and building setback lines.

5-1.7 **Vicinity Map.** The plat shall show a vicinity map of such a scale that the subdivision may be readily ***located and identified within the County***.

5-1.8 **State Waters.** The Preliminary Plat shall show all state waters within the subdivision. The plat shall also show all state waters around the property that have associated floodplain, wetlands, or watershed protection buffers and setbacks that extend into the subdivision.

5-1.9 **Wetlands.** The plat shall show the delineation of all jurisdictional wetlands. The wetland delineation shall be made following the procedures established by the U.S. Army Corps of Engineers. The plat shall also include the following certification statement.

I, _____ of _____
name organization
do hereby certify that I have field inspected the property know as
_____ on _____ and determined that the property
subdivision name date
☐ contains ☐ does not contain jurisdictional wetlands as defined by the U.S. Army Corps of Engineers.

_____
Signature of Wetland Delineator

_____
Company Address & Telephone

5-1.10 **Soils.** The plat shall indicate and delineate the classification of soils across the property. The soil classification work shall be done following the procedures for Level III soil surveys established in the Georgia Department of Human Resources' current *Manual for On-Site Sewage Management Systems*. ***The requirements for a Soil Classifier are located in said manual.*** The plat shall also include the following certification statement.

I, _____ do hereby certify that the Level III soil
name
survey information provided on this plat was performed by
_____ in accordance with the procedures specified in
company name
the Georgia Department of Human Resources' current *Manual for On-Site Sewage Management Systems*.

_____
Signature of Soil Classifier

_____
Georgia DHR Soil Classifier, Professional Geologist, or Professional Engineer Registration No.
Registration Numbers/License Numbers

_____
Company Address & Telephone

~~5-1.11~~ ~~**Checklist.** In addition to the above items, the Preliminary Plat shall satisfy all the requirements listed on the Fayette County Preliminary Plat Checklist, available in the ***Planning and*** Zoning Department.~~

5-1.1~~2~~***1*** **Completeness.** If any of the above facts are omitted or misrepresented on the plat, the Zoning Administrator may refuse to review the plat and shall return the plat to the Subdivider to be completed or revised. (Ordinance No. 2009-01 Amended 06/25/09)

5-2 **The Final Plat.** ***The Final Plat shall contain all of the following requirements and certificatesl, requirements listed on the Fayette County Final Plat Checklist and any additional information required to address any unique circumstances as determined by staff (see Appendix A. and also see Final Plat Checklist under Forms at*** www.fayettecountyga.gov).

5-2.1 **Sheet Design.** The Final Plat ***and/or a revision to a recorded Final Plat*** shall conform in general with the Preliminary Plat ~~and requirements; therefore, as set forth in these regulations~~ and shall be drawn in permanent ink on one (1) or more sheets of ~~linen tracing cloth or~~ reproducible plastic measuring ~~seventeen (17)~~ ***17*** inches by ~~twenty two (22)~~ ***22*** inches as per plat book. When two ***(2)*** or more sheets are used, a key map shall be shown with each sheet. ~~There shall be a two (2) inch margin on the left end of the plat and one half (1/2) inch margin on the remaining three ***(3)*** sides.~~

~~A revision to a recorded plat shall be drawn in permanent ink on a sheet of linen tracing cloth or reproducible plastic measuring a minimum of ten (10) inches by fourteen (14) ***14*** inches, and if necessary, a maximum of seventeen (17) ***17*** by twenty two (22) ***22*** inches.~~

5-2.2 **Certificates.** The following certificates shall be ***provided on the Final Plat***. ~~entered on the face of the plat~~:

OWNER'S CERTIFCATE

We, the undersigned owner(s) ~~and/or mortgagee(s)~~ of the _____ Subdivision, hereby ~~offer to~~ dedicate ~~and/or reserve for public use~~ the rights-of-way ***for public use, and/or reserve for public use the*** easements and other ground shown on this plat.

We *the undersigned owner(s)* ***understand this Final Plat*** *and any Maintenance Bond and/or Irrevocable Letter of Credit* ***shall expire and thus become void if the Final Plat is not recorded into the Fayette County Clerk of Superior Court records within 90 days (/ /) of the date of approval by the Planning Commission.***

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

(Ordinance No. 2000-03)

SURVEYOR'S CERTIFICATE

I hereby certify that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision; that all monuments and infrastructure shown hereon actually exist or are marked as "future"; and their location, size, type and material are correctly shown.

By: _____

GA Registered Land Surveyor – Signature and ~~Number~~ ***Registration/License Number*** Date

ENGINEER'S CERTIFICATE

I hereby certify that accepted engineering practices and design methods were used to establish the layout of this development; that the streets, drainage structures and other design features have been constructed according to the development's approved Construction ~~Drawings~~ ***Plans***; and that all applicable requirements of Fayette County's Development Regulations and Subdivision Regulations have been fully complied with.

By: _____

GA Professional Engineer – Signature and ***Registration/***License Number Date

(Amended 3/23/06)

WETLAND DELINEATOR'S CERTIFICATE

I, _____ of _____
name *organization*
do hereby certify that I have field inspected the property know as
_____ on _____ and determined that the property
subdivision name *date*
☐ contains ☐ does not contain jurisdictional wetlands as defined by the U.S. Army Corps of Engineers.

_____
Signature of Wetland Delineator

_____
Company Address & Telephone

5-2.3 **Approvals.** The following spaces shall be provided ~~(as shown in Figure 1)~~ on the Final Plat in the form listed below for approval by all agencies having jurisdiction:

Approved by ~~Department of Public~~ ***Fayette County Environmental*** Health ***Department***~~, Fayette County, Georgia~~.

Date _____ Signed _____
Environmental Health Specialist

(Amended 6/23/94)

Approved by Fayette County Stormwater Management Department~~, Fayette County, Georgia~~

Date _____ ***Signed*** _____
Stormwater Management

Approved by the ***Fayette County Engineer*** ~~County Engineer of Fayette County. All as-built~~***s*** ~~construction plans have been approved~~.

Date _____ Signed _____
County Engineer

(Amended 8/27/87)

Approved by the Fayette County Planning Commission ***on:*** _____
(Amended 6/23/94)

Date _____ Signed _____
Secretary

Approved by the Fayette County Zoning Administrator. (Amended 6/23/94)

Date _____ Signed _____
Zoning Administrator

Approved by Fayette County Fire Marshal. All fire hydrant(s) located as shown. (Amended 6/23/94)

Date _____ Signed _____
Fire Marshal

5-2.4 ***Drainage Easement/Overall Drainage.*** Each approved Final Plat shall include thereon the following statement:

"Fayette County does not accept the ownership, maintenance or responsibility for any drainage easement or overall drainage plan, or the lack of one, indicated by this plat."

5-2.5 ***Dedication of Right-of-Way. Each approved Final Plat shall include thereon the following statement(s), as applicable:***

All that property contained within the right-of-way of (insert name of new street[s] within the subdivision), said roads having at least a minimum of (fill in) foot right-of-way as indicated hereon, are hereby deeded to Fayette County, a political subdivision of the State of Georgia, at no costs to Fayette County, upon recordation of said Final Plat into the Fayette County Clerk of Superior Court records.

All that property contained within the existing right-of-way of (insert name of existing street), said road having a minimum (fill in) foot right-of-way. (fill in) feet shall be dedicated to create a minimum (fill in) foot right-of-way as measured from the centerline. Said right-of-way shall be indicated hereon and are hereby deeded to Fayette County, a political subdivision of the State of Georgia, at no costs to Fayette County, upon recordation of said Final Plat into the Fayette County Clerk of Superior Court records.

5-2.4***6*** **Surveying.** The Final Plat shall contain the location, bearing, and length of every street line, lot line, boundary line, and easement line, whether curved or straight. All dimensions shall be shown in feet and decimals to the nearest one-hundredth (1/100) of a foot, and all angles shall be shown to the nearest ~~minute~~ ***second.*** The error of closure shall ~~not exceed third order accuracy~~ ***require accuracy in excess of*** one (1) in ~~five thousand (5000)~~ ***10,000***.

5-2.~~5~~7 **Monuments.** The Final Plat shall show the accurate location, material, and description of all monuments. A permanent master bench mark shall be established within the site ~~by transfer of levels, not less than third order accuracy, from the nearest approved bench mark of known elevation (M.S.L.) showing its location on the Final Plat, and recording its elevation on the Final Plat to the nearest one hundredth (1/100) of a foot.~~ ***and shall comply with the standards set forth by the Fayette County Stormwater Management Department.***

5-2.~~6~~8 **Easements.** ~~In addition to the requirements for the Preliminary Plat as set forth in Section 5-1.4 of these regulations,~~ ***The Final Plat shall show the location, width, and/or dimension of all easements within the subdivision***. ~~and drainage easements where required~~.

5-2.~~7~~9 **Wetlands.** The Final Plat shall show all jurisdictional wetlands on the subject properties, identify the source of the wetland delineation, and contain the following statement, if applicable:

Wetlands shown on this plat are under the jurisdiction of the U.S. Army Corps of Engineers. Property owners may be subject to penalty by law for disturbance to these wetland areas without proper authorization.
(Added 3/23/2006)

~~5-2.8~~***10*** ~~**Final Plat Application/Checklist.**~~

~~The Final Plat shall contain items listed on the Final Plat Checklist~~ ~~***that is***~~ ~~available in the~~ ~~***Planning and***~~ ~~Zoning Department. (Added 6/23/94; Ord. No. 2000-03)~~

SECTION 6

MINIMUM DESIGN STANDARDS

~~6-1~~ ~~**Block.**~~

~~6-1.1~~ ~~**Non-residential.** Blocks for other that residential use shall be of such length and width as may be suitable for their prospective use, including adequate provision for off-street parking and maneuvering space.~~

~~6-1.2~~ ~~**Residential.** The length of residential blocks shall not exceed fifteen hundred (1,500) feet not be less than four hundred (400) feet. Blocks of more than fifteen hundred (1,500) feel will be permitted if natural or man made barriers such as streams and railroads require blocks of greater size. The depth of residential blocks shall be sufficient to allow two (2) tiers of lots, unless prohibited by natural or man made barriers, or unless one tier backs on to a line of another person's property, provided that this shall not prevent the inclusion with the subdivision plan of blocks of greater width including super blocks. Super blocks may contain public or joint use areas such as parks and playgrounds and shall be covered by adequate maintenance agreements if not dedicated and accepted for public maintenance.~~

~~6-1.3~~ ~~**Crosswalks.** Rights-of-way for pedestrian crosswalks shall be provided when in the opinion of the Planning Commission, Zoning Administrator, or County Engineer crosswalks are necessary for direct pedestrian access to schools, shopping centers, and parks. The crosswalk right-of-way shall not be less than twenty (20) feet wide. (Ordinance No. 2000-03)~~

~~6-2~~ ~~**Easements.**~~

~~6-2.1~~ ~~**Utility.** Utility easements for overhead services shall be located at the rear or side of and adjacent to the lot lines and shall be a minimum width of fifteen (15) feet. Where possible, water lines shall be located outside the curb line on the west and south sides of streets; sewer and gas lines shall be on the east and north sides. Wherever public utility easements are planned adjacent to the subdivision tract boundary or phase, they shall be platted within said subdivision or phase thereof. Water and sewer lines outside of street rights-of-way shall follow side and rear property lines where possible and shall have a minimum easement width of twenty (20) feet except that a greater width shall be provided where it is determined by the County Engineer that a greater width is necessary for maintenance or construction.~~

~~6-2.2~~ ~~**Drainage.** Drainage easements shall be provided as required by the County Engineer after review of the construction plans.~~

~~6-2.3~~ ~~Dedication of a permanent high water and maintenance easement to an elevation of 840 feet along Whitewater Creek north of Hood Road is required. (Amended 6/26/86)~~

~~6-3~~ ~~**Lots.**~~

~~6-3.1~~ ~~**Minimum Lot Size.** Minimum lot size shall be as prescribed in the Zoning Regulations for the County of Fayette.~~

~~6-3.2~~ ~~**Minimum Lot Elevation.** The lot area contained within and contiguous to the building walls and for a minimum distance of ten (10) feet measured from all sides of said building, shall have a minimum elevation of three (3) feet above the 100-year flood stage of streams or canals in the particular area being developed based on acceptable engineering procedure and approved by the County Engineer. And that said minimum elevation shall be subject to approval by the Commissioner of Health if it would affect the positioning of the septic system. (Ordinance No. 2000-03)~~

~~6-3.3~~ ~~**Contiguous Areas.** Each residential lot shall have a minimum contiguous area that is free and clear of zoning buffers and setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, and easements of any kind. The required minimum contiguous areas, set forth below, are a function of zoning requirements and minimum lot sizes.~~

~~**Zoning District**~~	~~**Minimum Contiguous Area Free & Clear (ac)**~~
~~A-R~~	~~2.0~~
~~EST~~	~~1.3~~
~~R-85, R-80~~	~~1.5~~
~~R-78, R-75, R-72, R-70~~	~~0.9~~
~~R-55, R-50, R-45, R-40, R-20, DR-15, C-S~~	~~0.6[1]~~
~~R-55, R-50, R-45, R-40, R-20, DR-15, C-S~~	~~0.3[2]~~

~~[1] Where public water is not available (lots have individual wells)~~
~~[2] Where public water is available~~
~~(Added 3/23/2006)~~

~~6-4~~ ~~**Building Lines.**~~

~~6-4.1~~ ~~All building setback lines shall be specified in the Zoning Regulations for the County of Fayette.~~

~~6-4.2~~ ~~**County Limits.** Lots shall not be divided by corporate boundary lines.~~

~~6-4.3~~ ~~**Corner Lots.** Corner lots shall be of such size and dimension that will permit the location of buildings so as to conform with the building setback lines, as prescribed in the Zoning Regulations. Corner property lines at street intersections shall have a twenty (20) foot radius.~~

~~6-4.4~~ ~~**Double and Reverse Frontage.** Lots having street frontage both to the front and rear shall be prohibited except where it is essential to provide separation of residential development from railroad or Major and Secondary Arterial rights-of-way. Where a railroad or Major Arterial abuts or runs through any portion of the subdivision, the subdivision plan shall provide that lots backing onto said railroad or arterial right-of-way shall have a minimum depth of one hundred seventy (170) feet which shall include a twenty (20) foot planting buffer strip separating the lots from the right-of-way.~~

~~6-4.5~~ ~~**Commercial Use Buffer Zone.** When a portion of the subdivision is to be devoted to commercial purposes such as a shopping center, and when it adjoins residential lots, a buffer zone shall be provided as required in the Zoning Ordinance of Fayette County.~~

~~6-5~~ ~~**Streets.** The street and road system of any subdivision shall give due consideration to the Major Thoroughfare Plan.~~

~~6-5.1~~ ~~**Access.** Every lot of every subdivision shall have adequate access to and abut a public street, which is or shall be maintained by the County. Where the subdivision does not immediately adjoin a public street, the Subdivider shall provide access from the subdivision to a public street. Any upgrades to existing roads or prescriptive easements to provide adequate access to the subdivision shall be the responsibility of the Subdivider. The County Engineer or Public Works Director shall determine if any up grades to the existing roads/ prescriptive easements are required prior to approving construction of the subdivision.~~
~~(Ordinance No. 2000-03)~~ **MOVED TO DEV REGS ARTICLE III**

~~6-5.2~~ ~~**Alignment and Continuation.** Streets within the subdivision shall be so arranged as to provide for the alignment and continuation of or projection of existing public streets.~~ **MOVED TO DEV REGS ARTICLE III**

~~6-5.3~~ ~~**Street Length.** A permanent street shall not exceed 3,000 feet in length. This distance shall be measured from a street which has at least two (2) outlets onto another public street which is not a cul-de-sac or single-access loop street. This measurement shall not extend outside of the proposed subdivision. This measurement shall extend into previous phases of the same subdivision. A street ending in a cul-de-sac shall be measured from its intersection with another public street as described above to the center of the cul-de-sac diameter. A single-access loop street shall be measured from its intersection with another public street as described above to the further point from such intersection.~~ ~~(Ordinance No. 2000-03)~~

~~The Planning Commission may vary the maximum length requirements or permit a tie-on to a street which fails to meet the above criteria when the conditions for the granting of a variance enumerated in Section 9-5, B. of the Zoning Ordinance exist. A request for such a variance must accompany an application for Preliminary Plat approval.~~ ~~(Amended 1/12/06)~~

~~6-5.4~~ ~~**Dead-End Streets.** Permanent dead-end streets and alleys shall be prohibited.~~

~~6-5.5~~ ~~**Half Streets.** Permanent half street and half alleys shall be prohibited.~~

~~6-5.6~~ ~~**Intersections.** The sentence "no street shall intersect another street at less than eighty (80) degrees and shall as nearly as possible intersect at ninety (90) degrees" and adding in lieu thereof "Streets shall intersect as nearly as possible at right angles and no intersection shall have an angle of less than sixty (60) degrees", such that the subsection shall provide as follows:~~

~~Intersections: The center lines of no more than two (2) streets shall intersect at any one point. Streets shall intersect as nearly as possible at right angles and no intersection shall have an angle of less that sixty (60) degrees. A tangent no less than one hundred (100) feet shall be placed between a curved street and the nearest right-of-way line of the street with which it intersects. (Amended 6/11/81)~~

~~6-5.7~~ ~~**Curb Radius.** The curb radius at street intersections shall be no less than twenty (20) feet except on major arterial streets where Georgia Highway Department Standards shall prevail.~~

~~6-5.8~~ ~~**See Development Regulations.** (Amended 5/23/85)~~

~~6-5.9~~ ~~**Stub Street (Right-of-Way Extension).** Where the Planning Commission determines that it is essential to provide for the extension of a street to an adjacent property, such street right-of-way shall be extended by dedication and paved to the property line. Such a stub street shall be clearly labeled "Temporary Dead-End Street" on the Final Plat. (Amended 5/23/85; Ordinance No. 2000-03)~~

~~6-5.10~~ ~~**See Development Regulations.** (Amended 5/23/85)~~

~~6-5.11~~ ~~**Subdivision Names.** A proposed subdivision name shall not duplicate the name of another subdivision unless such property is contiguous to the subdivision beating the proposed name and with the same or more restrictive zoning, and covenants and restrictions as the subdivision previously bearing such name. In addition to meeting the above criteria, the sharing of a subdivision name must be approved by the Planning Commission. Whenever a new subdivision is permitted by the Planning Commission to share the name of a previously approved subdivision, such name shall be followed by the Roman Numerals II. Any subsequent subdivisions approved by the Planning Commission under these provisions shall be numbered in sequence with Roman numerals. (Amended 6/26/86)~~

~~6-5.12~~ ~~**See Street Specifications.** (Amended 7/9/81)~~

~~6-5.13~~ ~~**Additional Right-of-Way.** If the subdivision boundary lies adjacent to the right-of-way line of an existing platted street of less than minimum right-of-way width a minimum of one-half the required extra width shall be dedicated.~~

~~6-5.14~~ ~~**See Development Regulations.** (Amended 6/11/89)~~

~~6-5.15~~ ~~**Provisions for Public Use.** In subdividing land, due consideration shall be given to suitable sites for schools, parks, playgrounds, and other common areas for public use. Such land shall be located in accordance with the Comprehensive Plan. The acquisition of such land shall rest with the proper authority.~~

~~6-5.16~~ ~~**Open.** (Amended 7/12/90)~~

~~6-5.17.~~ ~~**Testing.** See Development Regulations for tests required by County standards. Results of said tests must be submitted to and reviewed by the County Engineer prior to review of the Final Plat, subject to the provisions of Section 8 of these regulations. (Amended 7/12/90)~~

The following design standards are in addition to applicable Federal, State, and Local Ordinances, including, but not limited to: the Fayette County Zoning Ordinance, the Fayette County Development Regulations, and Fayette County Sign Ordinance.

6-1 ***Easements. All easements shall be shown on the Final Plat and meet the following standards where applicable.***

- ***Where possible, water lines shall be located outside the curb line on the west and south sides of streets; sewer and gas lines shall be on the east and north sides;***
- ***Water and sewer lines outside of street rights-of-way shall follow side and rear property lines where possible and shall have a minimum easement width of 20 feet. The Water System may require a greater width if determined necessary for maintenance or construction;***
- ***Wherever public utility easements are planned adjacent to the subdivision tract boundary or phase, they shall be platted within said subdivision or phase thereof; and***
- ***Drainage easements shall be provided as required by the Stormwater Management Department.***

6-2 **Contiguous Areas.** Each residential lot shall have a minimum contiguous area that is free and clear of zoning buffers and setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, and easements of any kind. The required minimum contiguous areas, set forth below, are a function of zoning requirements and minimum lot sizes.

Zoning District	Minimum Contiguous Area Free & Clear (ac)
A-R	2.0
EST	1.3
R-85, R-80	1.5
R-78, R-75, R-72, R-70	0.9
R-55, R-50, R-45, R-40, R-20, DR-15, C-S	0.6[1]
R-55, R-50, R-45, R-40, R-20, DR-15, C-S	0.3[2]

[1] Where public water is not available (lots have individual wells)
[2] Where public water is available
(Added 3/23/2006)

6-3 ~~**County**~~ ***Corporate* Limits.** ~~Lots shall not be divided by corporate boundary lines.~~ ***Any lot divided by corporate limits (city or county) shall meet fully the requirements of Fayette County on the portion of the lot that is within unincorporated Fayette County for the purposes of a building permit. All corporate limits dividing a lot will be viewed in the same manner as a property line.***

6-4 ~~**Building Property Lines**~~ **Street Layout and Design**

6-4.1 ***Subdivision Entrances and Street Length – No street or portion of a street may provide access to more than 40 lots unless 1) a second means of access to the lots is provided by another street; or 2) a two-way divided road is used at the entrance and extended to all points within the subdivision until the number of lots being served is 40 or less. Amenity and common areas (e.g., green space) are excluded from the 40-lot limit. Of the two (2) options, use of a second means of access is preferred and shall be provided unless it is determined not feasible by the County Engineer due to the lack of adequate road frontage, limited sight distance, or significant environmental constraints.***

The two-way divided entrance/road shall have a minimum 80 foot right-of-way, two (2) 16 foot travel lanes, curb and gutter, and an 18 foot wide landscape island. Additional specifications for the divided entrance may be found in the Development Regulations.

The purpose of this requirement is to help ensure emergency access to lots by providing at least two (2) routes to any parcel or, if two (2) routes are not feasible, a road design that is less likely of becoming impassible. The 40-lot threshold is based upon AASHTO's definition of very low volume local roads (400 vehicles per day) and the Institute of Transportation Engineers' trip generation estimates for single family detached housing (approximately ten trips per dwelling unit).

6-4.2 ***Corner Lots. Corner property lines at street intersections shall have chamfer corners with minimum chamfer distances of 20 feet in each direction (chamfering means to connect two, non-parallel property lines with a third beveled line). The purpose of the chamfer is to allow sufficient room within the right-of-way for utility placement and maintenance.***

6-4.3 **Crosswalks.** Rights-of-way for pedestrian crosswalks shall be provided when in the opinion of the Planning Commission, Zoning Administrator, or County Engineer crosswalks are necessary for direct pedestrian access to schools, shopping centers, and parks. The crosswalk right-of-way shall not be less than twenty (20) feet wide. (Ordinance No. 2000-03)

6-4.4 ***Curb Radius. The curb radius at street intersections within subdivisions shall be no less than 25 feet. Curb radius requirements for intersections with collectors or arterial streets are dictated by the Fayette County Development Regulations and/or the Georgia Department of Transportation.***

6-4.5 ***Dead-End Streets, Half-Street and Alleys. Dead-end streets, half-streets and alleys are prohibited. Temporary dead-end streets resulting from phased developments shall be constructed with cul-de-sacs.***

6-4.6 ***"Elbows". Elbows (i.e., a circular bump-out of the paved road) may be used in lieu of a horizontal curve for road alignment when the centerline tangents have an intersection angle between 90 and 120 degrees. The "elbow" portion of the intersection shall be designed with a paved radius of 42 feet (to back of curb) and a 60 foot right-of way radius. Elbows are not considered cul-de-sacs with respect to required road frontage for subdivision lots.***

6-4.7 ***Intersections. The center lines of no more than two (2) streets shall intersect at any one (1) point. Streets shall intersect as nearly as possible at right angles and no intersection shall have an angle of less than 60 degrees. A tangent section no less than 100 feet long shall be placed between a centerline curve and the nearest right-of-way line of the street with which it intersects.***

6-4.~~7~~*8* **Stub Street (Right-of-Way Extension).** Where the Planning Commission determines that it is essential to provide for the extension of a street to an adjacent property, such street right-of-way shall be extended by dedication and paved to the property line. Such a stub street shall be clearly labeled "Temporary Dead-End Street" on the Final Plat. (Amended 5/23/85; Ordinance No. 2000-03)

6-4.~~11~~*9* **Subdivision Names.** A proposed subdivision name shall not duplicate the name of another subdivision unless such property is contiguous to the subdivision ~~beating~~ ***bearing*** the proposed name and with the same or more restrictive zoning, and covenants and restrictions as the subdivision previously bearing such name.

In addition to meeting the above criteria, the sharing of a subdivision name must be approved by the Planning Commission. Whenever a new subdivision is permitted by the Planning Commission to share the name of a previously approved subdivision, such name shall be followed by the appropriate Roman Numberals (e.g., II). Any subsequent subdivisions approved by the Planning Commission under these provisions shall be numbered in sequence with Roman Numerals. (Amended 6/26/86)

6-4.10 ~~5.13~~ **Additional Right-of-Way.** If the subdivision boundary lies adjacent to the right-of-way line of an existing ~~platted~~ ***public*** street of less than minimum needed right-of-way width, ***as determined by the County Thoroughfare Plan***, a minimum of one-half the required extra width shall be dedicated ***to the County by the Subdivider.***

6-5~~.15~~ **Provisions for Public Use**. In subdividing land, due consideration shall be given to suitable sites for schools, parks, playgrounds, and other common areas for public use. Such land shall be located in accordance with the Comprehensive Plan. The acquisition of such land shall rest with the proper authority.

SECTION 7

MINIMUM IMPROVEMENTS

7-1 **General.** The Subdivider shall provide public improvements as required by ***all*** ~~these regulations and by~~ applicable County ***regulations,*** specifications, and requirements.

7-2 **Curbs and Gutter.** The Subdivider shall install curb and gutter and proper drainage as required by County specifications.

7-3 **Monuments.** ~~The Subdivider shall provide and set reinforced concrete monuments four (4) inches in diameter of square, thirty (30) inches long with a flat top. The top of each monument shall be set flush to the ground. Said monuments shall be set at each street corner and at all points where the street lines intersect the exterior boundary of the subdivision, at points of curvature in each street and at every exterior corner or point of curvature of the exterior boundary, except where such corners lie with a stream meander in which case reference monuments shall be placed on the bank of the stream. The top of the monument shall contain a metal plate or metal rod which shall be scored in such a manner that will properly and accurately identify the location.~~ ***The subdivider shall provide and set iron monuments at all property corners. The monuments shall be an iron rod or pipe of not less than one half inch in diameter and not less than 18 inches long*** ***and driven to a minimum depth of 12 inches.***

7-4 ~~***Well***~~ **Water Supply and Sanitary Sewerage.** Every lot ~~of~~ ***within*** a proposed subdivision shall ***have an approved supply of adequate water and an approved sewage disposal system, as determined by the Fayette County Water System and the Environmental Health County Manager.*** ~~be supplied with adequate water and waste water facilities which shall be approved by the Georgia Commissioner of Health. Septic tank drain field approval shall be on an individual lot basis. Where public water or waste water facilities are available within the distance specified below, the Subdivider shall assure that every lot of the subdivision shall be provided with public water.~~

7-4.1 ***Where public water facilities are available within the distance specified below, the Subdivider shall assure that every lot of the subdivision shall be provided with public water.***

NUMBER OF LOTS	MINIMUM DISTANCE FROM WATER LINE*
6 or more	2,500'

For each additional lot after six (6), an additional ~~one hundred and fifty (150)~~ ***150*** feet shall be added per lot to the minimum distance from a water line requiring connection thereto.

*Measured along public right-of-way to closest point on property.

Cost differentials based on line sizes and fire hydrants needed to serve a subdivision versus that needed as part of the overall system will be determined by the Water System. (Ordinance No. 2000-14)

7-4.2 Standard fire hydrants will be provided at the spacing specified by the ***Fayette*** County ~~Fire~~ ***eCode per Chapter 9, Fire Prevention and Protection. Design standards shall be as***~~, and of the type~~ specified by the American Water Works Association.

7-4.~~2~~3 ***Sanitary Sewer. When a public sewage disposal system is not available, the Fayette County Environmental Health Department shall review the Preliminary and Final Plat of a subdivision to determine the feasibility for individual on-site sewage disposal systems. After approval of the Final Plat of the subdivision, on-site sewage disposal system permit applications must be submitted to the Fayette County Environmental Health Department for each individual lot for review and approval.***

If the lots of a subdivision are to be served by individual subsurface wells, the on-site sewage disposal permit application must indicate the location of the well and on-site sewage disposal system. The subsurface well must be setback at least 100 feet from the on-site sewage disposal system.

~~7-5~~ ~~**Sidewalks.** Space for the installation of sidewalks is provided under the Development Regulations, and shall only be constructed on individual lots permitted for construction. (Ordinance No. 2000-03)~~

~~7-6~~ ~~**Streets.** The Subdivider shall provide improved rights-of-way in accordance with these regulations and the Development Regulations, and applicable Georgia State Transportation Department specifications and providing that drainage ditches shall be a minimum of two (2) feet deep. Cross-drainage shall be in accordance with acreage drained. Grassing shall be required and contours shall be such that can be maintained by standard County equipment.~~

7-~~7~~5 **Storm Water Drainage.** The Subdivider shall provide adequate storm water drainage in accordance with these regulations and applicable County specifications. The Subdivider shall also provide for adequate drainage for springs or other ground water drainage.

~~7-8~~ ~~**Installation of Improvements.** No grading, paving, construction of sidewalks or installation of any other utility shall be permitted until the Preliminary Plat of the subdivision has been approved by the Planning Commission.~~ ***Open.*** (Ordinance No. 2000-03)

7-~~9~~6 **Grassing And Erosion Control**. Proper erosion control measures must be in place throughout the entire phase of construction and must also be in place prior to Final Plat approval. Permanent grass must also be established on all disturbed areas prior to Final Plat approval. However, proper temporary erosion control measures and performance bonds can be substituted for a permanent stand of grass during the Final Plat Inspection. (Ordinance No. 2000-03)

7-~~10~~7 **Building Permit**. No permit for the construction of any building on any lot of a proposed subdivision or phase thereof shall be issued unless the Final Plat of the proposed subdivision has been recorded in the office of the Clerk of Superior Court of Fayette County, Georgia, and unless the Minimum Site Improvements, as prescribed in this Ordinance, have been made and such improvements have been inspected and approved by the ~~County Engineer~~ ***applicable departments. Upon recordation of the Final Plat, the required number of recorded copies, a recorded copy of a Warranty Deed for any Right of Way donated to the County, and the digital media copy of the approved Final Plat shall be submitted to the Planning and Zoning Department prior to the issuance of any building permits. Lots within a nonresidential subdivision shall also require an approved Site Plan, as applicable, for the issuance of a building permit.*** (Ordinance No. 2000-03)

7-~~10.1~~7.1 Building permits ~~shall~~ ***may*** be issued ***for a phase*** ~~part~~ of a subdivision prior to the completion of the improvements in the entire subdivision, provided that the ~~County Engineer shall~~ ***the applicable departments*** approves the improvements in said ***phase and*** ~~plat if~~ it is determined that ***the lots to be built upon are*** completely served by the improvements ***in the completed phase*** as if it were a separate subdivision.

COMBINE 7-10.2 AND 7-10.3 INTO 7-8

7-~~10.2~~8 **Utilities.** The Subdivider shall provide all applicable utilities to the subdivision in accordance with all applicable County requirements. ***The utilities shall be located as specified by the Development Regulations***. Power~~, natural gas,~~ and water utilities must be installed, if available in the area, prior to Final Plat approval. ***All of the minimum improvements listed in this section of the ordinance must be completed and inspected prior to Final Plat approval with the exceptions of the installation of utilities in non-residential subdivisions.***

~~7-10.3~~ ~~**Exceptions to Improvements.** All of the minimum improvements listed in this section of the ordinance must be completed and inspected prior to Final Plat approval with the exceptions of:~~

~~1. Installation of utilities in non-residential subdivisions. (Ordinance No. 2000-03)~~

SECTION 8

PROVISIONS FOR RECORDING OF FINAL PLATS PRIOR TO COMPLETION OF MINIMUM IMPROVEMENTS

(Amended 7/12/90)

~~8-1~~ ~~**Requirements Therefore.** Construction of all minimum improvements, except the ***top layer of*** asphalt pavement, must be completed in conformance with Fayette County specifications as determined through inspection by the County Engineer, and the Road Superintendent before the Final Plat can be recorded and building permits issued. To assure the construction of the asphalt paving, the Subdivider shall deliver to the County the following. (See 4-2.5) (Amended 7/12/90)~~

~~**8-1.1** **Performance Bond** A performance bond or irrevocable letter of credit designated for the asphalt paving of a road must be filed with the County Engineer prior to the recording of the Final Plat.~~

~~The bond or irrevocable letter of credit shall be equal to 110 percent of the amount determined by the County Engineer sufficient to reimburse the County for its expenses in completing the paving. The cost estimate shall include, at a minimum, cost of material (asphalt and tack) to complete the road, plus an additional 10% for labor and equipment, plus an additional 15 percent for repairs to the binder and/or base. Additional costs may be included for unusual circumstances.~~

~~The bond or irrevocable letter of credit shall be given for a period specified by the Subdivider but shall exceed one (1) year.~~

~~However, if coring of the asphalt and base reveal that additional overlays are necessary in order to bring the road up to County standards, the application of which overlays would extend beyond the life of the bond or letter of credit, or be hampered by weather conditions which would extend beyond the life of the bond or letter of credit, the County Engineer and/or Director of Public Works may require the Subdivider to provide for an extension of the life of the bond or letter of credit so that said overlays can be correctly applied. (Amended 7/12/90; Ordinance No. 2000-03)~~

~~8-1.2 If, in the opinion of the County Engineer weather or other circumstances preclude the establishment of permanent ground cover on the shoulders of the road or roads to be covered by the bond or irrevocable letter of credit, and additional amount equal to 100 percent of the cost of establishing said ground cover may be included in the amount of the bond or letter or credit. (Amended 7/12/90)~~

~~8-1.3~~ ~~If a permanent ground cover is not established at the time of the Final Plat Inspection, then a one (1) year performance bond shall be required for all grassing and construction of shoulders along streets. The bond shall be in an amount equal to 100 percent of the cost of performance.~~ ~~(Ordinance No. 2000-03)~~

8-1. ***Performance Bond or Irrevocable Letter of Credit. The following improvements shall be made after the recordation of a Final Plat if a Performance Bond or Irrevocable Letter of Credit is provided that meets the standards set hereafter:***

- ***Paving the top layer (top course) of asphalt on one (1) or more roads within the subdivision; and***
- ***Meeting permanent stabilization requirements within the proposed right-of-way.***

Other than those items listed above, all minimum improvements within the subdivision shall be completed and accepted in accordance with the approved Construction Plans, the Fayette County Development Regulations, and the Subdivision Regulations prior to the recordation of a Final Plat. Acceptance shall be determined by the County Engineer, the Water System, and the Stormwater Management Department based on a field inspection of the project and/or review of required submittals.

Work to be completed after the recordation of a Final Plat shall be guaranteed by either a Performance Bond or an Irrevocable Letter of Credit and the document(s) shall be filed with the County Engineer prior to his/her signature on the Final Plat.

8-2 ***Criteria for Paving Bonds***

The amount of the Bond or Irrevocable Letter of Credit needed for paving shall be the sum of material, labor, equipment, and repair estimates, as determined by the County Engineer, using the following guidelines:

- ***Material Costs = 120% of current cost estimate for tack and asphalt);***
- ***Labor and Equipment = 10% of Material Costs; and***
- ***Repairs to binder and base = 20% of Material Cost.***

Additional costs shall be included for unusual circumstances.

Paving Bonds/Irrevocable Letters of Credit shall be considered only if coring of the asphalt binder and base, as required by the Development Regulations, demonstrate the work was completed per the approved Construction Plans and County standards.

Paving work shall be completed within two (2) years of recording the Final Plat unless an extension is provided by the County Engineer.

The Bonds/Irrevocable Letters of Credit shall not be released until all repairs and paving work are done in accordance with the approved Construction Plans and the work is accepted by the County Engineer.

8-3 ***Criteria for Permanent Stabilization Bonds***

The amount of the Bond or Irrevocable Letter of Credit needed for permanent stabilization shall be the sum of material, labor, equipment, and repair estimates, as determined by the Stormwater Management Department. At a minimum, the cost estimate shall include all Best Management Practices required to bring the project into compliance with the approved Soil Erosion and Sediment Control Plan. Additional costs may be included for unusual circumstances.

Stabilization Bonds/Irrevocable Letters of Credit will be considered only if the Stormwater Management Department determines that current weather patterns and the season make permanent stabilization infeasible at this time.

Stabilization work shall be completed within six (6) months of recording the Final Plat unless an extension is provided by the Stormwater Management Department.

The Bonds/Irrevocable Letters of Credit shall not be released until all areas of concern are stabilized in accordance with the approved Construction Plans and the work is accepted by the Stormwater Management Department.

8-~~2~~ 4 **Conditions Thereof.**

8-4.1 Bonds or irrevocable letters of credit delivered for the purpose of guaranteeing construction of minimum improvements pursuant to Section 8-1 shall run to the County and provide that the Subdivider, his heirs, successors and assigns, and their agents and servants will comply with all applicable terms, conditions, provisions, and requirements of these regulations, will faithfully perform and complete the work of constructing and installing said facilities or improvements in accordance with these regulations and that the Subdivider will save the County from any unnecessary expense incurred through the failure of the Subdivider, his heirs, successors or assigns, or their agents or servants, to complete the work of said construction and installation as required by these regulations, and from any damage growing out of negligence in performing or failing to perform said construction and installation. (Amended 7/12/90)

8-4.2 Before acceptance of any bond or irrevocable letter of credit, the County Engineer may, at his direction, have the County Attorney review said instrument. If a bond is offered, it shall be executed by a Surety or Guaranty Company qualified to transact business in the State of Georgia and approved by the Board of Commissioners. If an irrevocable letter of credit is offered, it shall be written by a financial institution licensed to do business in the State of Georgia. (Ordinance No. 2000-03)

8-5 **Duration and Release.** Bonds and/or ~~cash~~ ***irrevocable letters of credit*** posted pursuant to the regulations shall be released or returned, as the case may be, at such time as the facilities guaranteed thereby have been installed and accepted.

8-6 **Default.** If the construction or installation of any improvements or facilities for which a bond or irrevocable letter of credit is posted is not completed within three (3) months after substantial completion of any building or structures which said improvements of facilities are designed to serve, or if said construction or installations not in accordance with the applicable specifications and requirements, the County may proceed to construct, install, or modify said improvements of facilities in accordance with the applicable specifications and requirements. In either the case of a bond or an ***irrevocable*** letter of credit, the County shall make whatever claims and/or drafts are necessary in order to obtain the funds necessary to so construct or install said improvements of facilities. The default provisions of this Section ~~8-4~~ shall not apply when the governing body acts to permit the Subdivider to remove his subdivision from the land records of Fayette County in accordance with the provisions of these regulations. (Amended 7/12/90)

8-7 **Miscellaneous.**

8-7-1 One ***(1)*** or more bonds or irrevocable letters of credit or any combination thereof shall be held to be in compliance with this Section, ~~8~~ so long as, the total is equal to the total required; provided, however, that no bond or irrevocable letter of credit shall be released for a lesser or smaller portion of the construction or installation work that is required by these regulations and/or other County specifications and requirements to be installed or constructed as a unit. (Amended 7/12/90)

If subsequent to the posting of a bond or irrevocable letter of credit under these regulations, it can be established that the amount thereof is more than required because subsequent estimates by the County establish that the work can be constructed or installed for a lesser amount than the amount of the bond posted or deposited hereunder, the bond or irrevocable letter of credit so posted may be released proportionately. (Amended 7/12/90)

~~8-8 Open. (Amended 7/12/90)~~

SECTION 9

ACCEPTANCE AND GUARANTEE OF COMPLETED MINIMUM IMPROVEMENTS

9-1 **Completion.** ~~At such time as any or all improvements are completed, the Subdivider shall notify the County, in writing, accurately identifying the improvements covered and requesting a final inspection of the same. All testing, core sampling or other requirements for verifying that the work conforms to the standards shall be completed, submitted to and reviewed and approved by the County, and any work required to bring said standards completed prior to this notification. Facilities will not be accepted unless they conform to County standards.~~ ***The following requirements shall be satisfied prior to County acceptance of the minimum improvements and Final Plat.*** (Amended 7/12/90)

~~**Maintenance Bond or Letter of Credit.** Prior to Final Plat approval by the County Engineer, the Subdivider shall submit to the County Engineer a bond or irrevocable letter of credit for the purpose of guaranteeing the materials and workmanship of the minimum improvements for a period of two (2) years. If, during the two (2) years maintenance period, the need for repairs to the road or other improvements becomes evident then the Subdivider will be notified in writing by the County Engineer and informed of the measures to be taken to repair the facilities. If the Subdivider has not taken action within thirty (30) days of said notification, the County Engineer shall take such steps as are necessary to claim funds from the bond or letter of credit to adequately reimburse the County for its estimated expenses associated with making the repairs itself.~~ (Ordinance No. 2000-03)

9-1.1 ***Submittals. The Subdivider shall provide to Fayette County all applicable submittals as required in the County's Development Regulations. A detailed list of the specific submittals and contact information for the applicable departments responsible for review and approval of each submittal is available from the Fayette County Stormwater Management Department.*** (see www.fayettecountyga.gov)

9-1.2 ***Final Inspections. Upon completion of all minimum improvements, the Subdivider shall notify the departments listed on the Final Plat checklist and request a field inspection. The Subdivider is responsible for correcting all deficiencies identified during the final inspections. Improvements shall not be accepted unless they conform to the approved Construction Drawings and all applicable Federal, State and Local requirements.*** (see Forms for Final Plat Checklist at www.fayettecountyga.gov)

9-1.3 ***Maintenance Bond/Irrevocable Letter of Credit. The Subdivider shall provide to the County Engineer a Maintenance Bond or an Irrevocable Letter of Credit for the purpose of guaranteeing the materials and workmanship of the minimum improvements for a period of two (2) years. For purposes of Bond/ Irrevocable Letter of Credit determination, "minimum improvements" includes all materials and work within the proposed right-of-way plus any part of the storm sewer infrastructure serving the subdivision. This includes, but is not limited to: storm pipe, open ditches, headwall, stormwater management ponds, etc.***

The Subdivider shall be responsible for making any needed repairs to the road or other "minimum improvements" as defined above within the two-year bonding period. Notification of needed repairs may be provided by the County to the Subdivider at any time during the bonding period. If the Subdivider does not make the necessary repairs within 90 calendar days of said notification, the County Engineer shall claim funds from the Bond or Irrevocable Letter of Credit to adequately reimburse the County for its cost associated with having the repairs made by a contractor or the appropriate County Department.

The minimum Maintenance Bond/Irrevocable Letter of Credit is $5,000.

If a Final Plat becomes void, as may happen if not recorded into the Fayette County Clerk of Superior Court records within 90 days of approval by the Planning Commission, the existing Maintenance Bond/Irrevocable Letter of Credit is also void and a new Maintenance Bond/Irrevocable Letter of Credit will be required prior to approval of the new Final Plat.

~~9-2.1~~ ~~Facilities shall not be accepted unless they conform to these regulations and applicable County specifications.~~

~~9-3~~***9-2*** **Acceptance**. The approval of a Final Plat by the Planning Commission shall be deemed to constitute an acceptance by Fayette County of any street or other real property shown upon the ***Final P***~~p~~lat. (Amended 7/12/90; Ordinance No. 2009-01 Amended 06/25/09)

~~9-4~~***9-3*** ~~**Open**.~~ ***Ownership. Upon recordation of the Final Plat, Fayette County shall accept ownership of any street or other real property shown upon the Final Plat.*** (Amended 7/12/90)

9-4 *Before acceptance of any bond or irrevocable letter of credit, the County Engineer may, at his direction, have the County Attorney review said instrument. If a bond is offered, it shall be executed by a Surety or Guaranty Company qualified to transact business in the State of Georgia and approved by the Board of Commissioners. If an irrevocable letter of credit is offered, it shall be written by a financial institution licensed to do business in the State of Georgia.*

SECTION 10

VIOLATIONS AND PENALTIES

10-1 **Violations.**

10-1.1 It shall be unlawful to convey or improve property by the construction of buildings on lots of any land subdivision which has not been approved and recorded as provided in these regulations, except those parcels recorded prior to the effective date of these regulations.

10-1.2 It shall be unlawful to record a subdivision plat, or once recorded, to make any changes thereon whatsoever which have not been approved by the Planning Commission in accordance with the provisions of all applicable regulations. (Ordinance No. 2009-01 Amended 06/25/09)

10-1.3 ~~**Each Day's Violation a Separate Offense.**~~ Each and every day's violation of any provisions of this Ordinance shall constitute a separate offense.

10-2 **Penalties.** Any person or persons, firm or corporation of association of persons who shall divide and offer for sale any real estate in violation of the terms or provisions of the Ordinance shall, upon conviction therefor*e* in State Court, be punished as provided by the County Code.

SECTION 11

LEGAL STATUS

11-1 **Effect of Invalidity of Part of Ordinance.** Should any section or provision of this Ordinance be decided by the Courts to be unconstitutional or invalid, such decision shall not effect the validity of this Ordinance as a whole or any thereof other than the part so decided to be unconstitutional or invalid.

11-2 **Conflict with Other Laws.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

~~11-3~~ ~~**Amendment.** The Board of Commissioners shall have the authority to amend these regulations after a public hearing thereon.~~

~~11-3.1~~ ~~Notice of the time and place of such public hearing shall be published in a newspaper of general circulation in Fayette County at least fifteen (15)~~ ***15*** ~~days prior to such meeting.~~

Combine 11-3 and 11-3.1 as follows:

11-3 **Amendment.** The Board of Commissioners shall have the authority to amend these regulations after a public hearing thereon. Notice of the time and place of such public hearing shall be published in a newspaper of general circulation in Fayette County at least ~~fifteen (15)~~ ***15*** days prior to such meeting.

~~11-3.2~~***11-4*** ***Variance or Appeal.*** In cases of undue hardship under this Ordinance, the property owner may petition the Planning Commission for ~~relief~~ ***a Variance or an Appeal from the decision of any of the aforementioned appropriate departments with regard to interpretation, administration, and enforcement***. ~~and where the Planning Commission concurs it will prepare and send to the Board of Commissioners such amendment as is considered necessary and equitable~~. ~~In case the~~ ***If the*** Planning Commission ~~fails to~~ ***does not*** ~~concur~~ ***grant the variance or appeal***, the property owner may then appeal to the ~~County~~ ***Board of*** Commissioners ~~for relief~~.

Appendix A.

Preliminary Plat and Final Plat Checklists

Fayette County Preliminary Plat Checklist
Planning and Zoning Section

Project: _____

Applicant: _____

Plan Page#	Included Y/N/NA	(Items marked with N are missing or deficient)
_____	_____	1. Provide County, land district, land lot and subdivision name.
_____	_____	2. Indicate date of plat preparation; provide scale of drawing (not to exceed 1" = 100'), stated and shown graphically.
_____	_____	3. Provide north arrow and vicinity map.
_____	_____	4. Name, address, telephone number, and fax number of owner and/or developer.
_____	_____	5. Name, address, telephone number, fax number, registration number, seal and signature the project's engineer, surveyor, or architect. The design professional must be licensed in the State of Georgia.
_____	_____	6. Provide a legend for all abbreviations.
_____	_____	7. Provide an index of sheets if more than one (1) sheet is provided.
_____	_____	8. Show property lines with bearings and distances of subject property. Provide a matching Warranty Deed and legal description of property (if applicable).
_____	_____	9. Within the general notes, indicate the zoning district; minimum lot sizes; front, side and rear setbacks; and minimum house size.
_____	_____	10. Show all land lot lines; land district lines; land section lines; and city and county boundaries intersecting or adjacent to the property.
_____	_____	11. Provide total acreage of tract, total number of lots, acreage in lots, acreage in right-of-way (R/W) and acreage used for stormwater management.
_____	_____	12. Provide rezoning information, including petition number, date of approval and exact wording of any rezoning conditions (if applicable); and any approved variances including petition number and date of approval (if applicable).
_____	_____	13. Provide Information regarding the preliminary plat, including date of approval by the Planning Commission and exact wording of any related conditions of approval.
_____	_____	14. Show front, side, and rear setback lines as dashed lines. Indicate minimum lot width at the front building line.

Fayette County Preliminary Plat Checklist
Planning and Zoning Section

Plan Page#	Included Y/N/NA	(Items marked with N are missing or deficient)
_____	_____	15. Provide the area of each lot/parcel to the 1/100th acre; label the lot numbers; show the bearings and distances of all lots; and identify the parent tract, if applicable.
_____	_____	16. Provide zoning and property owner name and/or subdivision name of all adjacent properties.
_____	_____	17. Indicate how lots will be served by water and sewage disposal. Indicate the proposed layout of waterlines and/or fire hydrants. If County water is not available indicate how subdivision will be served (i.e., Individual well/septic tank).
_____	_____	18. Identify all existing structures and features and label as "to remain" or "to be removed". Structures to remain must be shown on individual lots and meet all applicable zoning requirements. "Features" include railroads, sewers, bridges, culverts, drain pipes, water mains, cemeteries, etc. Provide a note if there are no existing structures or features on the property.
_____	_____	19. Show all existing and proposed streets on and adjacent to property. Label R/W widths; provide R/W dedication, as needed. Label proposed street names; include house numbers.
_____	_____	20. Show location, purpose, and width of any easements of record. Provide a note if there are no existing easements associated with the property.
_____	_____	21. Indicate the boundaries and area for any proposed common areas and/or recreation areas. Indicate the common area reserved for signage. Label recreation areas "Not a Residential Building Lot, For Recreational Purposes Only."
_____	_____	22. Provide the following statement: "Approval of this Preliminary Plat shall expire 24 months from the date of approval by the Planning Commission unless a final plat for at least one (1) phase has been approved or street base construction for at least 50 percent of the total linear footage of all street(s) approved on the Preliminary Plat has been completed and inspected."
_____	_____	23. Provide the following statement: "This preliminary plat has been reviewed and approved by the Planning Commission on _____ by._____."

Fayette County Preliminary Plat Checklist
Planning and Zoning Section

_____ _____ 24. Contiguous Areas – Provide the following statement: *Each buildable lot has a minimum contiguous area of ____ acres that is free and clear of zoning buffers and setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, and easements of any kind.* Section 6 of the Subdivision Regulations lists the minimum area requirements per zoning district.

Zoning District	Minimum Contiguous Area Free & Clear (ac)	
A-R	2.0	
EST	1.3	
R-85, R-80	1.5	
R-78, R-75, R-72, R-70	0.9	
R-55, R-50, R-45, R-40, R-20, DR-15, C-S	0.6[1]	Where public water is not available – lots have individual wells
R-55, R-50, R-45, R-40, R-20, DR-15, C-S	0.3[2]	Where public water is available

Additional Information Required to Address any Unique Circumstances and/or Comments:

_____

_____

_____

_____

Approval/Date

_____

_____

Resubmit/Date

_____

_____

Planning & Zoning Department
Administrative Complex - Suite 202
140 Stonewall Avenue West
Fayetteville, Georgia 30214
(T) 770-305-5421
(F) 770-305-5258 or 770-305-5305
E-mail: zoning@fayettecountyga.gov

Fayette County Preliminary Plat Checklist
Engineering Section

Project: _____

Applicant: _____

Plan Page#	Included Y/N/NA	Items marked with N are missing or deficient
_____	_____	25. Corner Lots – Fillet (20-ft radius) or chamfer corner property lines at street intersections.
_____	_____	26. Street Length – Indicate the length of each street in the Subdivision.
_____	_____	27. Entrances – Subdivision entrances shall meet sight distance requirements and minimum distance between intersection requirements (both sides of street). Provide appropriate data on the plat. (Development Regulations – Article III.)
_____	_____	28. Indicate any proposed golf cart, bicycle, or pedestrian circulation systems, including sidewalks, crosswalks, multi-use paths, etc.

Additional Information Required to Address any Unique Circumstances and/or Comments:

_____

_____

_____

_____

_____

_____

Engineering Department
115 McDonough Road
Fayetteville, Georgia 30215
(T) 770-461-3142
(F) 770-719-0871
E-mail: engineering@fayettecountyga.gov

Engineering Department Resubmit/Date

_____

_____

_____

Engineering Department Approval/Date

_____

Fayette County Preliminary Plat Checklist
Stormwater Section

Project: _____

Applicant: _____

Plan Page#	Included Y/N/NA	Items marked with N are missing or deficient
_____	_____	29. Topography – Show existing land contour lines at two (2) foot intervals. Label the contours. Indicate the source of the topographic data and the datum used.
_____	_____	30. State Waters – Show all state waters within and around the property to include streams, floodplain, and wetlands. Provide a note if there are no state waters.
_____	_____	31. Watershed Protection – Delineate watershed protection buffers and setbacks per Article VII of the Development Regulations. Label as "Watershed Protection Buffer" and "Watershed Protection Setback". Show the 1,000-ft watershed protection impact boundary, if applicable.
_____	_____	32. Floodplain – Delineate FEMA 100-year floodplain and the 100-year flood elevation for any ponds, lakes or other man-made flood hazards on the property. Provide a note if there is no floodplain on the property. Reference the FIRM panel number and date.
_____	_____	33. Floodplain – Indicate the contiguous area outside the Area of Special Hazard for each lot. These lots shall have 50 percent of the minimum lot size (per the applicable zoning district) or one (1) acre, whichever is greater, outside the Area of Special Flood Hazard.
_____	_____	34. Floodplain – Define the Area of Special Flood Hazard for all streams, other drainage basins and all man-made flood hazards (including yard drains, stormwater management structures, inlets to storm sewer systems, etc.) on and adjacent to the property. For any streams with 100 acres or greater drainage area provide the future-conditions flood elevations.
_____	_____	35. Floodplain - A Floodplain Management Plan is required for all projects with development activities within, either partially or completely, an Area of Special Flood Hazard. Is a Floodplain Management Plan Required?
_____	_____	36. Floodplain – Does any of the subdivision property share a common property line with another parcel that contains an Area of Special Flood Hazard?
_____	_____	37. Wetlands – Delineate all jurisdictional wetlands. Provide a note if there are no wetlands on the property.

Fayette County Preliminary Plat Checklist
Stormwater Section

Plan Page#	Included Y/N/NA	Items marked with N are missing or deficient
_____	_____	38. Wetland Certification – Provide a wetland certification statement per Section 5 of the Fayette County Subdivision Regulations.

I, _____ of _____
name organization
do hereby certify that I have field inspected the property know as
_____ on _____ and determined that the property
subdivision name date
☐ contains ☐ does not contain jurisdictional wetlands as defined by the U.S. Army Corps of Engineers.

_____
Signature of Wetland Delineator

_____
Company Address & Telephone

_____	_____	39. Groundwater Recharge Area
_____	_____	40. Trees – Show location of all specimen trees within 100 feet of the centerline of all rights-of-way, stormwater management structures, and utility and drainage easements.
_____	_____	41. Trees – Identify any specimen trees designated for removal. Include the tree size (DBH), species (common name) and justification for removal. (Development Regulations - Article VI)
_____	_____	42. Stormwater – Show offsite area and peak flow (Q_{10} and Q_{100}) for drainage areas passing through site.
_____	_____	43. Stormwater – Delineate and label drainage basins within the project area.
_____	_____	44. Stormwater – For each basin, provide the drainage area and existing and proposed CN values. For predevelopment - pastures, meadows, woods and open space should be considered "good" condition (see Table 2.1.5-1 of the Georgia Stormwater Management Manual).
_____	_____	45. Stormwater – Delineate and label areas to be used for stormwater management – areas should be consistent with the hydrologic data provided above.
_____	_____	46. Stormwater – For each drainage basin, provide a narrative description of how water quality, stream channel protection, and flood protection criteria will be satisfied. For example "water quality criteria for basin A1 will be satisfied via a sand filter or similar BMP located on common property" or "Basin A1 is exempt from water quality criteria via the environmentally sensitive large lot subdivision design credit."

Fayette County Preliminary Plat Checklist
Stormwater Section

Plan Page#	Included Y/N/NA	Items marked with N are missing or deficient
_____	_____	47. Stormwater – All stormwater management control structures shall be on common property.
_____	_____	48. The plat shall indicate and delineate on a separate sheet the classification of soils across the property. The soil classification work shall be done following the procedures for Level III soil surveys established in the Georgia Department of Human Resources' current *Manual for On-Site Sewage Management Systems*. The requirements for a Soil Classifier are located in said manual. The plat shall also include the following certification statement.

I, _____ do hereby certify that the Level III soil survey information provided
name
on this plat was performed by _____ in accordance with the procedures
company name
specified in the Georgia Department of Human Resources' current *Manual for On-Site Sewage Management Systems*.

_____
Signature of Soil Classifier

_____
Georgia DHR Soil Classifier, Professional Geologist, or Professional Engineer Registration No.
Registration Numbers/License Numbers

_____
Company Address & Telephone

NOTE: Upon approval of the Preliminary Plat, the applicant should submit three (3) sets of construction plans to Stormwater for distribution and three (3) sets of water construction plans to the Water System.

Additional Information Required to Address any Unique Circumstances and/or Comments:

_____

_____

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_____

_____

Fayette County Preliminary Plat Checklist
Stormwater Section

Stormwater Management Department
140 Stonewall Avenue West, Suite 203
Fayetteville, Georgia 30214
(T) 770-305-5410
(F) 770-305-5256 or 770-305-5258
E-mail: stormwater@fayettecountyga.gov

Stormwater Management Department
Resubmit/Date

_____

_____

Stormwater Department Approval/Date

_____

Fayette County Final Plat Checklist
Planning and Zoning Section

Project: _____

Applicant: _____

Plan Page#	Included Y/N/NA	(Items marked with N are missing or deficient)
_____	_____	1. Provide County, land district, land lot and subdivision name (Georgia Plat Act).
_____	_____	2. Indicate date of plat preparation; provide scale of drawing, stated and shown graphically (Georgia Plat Act).
_____	_____	3. Provide north arrow and vicinity map.
_____	_____	4. Name, address, telephone number, and fax number of owner and/or developer.
_____	_____	5. Name, address, telephone number, fax number, registration number, seal and signature the project's engineer, surveyor, or architect. The design professional must be licensed in the State of Georgia.
_____	_____	6. Provide signature blocks for County approval: Environmental Health, County Engineer, Planning Commission Secretary, Zoning Administrator, and Fire Marshal (Subdivision Regulations – Section 5).
_____	_____	7. Provide a legend for all abbreviations.
_____	_____	8. Provide an index of sheets if more than one (1) sheet is provided.
_____	_____	9. Show property lines with bearings and distances of subject property. Provide a matching Warranty Deed and legal description of property (if applicable).
_____	_____	10. Within the general notes, indicate the zoning district; minimum lot sizes; front, side and rear setbacks; and minimum house size.
_____	_____	11. Show all land lot lines; land district lines; land section lines; and city and county boundaries intersecting or adjacent to the property.
_____	_____	12. Provide total acreage of tract, total number of lots, acreage in lots, acreage in right-of-way (R/W) and acreage used for stormwater management.
_____	_____	13. Provide rezoning information, including petition number, date of approval and exact wording of any rezoning conditions (if applicable); and any approved variances including petition number and date of approval (if applicable).
_____	_____	14. Provide Information regarding the Preliminary Plat, including date of approval by the Planning Commission and exact wording of any related conditions of approval.

Fayette County Final Plat Checklist
Planning and Zoning Section

Plan Page#	Included Y/N/NA	(Items marked with N are missing or deficient)
_____	_____	15. Show front, side, and rear setback lines as dashed lines. Indicate minimum lot width at the front building line.
_____	_____	16. Provide the area of each lot/parcel to the 1/100th acre; label the lot numbers; show the bearings & distances of all lots; and identify the parent tract, if applicable.
_____	_____	17. Provide zoning and property owner name and/or subdivision name of all adjacent properties.
_____	_____	18. Indicate how lots will be served by water and sewage disposal. Indicate the proposed layout of waterlines and/or fire hydrants. If County water is not available indicate how subdivision will be served (i.e., individual well/septic tank).
_____	_____	19. Identify all existing structures and features and label as "to remain" or "to be removed". Structures to remain must be shown on individual lots and meet all applicable zoning requirements. "Features" include railroads, sewers, bridges, culverts, drain pipes, water mains, cemeteries, etc. Provide a note if there are no existing structures or features on the property.
_____	_____	20. Show all existing and proposed streets on and adjacent to property. Label R/W widths; provide R/W dedication, as needed. Label proposed street names; include house numbers.
_____	_____	21. Show location, purpose, and width of any easements of record. Provide a note if there are no existing easements associated with the property.
_____	_____	22. Indicate the boundaries and area for any proposed common areas and/or recreation areas. Indicate the common area reserved for signage. Label recreation areas "Not a Residential Building Lot, For Recreational Purposes Only."
_____	_____	23. The title block shall state: "Final Plat of . . ." A revision to a Final Plat must state "Revised Final Plat of . . ." and also purpose of revision and date of revision.

Fayette County Final Plat Checklist
Planning and Zoning Section

Plan Page#	Included Y/N/NA	Items marked with N are missing or deficient)

_____ _____ 24. Contiguous Areas – Provide the following statement: *Each buildable lot has a minimum contiguous area of ____ acres that is free and clear of zoning buffers and setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, and easements of any kind.* Section 6 of the Subdivision Regulations lists the minimum area requirements per zoning district.

Zoning	Minimum Contiguous Area District Free & Clear (ac)	
A-R	2.0	
EST	1.3	
R-85, R-80	1.5	
R-78, R-75, R-72, R-70	0.9	
R-55, R-50, R-45, R-40, R-20, DR-15, C-S	0.6[1]	Where public water is not available – lots have individual wells
R-55, R-50, R-45, R-40, R-20, DR-15, C-S	0.3[2]	Where public water is available

_____ _____ 25. Provide the following statements on the face of the plat:

OWNER'S CERTIFCATE

We, the undersigned owner(s) and/or mortgagee(s) of the _____ Subdivision, hereby offer to dedicate and/or reserve for public use the rights-of-way, easements and other ground shown on this plat.

We the undersigned owner(s) understand this Final Plat and any Maintenance Bond and/or Irrevocable Letter of Credit shall expire and thus become void if the Final Plat is not recorded into the Fayette County Clerk of Superior Court records within 90 days (__/__/____) of the date of approval by the Planning Commission.

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

All property contained within the right-of-way of *(insert street name(s))* said roads having at least a minimum of _____ foot right-of-way as indicated hereon, are hereby deeded to Fayette County, a political subdivision of the State of Georgia, at no costs to Fayette County upon recordation of said Final Plat with the Fayette County Clerk of Superior Court.

Fayette County Final Plat Checklist
Planning and Zoning Section

NOTE: A subdivision may submit an application to the Planning & Zoning Department for the Board of Commissioners authorization of motorized cart use in the subdivision after recordation of the Final Plat.

Additional Information Required to Address any Unique Circumstances and/or Comments:

_____

_____

_____

_____

Approval/Date	Resubmit/Date
_____	_____
_____	_____

Planning & Zoning Department
Administrative Complex
140 Stonewall Avenue West
Suite 202
Fayetteville, Georgia 30214
(T) 770-305-5421
(F) 770-305-5258 or 770-305-5305
E-mail: zoning@fayettecountyga.gov

Fayette County Final Plat Checklist
Engineering Section

Project: _____

Applicant: _____

Plan Page#	Included Y/N/NA	Items marked with N are missing or deficient
_____	_____	26. Georgia Plat Act – accuracy statement and note of equipment used.
_____	_____	27. Georgia Plat Act – Show the direction and distance from a point of reference to a point on the boundary of the survey. The point of reference shall be an established, monumented position which can be identified or relocated from maps, plats, or other documents on public record.
_____	_____	28. Georgia Plat Act – Show the closure precision of the field survey. This may be stated as follows: "The field data upon which this map or plat is based has a closure precision of one (1) foot in _____ feet, and an angular error of _____ per angle point, and was adjusted using _____ rule."
_____	_____	29. Georgia Plat Act – Show the closure precision of the data shown on the plat. The closure may be stated as follows: "This map or plat has been calculated for closure and is found to be accurate within one (1) foot in _____ feet."
_____	_____	30. Georgia Plat Act – State the type of equipment used to obtain the linear and angular measurements used in preparation of the plat.
_____	_____	31. Surveying – Provide line and curve data for all right-of-way, parcel/lot boundaries, and easements. Line data shall include bearing and length. Curve data shall include the arc length, radius, chord length, and chord bearing.
_____	_____	32. Surveying – Street centerline curve data shall include the deflection angle (delta), radius, length, and tangent.
_____	_____	33. Surveying – Lengths shall be expressed to the nearest one-hundredth ($1/100^{th}$) of a foot. Angles shall be shown to the nearest minute. The error of closure shall not exceed third order accuracy (one [1] in 5,000).
_____	_____	34. Corner Lots – Fillet (20-ft radius) or chamfer corner property lines at street intersections.
_____	_____	35. Street Length – Indicate the length of each street in the subdivision.

Fayette County Final Plat Checklist
Engineering Section

Plan Page#	Included Y/N/NA	Items marked with N are missing or deficient
_____	_____	36. Entrances – Subdivision entrances shall meet sight distance requirements and minimum distance between intersection requirements (both sides of street). Provide appropriate data on the plat. (Development Regulations – Article III.)
_____	_____	37. Indicate any proposed golf cart, bicycle, or pedestrian circulation systems, including sidewalks, crosswalks, multi-use paths, etc.
_____	_____	38. Provide the following statements on the face of the plat:

SURVEYOR'S CERTIFICATE

I hereby certify that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision; that all monuments and infrastructure shown hereon actually exist or are marked as "future"; and their location, size, type and material are correctly shown.

By: _____

GA Registered Land Surveyor – Signature and License Number Date

ENGINEER'S CERTIFICATE

I hereby certify that accepted engineering practices and design methods were used to establish the layout of this development; that the streets, drainage structures and other design features have been constructed according to the development's approved Construction Drawings; and that all applicable requirements of Fayette County's Development Regulations and Subdivision Regulations have been fully complied with.

By: _____

GA Professional Engineer – Signature and License Number Date

Submittals – The following submittals and checks shall be satisfied prior to Final Plat approval. Items marked with * have not been received.

Start Date	Finish Date

Fayette County Final Plat Checklist
Engineering Section

Plan Page#	Included Y/N/NA	Items marked with N are missing or deficient
_____	_____	39. Core Sample Report (Development Regulations - Article III)
_____	_____	40. Soil Density Tests (Development Regulations – Article III)
_____	_____	41. Utilities – power, gas and water installed (Subdivision Regulations – Section 7)
_____	_____	42. Performance Bond (Subdivision Regulations – Section 8)
_____	_____	43. Maintenance Bond (Subdivision Regulations – Section 9)
		Amount $_____
_____	_____	44. Engineering Department Final Inspection. (Call Department to schedule.)

Additional Information Required to Address any Unique Circumstances and/or Comments:

_____

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Engineering Department
115 McDonough Road
Fayetteville, Georgia 30215
(T) 770-461-3142
(F) 770-719-0871
E-mail: engineering@fayettecountyga.gov

Engineering Department Resubmit/Date

_____

_____

_____

Engineering Department Approval/Date

_____

Fayette County Final Plat Checklist
Stormwater Section

Project: _____

Applicant: _____

Plan Page#	Included Y/N/NA	Items marked with N are missing or deficient
_____	_____	45. Monuments – Show the location, material and description of all monuments.
_____	_____	46. Monuments – Provide a permanent benchmark on site, per Section 7 of the Subdivision Regulations.
_____	_____	47. Easements – Delineate and label all easements.
_____	_____	48. State Waters – Delineate all state waters within and around the property to include streams, floodplain, and wetlands. If state waters with a buffer are shown provide a note stating *"State waters indicated on this plat are subject to a 25 ft. state buffer."* Provide a note if there are no state waters. Provide a note if there are no state waters.
_____	_____	49. Watershed Protection – Delineate watershed protection buffers and setbacks per Article VII of the Development Regulations. Label as *"Watershed Protection Buffer" and "Watershed Protection Setback".* Show the 1,000-ft watershed protection impact boundary, if applicable.
_____	_____	50. Floodplain – Provide an Area of Special Flood Hazard certification statement. Reference the FIRM panel number and date. Provide a note if there is no Areas of Special Flood Hazards on or adjacent to the property.
_____	_____	51. Floodplain – Delineate and label all Areas of Special Flood Hazard (natural and man-made including any stormwater management structures). Provide 100-year flood elevations for each hazard area. Reference the source(s) of any flood hazard data shown on the Final Plat.
_____	_____	52. Floodplain – Indicate the contiguous area outside the Area of Special Flood Hazard for each lot containing a flood hazard. Buildable lots shall have 50 percent of the minimum lot size or one (1) acre, whichever is greater, outside any Area of Special Flood Hazard.
_____	_____	53. Floodplain – Establish a minimum finish floor elevation (MFFE) at least 3 ft above the 100-year flood elevation for each lot containing an Area of Special Flood Hazard or adjacent to a parcel with an Area of Special Flood Hazard if required by the Stormwater Management Department.

Fayette County Final Plat Checklist
Stormwater Section

Plan Page#	Included Y/N/NA	Items marked with N are missing or deficient
_____	_____	54. Wetlands – Delineate all jurisdictional wetlands. Identify the source of the wetland delineation. Include the following statement, if applicable, or provide a note if there are no wetlands on the property: *"Wetlands shown on this plat are under the jurisdiction of the U.S. Army Corps of Engineers. Property owners may be subject to penalty by law for disturbance to these wetland areas without proper authorization."*
_____	_____	55. Wetland Certification – Provide a wetland certification statement per Section 5 of the Fayette County Subdivision Regulations.

I, _____ of _____
name organization
do hereby certify that I have field inspected the property know as
_____ on _____ and determined that the property
subdivision name date
☐ contains ☐ does not contain jurisdictional wetlands as defined by the U.S. Army Corps of Engineers.

_____
Signature of Wetland Delineator

_____
Company Address & Telephone

_____	_____	56. Soils – Show and label the limit of hydric soils. Reference the source of the soil data/delineation.
_____	_____	57. Stormwater – Identify and label all stormwater management control structures (inlets, pipes, headwalls, BMPs, etc.) within the project. The nomenclature should match that used for the project's *Inspection and Maintenance Agreement for Stormwater Management Controls*. Stormwater controls shall be on common property. Any stormwater control structure that creates an Area of Special Flood Hazard shall have the 100-yr flood elevation delineated.
_____	_____	58. Include the following statement: *"Fayette County does not accept the ownership, maintenance or responsibility for any drainage easement or overall drainage plan, or the lack of one, indicated by this plat."*

Fayette County Final Plat Checklist
Stormwater Section

Plan Page#	Included Y/N/NA	Items marked with N are missing or deficient
_____	_____	59. Include the following statement:

STORMWATER MANAGEMENT INSPECTION & MAINTENANCE
The property conveyed herein is subject to the restrictive covenants of the _____ Homeowners Association and an *Inspection and Maintenance Agreement for Stormwater Management Controls* recorded in Deed Book ___, page ___. Failure to satisfy the inspection and maintenance requirements of the above-referenced agreement may result in enforcement action by the County, including but not limited to, judgment liens against the property owners and/or Homeowners Association. The inspection and maintenance agreement is recorded with the Clerk of Courts. A copy of the agreement is available at the Fayette County Engineering Department.

Submittals – The following submittals and checks shall be satisfied prior to Final Plat approval.

Start Date	Finish Date	
_____	_____	60. Soil Density Tests (Development Regulations - Article III)
_____	_____	61. Storm Sewer Installation Report (Development Regulations – Article XIII)
_____	_____	62. PE Construction Inspection Reports of Stormwater Controls (Development Regulations – Article XIII)
_____	_____	63. PE Stormwater System Final Inspection and As-Built Plans (Development Regulations – Article XIII)
_____	_____	64. Stormwater Management Operations & Maintenance Plan (Development Regulations – Article XIII)
_____	_____	65. Inspection and Maintenance Agreement for Stormwater Controls (Development Regulations – Article XIII)
_____	_____	66. Master Erosion and Sedimentation Control Plan for House Construction
_____	_____	67. Installation of Improvements (Subdivision Regulations – Section 7)

Fayette County Final Plat Checklist
Stormwater Section

_____ _____ 68. Grassing and Erosion Control (Subdivision Regulations – Section 7)

_____ _____ 69. Performance Bond (Subdivision Regulations – Section 8)

_____ _____ 70. Maintenance Bond (Subdivision Regulations – Section 9)

Amount $_____

_____ _____ 71. Electronic copy of plat in state plane coordinates (Subdivision Regulations – Section 4) (NAD-83, Georgia West Zone 1002).

_____ _____ 72. Stormwater Department Final Inspection. (Call Department to schedule.)

NOTE: A subdivision may submit a petition to the Stormwater Management Department for the Board of Commissioners to authorization for the subdivision to become a street light district after recordation of the Final Plat.

Additional Information Required to Address any Unique Circumstances and/or Comments:

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Stormwater Management Department
140 Stonewall Avenue West, Suite 203
Fayetteville, Georgia 30214
(T) 770-305-5410
(F) 770-305-5256 or 770-305-5258
E-mail: stormwater@fayettecountyga.gov

Stormwater Management Department
Resubmit/Date

_____

_____

Stormwater Department Approval/Date

_____