COUNTY DEPARTMENT AGENDA REQUEST

Department:	Planning and Zoning	Presenter(s):	Pete Frisina
Meeting Date:	Thursday, June 24, 2010	Type of Request:	Public Hearing

Wording for the Agenda:

Consideration of Ordinance 2010-05, proposed amendments to the Fayette County Code regarding Chapter 8 Development Regulations by adding Article XIV Subdivision Regulations, in its entirety.

Background/History/Details:

The proposed amendments are a result of an overall review of the Subdivision Regulations including amendments for compliance with State Law. Staff worked with a group of local developers, surveyors, and engineers to draft the proposed amendments. The Subdivision Regulations are proposed to be added to the Fayette County Code under Chapter 8 of the Development Regulations. On June 2, 2010, the Board of Commissioners instructed staff to advertise the proposed amendments for the June 24, 2010, Public Hearing.

What action are you seeking from the Board of Commissioners?

Adoption of Ordinance 2010-05, proposed amendments to the Fayette County Code regarding Chapter 8 Development Regulations by adding Article XIV Subdivision Regulations, in its entirety

If this item requires funding, please describe:

Not Applicable.

Has this issue come before the Commissioners in the past?	Yes	If so, when?	Wednesday, June 2, 2010
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:

Legal advertisement to run a minimum of 15 days prior to the public hearing date.
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)
02/02/10 - Amendments based on comments from BOC Workshop on 02/02/10 (BOC, Pete Frisina, Phil Mallon, Vanessa Birrell, Bryan Keller, Robyn Wilson, Billy Brundage, Larry Seabolt, and Randy Boyd)
04/02/10 - Pete Frisina, Phil Mallon, Vanessa Birrell, Bryan Keller, Robyn Wilson, Dennis Dutton, Billy Brundage, Larry Seabolt, and Randy Boyd
February, March, and April – Numerous meetings were held during this time between Pete Frisina, Vanessa Birrell, Bryan Keller, and Robyn Wilson.
05/06/10 – BOC Workshop (tabled until 06/02/10)
06/02/10 – BOC Workshop
06/24/10 – BOC Public Hearing

PROPOSED AMENDMENTS TO
THE FAYETTE COUNTY CODE

ARTICLE XIV SUBDIVISION REGULATIONS

SUBDIVISION REGULATIONS

AN ORDINANCE SETTING FORTH REGULATIONS, SPECIFICATIONS, AND PROCEDURES GOVERNING THE PLATTING OF LAND WITH*IN* 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**~~

Sec. 8-500. 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**~~

Sec. 8-501. DEFINITIONS

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.

~~**County Commissioners.** The Commissioners of the County of Fayette, Georgia.~~

County Engineer. The official, to whom the responsibilities normally associated with this title, have been delegated.

~~**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.~~ *(NOTE: RELOCATE IN ALPHABETICAL ORDER)*

Comprehensive Plan. The Comprehensive Plan for the County of Fayette, Georgia, approved by the ***Board of Commissioners and 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.~~

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 (1) 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-induced change to real estate, including buildings or other structures including an activity, action, or alteration that fundamentally alters the current use and/or density of use of a 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 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 and 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 granted by the land owner to another person, consisting of the right to use or control the land, or an area above or below it, for a specific limited purpose, such as to cross if for access to a public road.***

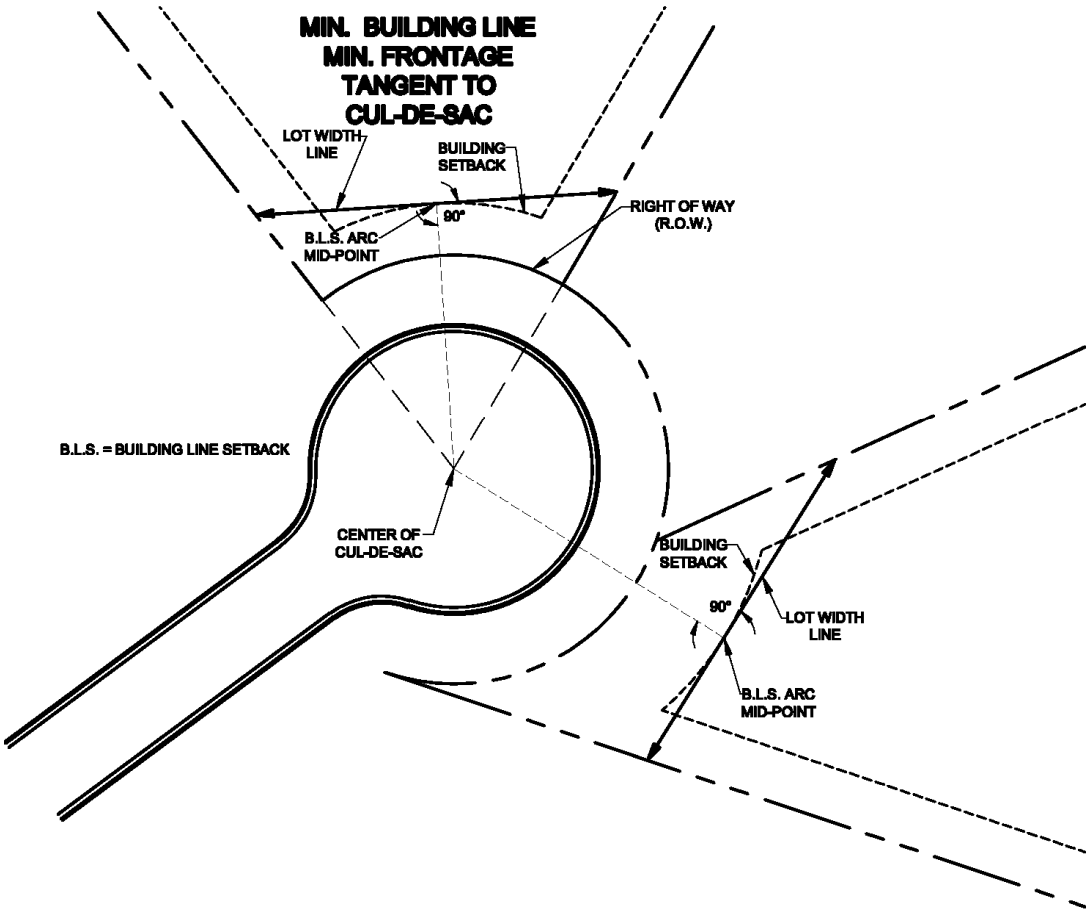
~~Loop Street.~~ ~~A street that connects to another street which is not a cul-de-sac or single-access loop street at two (2) points, forming a horseshoe or loop. (Amended 5/23/85)~~

~~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.

Plat, Final. All divisions of a tract of land into two (2) or more lots where the lots are less than five (5) acres in size and/or new streets are created.

Plat, Preliminary. A conceptual subdivision plan required prior to a Final Plat where new streets are created.

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 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~~. *(NOTE: CURRENTLY IN DEVELOPMENT REGULATIONS – ARTICLE III.)*

~~**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.~~ *(NOTE: CURRENTLY IN DEVELOPMENT REGULATIONS – ARTICLE III. AND REFERRED TO AS A MINOR ARTERIAL)*

~~**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~~. *(NOTE: CURRENTLY IN DEVELOPMENT REGULATIONS – ARTICLE III.)*

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 ***a minimum of*** two (2) or more lots. ~~building sites, 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.~~

Subdivision, Minor. All divisions of a tract of land into two (2) or more lots where the lots are five (5) acres or greater in size and no new streets are created.

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.***

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 have been delegated.

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

~~SECTION 3~~

Sec. 8-502. GENERAL

(a) **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.

(b) **Recordation of Final ~~Plat~~ *or Minor Subdivision Plats*.** No Final Plat ***or Minor Subdivision 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~~ ***a plat of subdivision*** 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. ***Said plat shall contain a certification from the licensed surveyor that these provisions do not apply which shall entitle said plat to be recorded.***
(Ordinance No. 2009-01 Adopted 06/25/09)

(c) ~~***Open.***~~ ~~(Ordinance No. 2009-01 Adopted 06/25/09)~~ ***Unless noted otherwise, the County Engineer shall be responsible for the implementation of the Subdivision Regulations.***

~~**SECTION 4**~~

Sec. 8-503. APPROVAL OF SUBDIVISIONS

Subdivisions shall be reviewed and approved in ~~two (2)~~ stages as follows***: Preliminary Plats, Construction Plans (see applicable Development Regulations), and Final Plats. The requirements of this section are administered by the Fayette County Zoning Administrator, unless indicated otherwise.***

(a) **Preliminary Plat**

1. **Purpose.** ~~The purpose of t~~***T***he Preliminary Plat ~~is to~~ safeguard***s*** the Subdivider from unnecessary loss of time and expense in preparation of a subdivision plat ~~which~~ ***that*** 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~~ ***clarification.***

   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.

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, wiith a completed 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)

3. ***Street Name(s) and Subdivision Name Approval. Prior to submittal of the Preliminary Plat, street name(s) (see Development Regulations, Article III.) and subdivision names shall be submitted to the Planning and Zoning Department. The Planning and Zoning Department shall forward said names to the Postmaster and 911 for approval. Approval by both parties is required. The Planning and Zoning Department shall reserve the names with the Postmaster and 911. The approved names shall be indicated on the Preliminary Plat.***

4. ~~**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, ***signed, and sealed*** in accordance with these regulations and with applicable County specifications by a registered engineer, surveyor, and/or ***landscape*** architect who ~~are~~ ***is*** 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)~~

5. **Approval by Individual Agencies.** ***The Preliminary Plat shall be reviewed at the TRC Meeting. The checklists/comments from the applicable department are due to the Planning and Zoning Department within three (3) calendar days after the TRC Meeting. Should the plat contain deficiencies and require corrections, said corrections shall be made by the design professional to satisfy all requirements of the Preliminary Plat, 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)

6. **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 ***the Zoning Administrator and*** all of the ~~appropriate~~ ***applicable*** departments. ***The applicant shall be notified by mail of the date, time, and place of the public meeting.*** (Ordinance No. 2009-01 Amended 06/25/09)

b. The Planning Commission shall take action on Preliminary Plats in their regularly scheduled meetings. ~~, except~~ ~~f~~***F***or revisions to a recorded plat ~~which, under the applicable provisions of Section 4-2.~~***7***~~,~~ ***that*** requires approval of a ~~new~~ ***revised*** Preliminary Plat ***that substantially***~~. Revisions which~~ change***s*** a street and/or utility layout shown on a recorded plat shall be afforded a public hearing on the new Preliminary Plat. ***T***he 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) ***calendar*** 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 act on*** ~~***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)

7. **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~~ ***~~p~~Permits*** for grading, ~~or~~ ***road*** construction, ~~of the roads~~ ***and/or any minimal improvements*** ~~will~~ ***shall*** not be given until the County Engineer***, Stormwater Management Director,*** and the Fire Marshal have approved the construction plans ***as indicated by their signature and/or stamp.*** ***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)

8. **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.

(b) Final Plat *or Minor Subdivision Plat*

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)

2. **Filing the Final Plat *or Minor Subdivision Plat*.** ~~The~~ ***A*** Final Plat shall not be submitted for review until the minimum improvements are completed subject to the provisions ***herein*** ~~of Section 8 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~~ ***A Minor Subdivision Plat may be submitted at any time. The number of copies required of the Final Plat or Minor Subdivision Plat is available in 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 or Minor Subdivision Plat*** to the ~~reviewing~~ ***appropriate*** departments. The ~~f~~***F***inal ~~p~~***P***lat ***or Minor Subdivision Plat*** shall be deemed filed when it has been submitted ~~by~~ ***to*** the ~~Zoning Administrator~~ ***Planning and Zoning Department with a completed application (see Final Plat/Minor Subdivision Plat Application under Forms at*** www.fayettecountyga.gov). (Ordinance No. 99-09, 6/24/99)

3. **Approval by Appropriate Departments.**

A Final Plat shall be reviewed by TRC. A checklist of required information from the applicable department is due to the Planning and Zoning Department within three (3) calendar 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.

A Minor Subdivision Plat shall be reviewed by the applicable departments which shall have a maximum of 14 calendar days from the submittal date for the review. Should the Minor Subdivision 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 ***or Minor Subdivision Plat*** is resubmitted, the applicable departments shall review the resubmitted Final Plat ***or Minor Subdivision Plat*** for compliance with all applicable statutes, codes, ordinances, and rules. The review of a resubmitted Final Plat ***or Minor Subdivision 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, one (1) paper vellum or mylar shall be submitted to the Planning and Zoning Department. Each applicable department shall be notified that the paper vellum or mylar is available for review in the Planning and Zoning Department. The paper vellum or mylar 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)~~

~~**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:~~

~~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)~~
(NOTE: RELOCATE THE FOLLOWING TO SECTION 8-504)

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

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

a. The Final Plat ***or Minor Subdivision Plat*** shall be placed on the Planning Commission Agenda for consideration when the Final Plat ***or Minor Subdivision Plat*** is approved by all of the appropriate departments. ***The applicant shall be notified by mail of the date, time, and place of the public meeting. No Final Plat or Minor Subdivision 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 or Minor Subdivision Plat. The 60 calendar days begins upon approval by all of the appropriate departments. The Planning Commission may consider a Final Plat or Minor Subdivision 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 ***or Minor Subdivision 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~~ ***Final Plat or Minor Subdivision Plat*** upon approval by the Planning Commission. (Ordinance No. 2009-01 Adopted 06/25/09)

5. ***Additional Requirements for Final Plat or Minor Subdivision Plat (if applicable) for approval prior to*** **Recordations.** In addition to the above requirements, ***all documents, including, but not limited to: reports, environmental permits and/or variances (required for subdivision construction), bonds, Irrevocable Letters-of-Credit, as-built drawings, and stormwater operation and maintenance plans and agreements, referenced in the Development Regulations*** ~~the following documents must~~ ***shall*** be submitted to the ~~noted authorities~~ ***applicable departments***. (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.~~

~~8.~~ ***One (1)*** digital copy of the ***approved*** Final Plat ***or Minor Subdivision 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. Submittal will not be accepted via an email.*** (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.~~

6. ***Final Plat or Minor Subdivision Plat Expiration. A Final Plat or Minor Subdivision Plat shall expire 90 calendar days after the date of approval by the Planning Commission if the Final Plat or Minor Subdivision Plat has not been recorded by the Subdivider into the Fayette County Clerk of Superior Court records. Once a Final Plat or Minor Subdivision Plat has expired, it and any Maintenance Bond and/or Irrevocable Letter-of-Credit (see Section 8-508) are void and a new Final Plat or Minor Subdivision 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 or Minor Subdivision Plat fee.***

7. **Revision to a Recorded *Final* Plat.** ~~In addition, a~~ ***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. ***See Section 8-504. for requirements to be indicated on the Revised Final Plat, as applicable. In addition, a*** ~~Proposed~~ ***proposed*** revisions ***to a recorded Final Plat*** ~~which~~ ***that 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~~ ***8-503*** of these regulations. (Ordinance No. 2009-01 Amended 06/25/09)

Proposed revisions to ***a Recorded Final Plat of*** 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)

8. ***Revisions to a Recorded Minor Subdivision Plat. A revision to a recorded Minor Subdivision 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. See Section 8-504. for requirements to be indicated on the revised Minor Subdivision Plat, as applicable.***

Proposed revisions to a Recorded Minor Subdivision Plat of 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) 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 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.

9. ***Minor Revisions to a Recorded Final Plat or Minor Subdivision Plat. A minor revision to a recorded Final Plat or Minor Subdivision Plat such as the combination of lots, minor shifts to lot lines, corrections of errors and/or establishment or modification of an easement that does not increase the number of lots, change the use, alter the road or utility layout, or change the outer boundary of the Final Plat or Minor Subdivision 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. See Section 8-504 for requirements to be indicated on the minor revision of a Final Plat or the minor revision of a Minor Subdivision Plat, as applicable.***

10. ~~**Distribution Schedule.**~~ ***Requirements After the Recordation of an Approved Final Plat or Minor Subdivision Plat.***

11. ~~***Open.*** (Ordinance No. 2009-01 Amended 06/25/09)~~
After the Final Plat or Minor Subdivision Plat has been recorded, no building permits shall be issued until the Subdivider has furnished the required number of recorded copies of the Final Plat or Minor Subdivision Plat and a recorded Warranty Deed for any right-of-way being donated to the County ~~, and one (1) copy of the approved 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)

12. **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 ***or Minor Subdivision 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 or Minor Subdivision Plat, the required number of recorded copies, a recorded copy of a Warranty Deed for any right-of-way dedicated to the County, and the digital media copy of the approved Final Plat or Minor Subdivision 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)

~~SECTION 5~~

Sec. 8-504. THE SUBDIVISION PLAT

(a) **The Preliminary Plat.** ***The Preliminary Plat shall contain all the following requirements and certification statements, and any additional information required to address any State and/or Federal requirements (see Preliminary Plat Checklist under Forms at*** www.fayettecountyga.gov).

The following shall be indicated on the Preliminary Plat:

1. ***The title block shall state: "Preliminary Plat of …… Subdivision", County, State, land lot(s), and district(s).***

2. ***Name, address, telephone number, fax number of the engineer, surveyor, and/or landscape architect including seal, signature, and Georgia registration number.***

3. ***Name, address, telephone number, fax number of the owner and/or developer.***

4. ***Indicate date of plat preparation; provide scale of drawing (not to exceed 1 in. = 100 feet, stated and shown graphically.***

5. ***Provide legend of all abbreviations.***

6. ***Provide an index of sheets if more than one (1) sheet is provided.***

7. ***Provide a north arrow (to state plane grid north) and vicinity map of such a scale that the subdivision may be readily located and identified within the County.***

8. ***Show all land lot lines; land district lines; city and/or county boundaries intersecting or adjacent to the subject property.***

9. ***Show exterior property lines with bearings and distances of subject property. Provide a matching Warranty Deed and legal description of property (if applicable.)***

10. ***Provide zoning district and property owner(s) name and/or subdivision name of all adjacent properties.***

11. ***Show location, purpose, and width of any easement of record. Provide a note if there are no existing easements associated with the property.***

12. ***Within the general notes, indicate the zoning district; minimum lot size; front, side, and rear setbacks; minimum floor area; minimum lot width at the building line; total acreage of subject property; and total number of lots.***

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. ***All applicable zoning regulations shall be indicated on the Preliminary Plat. Show front, side, and rear setback lines as dashed lines. Indicate minimum lot width at the front building line on each individual lot or in a legend.***

15. ***Provide the area of each lot and contiguous area (if applicable, see Section 6) to the 1/100th acre; label the lot numbers; and show the dimensions of all lot lines.***

16. ***Indicate how lots will be served by water and sewage disposal. Indicate the proposed layout of waterlines, fire hydrants, and sewer lines (if applicable.) If County water is not available, indicate how subdivision will be served (i.e., individual well/septic tank.)***

17. ***Indicate all existing structures and buildings and label as "to remain" or "to be removed". Structures and buildings that will remain must be shown on individual lots and meet all applicable zoning requirements. Also indicate any improvements such as existing railroads, sewers, bridges, culverts, drain pipes, water mains, water wells, parks, public open spaces, etc. Provide a note if there are no existing structures, buildings, or improvements on the subject property.***

18. ***Indicate the location of a cemetery (if applicable, see Fayette County Code, Chapter 12, Article VII. Cemeteries, Burial Grounds, Human Remains, and Burial Objects.)***

19. ***The plat shall show all parcels of land to be dedicated to the County for public use.***

20. ***Indicate the boundaries and enhancement areas for any proposed common areas including signage. Label as "Common Area – Not a Building Lot" and/or "Signage."***

21. ***Indicate the boundaries and area to 1/100th acre for any proposed Developed Residential Recreational/Amenity Areas. Label recreation areas "Not a Residential Building Lot, For Recreational Purposes Only."***

22. ***Show all existing and/or proposed streets on and/or adjacent to property. Label right-of-way widths. Label proposed street names. Provide right-of-way dedication, as needed.***

23. ***Corner Lots – Fillet (20 foot radius) or chamfer corner property lines at street intersections.***

24. ***Street Length – Indicate the length of each street in the subdivision.***

25. ***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.)***

26. ***Indicate any proposed golf cart, bicycle, or pedestrian circulation systems, including sidewalks, crosswalks, multi-use paths, etc.***

~~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.~~

27. ***Show existing (dashed) and proposed (solid) contour at ten (10) two (2) foot intervals of elevation and be based upon North American Datum NAD 1983 State Plane Georgia West.*** ~~***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***.~~

28. ***Delineate and label all state waters requiring watershed protection buffers and setbacks within the subdivision. Delineate and label all state waters adjacent to the subdivision where any watershed buffers and/or setbacks extend into the subdivision property. Provide a note if there are***

no state waters requiring a buffer. Label as "Watershed Protection Buffer," and "Watershed Protection Setback."

29. ***Show location of all specimen trees within 100 feet of the centerline of all right-of-ways, stormwater management structures, and utility and drainage easements.***

30. ***Identify any specimen trees designated for removal. Include the tree size (DBH), species (common name) and justification for removal.***

31. ***Delineate and label each drainage basin within the project boundaries. Provide drainage areas and existing and proposed CN values. Show offsite area and peak flow (Q_{10} and Q_{100}) for drainage areas passing through site.***

32. ***Delineate and label areas to be used for stormwater management consistent with the hydrologic data provided above. For each drainage basin, provide a narrative description of how water quality, stream channel protection, and flood protection criteria will be satisfied or why any exemptions may apply.***

33. ***Delineate any base flood elevations as required in the Floodplain Management Ordinance. For any streams with 100 acres or greater drainage area provide the future-conditions flood elevations. Provide a note if there is no floodplain on the property. Reference the FIRM panel number and date.***

34. ***Delineate any groundwater recharge areas as required in the Groundwater Area Protection Ordinance. Provide a note if there is no groundwater recharge areas on the property.***

35. ***Delineate all jurisdictional wetlands.*** The wetland delineation shall be made following the procedures established by the U.S. Army Corps of Engineers.

36. **Soils.** The plat shall ~~indicate and~~ delineate the ***soil*** classification***s*** ~~of soils~~ ***in the areas of*** ~~across~~ the property ***proposed for the placement of on-site sewage management systems.*** 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.***

37. ***Statements and/or Certifications. Provide the following statements and/or certifications, if applicable:***

a. ***"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 ."***

b. ***"This Preliminary Plat has been reviewed and approved by the Planning Commission on / / ."***

c. ***"Each residential building lot has a minimum contiguous area that is free and clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, and easements of any kind." Indicate the contiguous area (in acres) on each individual lot or in a legend."***

d. ***WETLAND DELINEATION***

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

e. ***SOIL CLASSIFICATION DELINEATION***

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.~~

38. **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)

(b) **The Final Plat.** ***The Final Plat shall contain all of the following requirements and certification statements and any additional information required to address any State and/or Federal requirements (see Final Plat Checklist under Forms at*** www.fayettecountyga.gov).

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.~~

The following shall be indicated on the Final Plat:

1. ***The title block shall state: "Final Plat of ……." A revision to a Final Plat must state "Revised Final Plat of ……..."; purpose and date of revision and date of revision; and date, plat book, and page number of the previously recorded Final Plat.***

2. ***The title block shall show the name of the proposed subdivision, County, State, land lot(s), and district(s).***

3. ***Name, address, telephone number, fax number of the engineer, surveyor, and/or landscape architect including seal, signature, and Georgia registration number.***

4. ***Name, address, telephone number, fax number of the owner and/or developer.***

5. ***Indicate date of plat preparation; provide scale of drawing (not to exceed 1 in. = 100 feet, stated and shown graphically. The Zoning Administrator may approve a different scale.***

6. ***Provide legend of all abbreviations.***

7. ***Provide an index of sheets if more than one (1) sheet is provided.***

8. ***Provide a north arrow (to state plane grid north) and vicinity map of such a scale that the subdivision may be readily located and identified within the County.***

9. ***Show all land lot lines; land district lines; and city and/or county boundaries intersecting or adjacent to the subject property.***

10. ***Show property lines with bearings and distances of the subject property. Provide a matching Warranty Deed and legal description of property (if applicable.)***

11. ***Provide zoning district and property owner(s) name and/or subdivision name of all adjacent properties.***

12. ***Show location, purpose, width and/or dimensions of any easement of record and/or easements within the subdivision. Provide a note if there are no recorded easements found associated with the property.***

13. ***Within the general notes, indicate the zoning district; minimum lot size; front, side, and rear setbacks; minimum floor area; minimum lot width at the building line; total acreage of subject property; and total number of lots.***

14. ***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.)***

15. ***Provide information regarding the Preliminary Plat, including date of approval by the Planning Commission and exact wording of any related conditions of approval.***

16. ***All applicable zoning regulations shall be indicated on the Final Plat. Show front, side, and rear setback lines as dashed lines. Indicate minimum lot width at the front building line.***

17. ***Provide the area of each lot and the contiguous area (if applicable, see Section 6) to the 1/100th acre; label the lot numbers; label street addresses; show the bearings and distances of all lot lines; and identify the parent tract, if applicable.***

18. ***Indicate how lots will be served by water and sewage disposal. Indicate the location of fire hydrants (if applicable.) If County water is not available, indicate how subdivision will be served (i.e., individual well/septic tank.)***

19. ***Indicate all existing structures and buildings and label as "to remain" or "to be removed". Structures and buildings that will remain must be shown on individual lots and meet all applicable zoning requirements. Also indicate any improvements such as existing railroads, sewers, bridges, culverts, drain pipes, water mains, water wells, parks, public open spaces, etc. Provide a note if there are no existing structures, buildings, or improvements on the subject property.***

20. ***Indicate the location of a cemetery (if applicable, see Fayette County Code, Chapter 12, Article VII. Cemeteries, Burial Grounds, Human Remains, and Burial Objects.)***

21. ***The plat shall show all parcels of land to be dedicated to any Local, State, or Federal governmental agency for public purpose (i.e. – public parks, fire stations, public schools, etc.)***

22. ***Indicate the boundaries and area to 1/100th acre for any common areas including signage. Label as "Common Area – Not a Building Lot" or "Signage."***

23. ***Indicate the boundaries and area for any Developed Residential Recreational/Amenity Areas. Label recreation areas "Not a Residential Building Lot, For Recreational Purposes Only."***

24. ***Show all existing streets on and/or adjacent to property. Label right-of-way widths. Label street names. Provide right-of-way dedication, as needed.***

25. ***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 that can be identified or relocated from maps, plats, and other documents on public record.***

26. ***Georgia Plat Act – State the type of equipment used to obtain the linear and angular measurements used in preparation of the plat.***

27. ***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.***

28. ***Surveying – Street centerline curve data shall include the deflection angle (delta), radius, length, and tangent.***

29. ***Surveying – ~~Lengths shall be expressed to the nearest one-hundredth (1/100th) of a foot. Angles shall be shown to the nearest second. The error of closure shall not exceed third order accuracy (one [1] in 10,000).~~*** 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 (1/100th) 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 of at least*** one (1) in ~~five thousand (5000)~~ ***10,000***.

30. ***Corner Lots – Fillet (20-foot radius) or chamfer corner property lines at street intersections.***

31. ***Street Length – Indicate the length of each street in the subdivision.***

32. ***Indicate any proposed golf cart, bicycle, or pedestrian circulation systems, including sidewalks, crosswalks, multi-use paths, etc.***

33. ***Delineate and label all stormwater easements as required in Article VIII of the Development Regulations.***

34. ***Delineate and label all state waters requiring watershed protection buffers and setbacks within the subdivision. Delineate and label all state waters adjacent to the subdivision where any watershed buffers and/or***

setbacks extend into the subdivision property. Provide a note if there are no state waters requiring a buffer. Label as "Watershed Protection Buffer," and "Watershed Protection Setback."

35. ***Delineate and label all base flood elevations, both natural and man-made. Reference the source(s) of any flood hazard data shown on the Final Plat.***

36. ***Establish a minimum finished floor elevation (MFFE) as required in the Floodplain Management Ordinance.***

37. ***Delineate all jurisdictional wetlands. Identify the source of the wetland delineation.***

38. ***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.***

39. ***Delineate any groundwater recharge areas as required in the Groundwater Area Protection Ordinance. Provide a note if there is no groundwater recharge areas on the property.***

~~The Final Plat shall show all jurisdictional wetlands on the subject properties and identify the source of the wetland delineation.~~

40. 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.~~ ***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.***

50. ***Statements and/or Certificates. Provide the following statements and/or certificates, if applicable:***

a. ***"Each residential building lot has a minimum contiguous area that is free and clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, and easements of any kind." Indicate the contiguous area on each individual lot or in a legend.***

b. ***Georgia Plat Act – Show the closure precision of the field survey. "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."

c. ***Georgia Plat Act – Show the closure precision of the data shown on the plat. "This map or plat has been calculated for closure and is found to be accurate within one (1) foot in _____ feet."***

d. ***"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."***

e. ***"As per Flood Insurance Rate Map Number _____ dated / / , this site (does or does not) lie within a flood hazard zone."***

f. ***STORMWATER MANAGEMENT INSPECTION AND 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 Stormwater Management Department.

g. ***WETLANDS***

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)

h. **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 calendar days (/ /) of the date of approval by the Planning Commission.

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

(Ordinance No. 2000-03)

i. **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

j. **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 – Date
Signature and ***Registration/***License Number
(Amended 3/23/06)

k. ***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

l. ***LEVEL III SOIL SURVEY***

I, _____ do hereby certify that the Level III Soil
Name
Survey information provided on ~~this plat~~ ***the Soil Map*** 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

m. ***PRELIMINARY PLAT CERTIFICATE***

I hereby certify that all the applicable requirements of the Fayette County Subdivision Regulations relative to the preparation and submission of a preliminary plat have been fully complied with.

_____ _____

GA Registered Land Surveyor/Professional Engineer/ Landscape Architect - Signature and Registration/License Number ***Date***

n. **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~~. (Amended 6/23/94)

Date _____ Signed _____
Environmental Health Specialist

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~~. (Amended 8/27/87)

Date _____ Signed _____
County Engineer

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

~~***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."~~

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

(1) ***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 cost to Fayette County, upon recordation of said Final Plat into the Fayette County Clerk of Superior Court records.***

(2) ***All that property contained within the required right-of-way of (insert name of existing street) having a minimum required (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 cost to Fayette County, upon recordation of said Final Plat into the Fayette County Clerk of Superior Court records.***

~~**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***~~.~~

~~**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.***

~~**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.~~

~~**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)~~

p. ***Submittals – The following submittals and checks shall be satisfied prior to Final Plat approval, as applicable.***

(1) ***Core Sample Report (Development Regulations – Article III.)***

(2) ***Soil Density Tests (Development Regulations – Article III.)***

(3) ***Utilities–power, gas, and water installed (Development Regulations, Article III.)***

(4) ***Stormwater Management Plan (Development Regulations, Article XIII.)***

(5) ***Stormwater Operations and Management Plan (Development Regulations, Article XIV.)***

(6) ***Storm Sewer Installation Report (Development Regulations, Article III.)***

(7) ***Stormwater Management Inspection and Maintenance Agreement (Development Regulations, Article XIII.)***

(8) ***Stormwater As-Built Plan (Development Regulations, Article XIV.)***

(9) ***Performance Bond/Irrevocable Letter-of-Credit (Subdivision Regulations – Section 8-508.) Amount $ _____***

(10) ***Maintenance Bond/Irrevocable Letter-of-Credit (Subdivision Regulations – Section 8-508.) Amount $ _____***

(11) ***Engineering Department Final Inspection. (Call Department to schedule.)***

(12) ***Submit a Soil Map*** indicating the classification of soils ***in the areas of*** ~~across~~ the property ***proposed for the placement of on-site sewage management systems.*** 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.***

q. ***Other Considerations*.**

(1) ***An application may be submitted to the Planning and Zoning Department for the Board of Commissioners authorization of motorized cart***

use in the subdivision after recordation of the Final Plat (see Fayette County Code, Chapter 10 Motor Vehicles and Traffic and the home page www.fayettecountyga.gov for application.)

(2) ***A petition may be submitted to the Stormwater Management Department for the Board of Commissioners authorization for the subdivision to become a street light district after recordation of the Final Plat (see Fayette County Code, Chapter 16 Street Lights.)***

(c) ***The Minor Subdivision Plat. The Minor Subdivision Plat shall contain all of the following requirements and certification statements and any additional information required to address any State and/or Federal requirements (see Minor Subdivision Plat Checklist under Forms at www.fayettecountyga.gov).***

Sheet Design. The Minor Subdivision Plat and/or a revision to a recorded Minor Subdivision Plat shall be drawn in permanent ink on one (1) or more sheets of paper vellum or mylar measuring 17 inches by 22 inches. When two (2) or more sheets are used, a key map shall be shown with each sheet.

The following shall be indicated on the Minor Subdivision Plat:

1. ***The title block shall state: "Minor Subdivision Plat of ……." A revision to a Minor Subdivision Plat must state "Revised Minor Subdivision Plat of ……..:" purpose and date of revision; and date, plat book, and page number of the previously recorded Minor Subdivision Plat.***

2. ***The title block shall show the name of the proposed subdivision, County, State, land lot(s), and district(s).***

3. ***Name, address, telephone number, fax number of the engineer, surveyor, and/or landscape architect including seal, signature, and Georgia registration number.***

4. ***Name, address, telephone number, fax number of the owner and/or developer.***

5. ***Indicate date of plat preparation; provide scale of drawing (not to exceed 1 in. = 200 ft.), stated and shown graphically. The Zoning Administrator may approve a different scale.***

6. ***Provide legend of all abbreviations.***

7. ***Provide an index of sheets if more than one (1) sheet is provided.***

8. ***Provide a north arrow (to state plane grid north) and vicinity map of such a scale that the subdivision may be readily located and identified within the County.***

9. ***Show all land lot lines; land district lines; and city and/or county boundaries intersecting or adjacent to the subject property.***

10. ***Show property lines with bearings and distances of the subject property. Provide a matching Warranty Deed and legal description of property (if applicable.)***

11. ***Provide zoning district and property owner(s) name and/or subdivision name of all adjacent properties.***

12. ***Show location, purpose, width and/or dimensions of any easement of record and/or easements within the subdivision. Provide a note if there are no recorded easements found associated with the property.***

13. ***Within the general notes, indicate the zoning district; minimum lot size; front, side, and rear setbacks; minimum floor area; minimum lot width at the building line; total acreage of subject property; and total number of lots.***

14. ***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.)***

15. ***All applicable zoning regulations shall be indicated on the Minor Subdivision Plat. Show front, side, and rear setback lines as dashed lines. Indicate minimum lot width at the front building line on each individual lot or in a legend.***

16. ***Provide the area of each lot and the contiguous area (if applicable, see Section 8-505) to the 1/100th acre; label the lot numbers; label street addresses; show the bearings and distances of all lot lines; and identify the parent tract, if applicable.***

17. ***Indicate how lots will be served by water and sewage disposal. If County water is not available, indicate how subdivision will be served (i.e., individual well/septic tank.)***

18. ***Indicate all existing structures and buildings and label as "to remain" or "to be removed". Structures and buildings that will remain must be shown on individual lots and meet all applicable zoning requirements in terms of any new property lines. Also indicate any improvements such***

as existing railroads, sewers, bridges, culverts, drain pipes, water mains, water wells, parks, public open spaces, etc. Provide a note if there are no existing structures, buildings, or improvements on the subject property.

19. ***Indicate the location of a cemetery (if applicable, see Fayette County Code, Chapter 12, Article VII. Cemeteries, Burial Grounds, Human Remains, and Burial Objects.)***

20. ***The plat shall show all parcels of land purposed to be dedicated to any Local, State, or Federal governmental agency for public purpose (i.e. – public parks, fire stations, public schools, etc.)***

21. ***Indicate the boundaries and area to 1/100th acre for any proposed common areas including signage. Label as "Common Area – Not a Building Lot" or "Signage."***

22. ***Show all existing streets adjacent to subject property. Label street names and right-of-way widths. Provide right-of-way dedication, as needed.***

23. ***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, and other documents on public record.***

24. ***Georgia Plat Act – State the type of equipment used to obtain the linear and angular measurements used in preparation of the plat.***

25. ***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.***

26. ***Corner Lots – Fillet (20-ft. radius) or chamfer corner property lines at street intersections.***

27. ***Delineate and label all state waters requiring watershed protection buffers and setbacks within the subdivision. Delineate and label all state waters adjacent to the subdivision where any watershed buffers and/or setbacks extend into the subdivision property. Provide a note if there are no state waters requiring a buffer. Label as "Watershed Protection Buffer," and "Watershed Protection Setback."***

28. ***Delineate and label all base flood elevations both natural and man-made. Reference the source(s) of any flood hazard data shown on the Minor Subdivision Plat.***

29. ***Establish a minimum finish floor elevation (MFFE) as required in the Floodplain Management Ordinance.***

30. ***Delineate all jurisdictional wetlands per the National Wetlands Inventory. A more detailed study may be required by the Stormwater Management Director dependent on field conditions. Provide a note if the inventory indicates none are present.***

31. ***Delineate any groundwater recharge areas as required in the Groundwater Area Protection Ordinance. Provide a note if there is no groundwater recharge areas on the property.***

32. ***Indicate the classification of soils in the areas of the property proposed for the placement of on-site sewage management systems. 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.***

33. ***The Minor Subdivision Plat shall show the accurate location, material, and description of all monuments. 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.***

34. ***Statements and/or Certificates. Provide the following statements and/or certificates, if applicable:***

    a. ***"Each residential building lot has a minimum contiguous area that is free and clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, and easements of any kind". Indicate the contiguous area (in acres) on each individual lot or in a legend.***

    b. ***Georgia Plat Act – Show the closure precision of the field survey. "The field data upon which this map or plat is based has a closure precision of one (1) ft. in _____ ft., and an angular error of _____ per angle point, and was adjusted using _____ rule."***

    c. ***Georgia Plat Act – Show the closure precision of the data shown on the plat. "This map or plat has been calculated for closure and is found to be accurate within one (1) ft. in _____ ft."***

d. ***"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."***

e. ***"As per Flood Insurance Rate Map Number dated / / , this site (does or does not) lie within a flood hazard zone."***

f. ***WETLANDS***

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.

g. ***OWNER'S CERTIFCATE***

We, the undersigned owner(s) of the Subdivision, hereby dedicate 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 Minor Subdivision Plat and any Maintenance Bond and/or Irrevocable Letter-of-Credit shall expire and thus become void if the Minor Subdivision Plat is not recorded into the Fayette County Clerk of Superior Court records within 90 calendar days (/ /) of the date of approval by the Planning Commission.

Owner ***Date***

_____ _____

_____ _____

h. ***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 – Date
Signature and Registration/License Number

i. ***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 Plans; and that all applicable requirements of Fayette County's Development Regulations and Subdivision Regulations have been fully complied with.

By: _____

GA Professional Engineer – Date
Signature and Registration/License Number

j. ***LEVEL III SOIL SURVEY***

I,_____ do hereby certify that the Level III Soil
Name
Survey information provided 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

k. ***Approvals.*** ***The following spaces shall be provided on the Minor Subdivision Plat in the form listed below for approval by all agencies having jurisdiction:***

Approved by Fayette County Environmental Health Department
Date_____ Signed _____
Environmental Health Specialist

Approved by Fayette County Stormwater Management Department

Date_____ Signed _____
Stormwater Management

Approved by the Fayette County Engineer
Date_____ Signed _____
County Engineer

Approved by the Fayette County Planning Commission on: ___/____/___

Date_____ Signed _____
Secretary

Approved by the Fayette County Zoning Administrator.

Date _____ Signed _____
Zoning Administrator

l. ***Dedication of Right-of-Way.*** ***Each approved Minor Subdivision Plat shall include thereon the following statement(s), as applicable:***

All that property contained within the required right-of-way of (insert name of existing street) having a minimum required (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.

~~SECTION 6~~

Sec. 8-505. 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 ***or private*** street. , which is or shall be maintained by the County. Where the subdivision does not immediately adjoin ***abut*** 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 ***necessary*** up grades to the existing roads/ prescriptive easements are required prior to approving construction of the subdivision. (Ordinance No. 2000-03)~~

~~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.~~

~~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)~~

Sec. 8-505. MINIMUM DESIGN STANDARDS

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.

(a) ***Subdivision Access. Where the subdivision does not immediately access an existing public street (County or State owned and/or maintained), the Subdivider shall provide access via a new public street or private street which complies with the minimum County standards to an existing public street. Any upgrades to existing public streets 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 necessary up grades to the existing public streets are required prior to approving construction of the subdivision.***

(b) ***Easements. All easements shall be shown on the Final Plat or Minor Subdivision Plat and meet the following standards where applicable.***

1. ***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;***
2. ***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;***
3. ***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***
4. ***Drainage easements shall be provided as required in Article VIII. of the Development Regulations.***

(c) **Contiguous Areas *for Residential Development*.** Each residential ***building*** 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)

(d) ~~**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.***

(e) ~~**Building Property Lines**~~ **Street Layout and Design**

1. ***Subdivision Entrances and Street Length – No street or portion of a street may provide access to more than 75 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 75 or less. Amenity and common areas (e.g., green space) are excluded from the 75-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.***

2. ***Any two-way divided entrance/road shall have a minimum 80-foot right-of-way, the 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.***

3. ***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 [2], 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)~~

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.***

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~~ a temporary turn-around.***

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.***

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~~ 80 degrees. A tangent section no less than ~~100~~ 50-feet long shall be placed between a centerline curve and the nearest right-of-way line of the street with which it intersects.***

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.~~ ***Where it is necessary to provide a street for future connection to an adjacent***

property, such street shall be constructed in conjunction with the subdivision up to the property line creating a Stub Street. Said Stub Street shall be indicated on the Preliminary Plat and Final Plat and labeled "Temporary Stub Street." Connecting Stub Streets shall maintain the same name and be terminated with a temporary turn-around as necessary. (Amended 5/23/85; Ordinance No. 2000-03)

(f) **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)

(g) **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, ***at no cost, to the County by the Subdivider.***

(h) **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**~~

Sec. 8-506. MINIMUM IMPROVEMENTS

(a) **General.** The Subdivider shall provide public improvements as required by ***all*** ~~these regulations and by~~ applicable County ***regulations,*** specifications**,** and requirements.

(b) **Curbs and Gutter.** The Subdivider shall install curb and gutter and proper drainage as required by County specifications.

(c) **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.***

(d) ~~*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.~~

(e) ***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 feet

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)

(f) 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.

(g) ***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 or Minor Subdivision 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 any on-site sewage disposal system and drainfields.

~~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.~~

(h) **Stormwater Drainage.** The Subdivider shall provide adequate stormwater drainage in accordance with ~~these regulations and~~ ***all*** applicable County ***regulations and*** 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. (Ordinance No. 2000-03)~~

(i) **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~~ ~~**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)~~

(j) 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*** approve~~s~~ 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.

(k) **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~~

Sec. 8-507. 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)~~

(a) ***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:***

1. ***Paving the top layer (top course) of asphalt on one (1) or more roads within the subdivision; and***
2. ***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 Director of Utilities, and the Stormwater Management Director 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.

(b) ***Criteria for Performance Bonds or Irrevocable Letter-of-Credit for paving***

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:

1. ***Material costs = ~~120%~~ 150% of current cost estimate for tack and asphalt;***
2. ***Labor and equipment = ~~10%~~ 20% of material costs; and***
3. ***Repairs to binder and base = 20% of material cost.***

Additional costs shall be included for unusual circumstances.

Performance Bonds/Irrevocable Letters-of-Credit for paving 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.

(c) ***Criteria for Performance Bonds for Permanent Stabilization***

The amount of the Performance 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.

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

Stabilization work shall be completed within ~~six (6) months~~ one (1) year of recording the Final Plat.

The Performance 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 Director.

(d) **Conditions Thereof.**

1. ***Performance*** 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~~ ***be accepted by the County Engineer*** provide***d*** 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~~ ***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)

Before acceptance of any ***Performance*** Bond or Irrevocable Letter-of-Credit ***for paving***, the County Engineer may, at his direction, have the County Attorney review said instrument. ~~If a~~ ***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)

2. **Duration and Release.** ***Performance*** 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.

3. **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~~ ***8-507*** 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~~
SECTION 8-508.

Sec. 8-508. ACCEPTANCE AND GUARANTEE OF COMPLETED MINIMUM IMPROVEMENTS

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 approval of the Final Plat by the applicable departments.*** (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)

(a) ***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.***

(b) ***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 Plans and all applicable Federal, State and Local requirements*** (see Forms for Final Plat Checklist at www.fayettecountyga.gov).

(c) ***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, headwalls, 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.

Regardless of project size, the minimum Maintenance Bond/Irrevocable Letter-of-Credit is $5,000.00.

If a Final Plat becomes void, as may happen if not recorded into the Fayette County Clerk of Superior Court records within 90 calendar 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~~ ~~**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 plat (Amended 7/12/90; Ordinance No. 2009-01 Amended 06/25/09)~~

(d) ~~**Open**.~~ ***Ownership. Upon recordation of the Final Plat or Minor Subdivision Plat, subsequent to approval by the Planning Commission, Fayette County shall accept ownership of any street or other real property shown upon the Final Plat or Minor Subdivision Plat.*** (Amended 7/12/90)

(e) ***Before acceptance of any Maintenance 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~~

Sec. 8-509. VIOLATIONS AND PENALTIES

Violations.

(a) 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.

(b) 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)

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

(d) **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**~~

Sec. 8-510. LEGAL STATUS

(a) **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.

(b) **Conflict with Other Laws.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

(c) ~~**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.~~

(d) **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 calendar*** days prior to such meeting.

(e) ***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~~.