

SUBDIVISION REGULATIONS

**CITY OF WOODBINE,
GEORGIA**

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ARTICLE ONE

GENERAL PROVISIONS

Section 101 Title

These regulations shall be known and may be cited as "The Subdivision Regulations of Woodbine, Georgia".

Section 102 Administrations

The Woodbine Planning Commission shall administer these regulations.

Section 103 Authorization

Pursuant to the powers and jurisdictions vested through the City Council of Woodbine, Georgia and other applicable laws, statutes, ordinances, and regulations of the State of Georgia, the Planning Commission does hereby exercise the power to review, approve, and disapprove plats for the subdivision of land within the corporate limits of the City, and to require minimum standards for improvements within such subdivided areas.

Section 104 Purpose

The purposes of the regulations are to promote the public health, safety, and general welfare of the City. The overall objective of these regulations is to consider land subdivision plats as part of a plan for the orderly, efficient, and economical development of the land within the Planning Commission's jurisdiction. The following provisions shall guide the Planning Commission in formulating its decisions:

- (1) Proposed streets shall compose a convenient and efficient traffic circulation system, property related to the proposals of any transportation plan; Streets shall be of such width, grade, and location to accommodate prospective traffic, provide adequate light and air, and to provide access by service and emergency vehicles.
- (2) Land of suitable location, size, and character for utility or drainage easements or public community services shall be shown on the subdivision plat wherever appropriate.
- (3) Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health and welfare from flooding, fire, contamination, erosion, and other menace.

Section 104 Purpose (Continued)

- (4) The development of any subdivision should avoid unnecessary environmental degradation: pollution of air, streams, ponds, and so on; and be in harmony with the natural environment.
- (5) Protect and conserve the value of land and buildings throughout the City of Woodbine while avoiding conflicts among the uses of lands and buildings.
- (6) Provide for adequate and efficient transportation, water, sewage, schools, parks, playgrounds, recreation, and other public requirements, facilities, and open space needs as will accommodate the anticipated rate of development.
- (7) Establish reasonable standards of design and procedures for subdivisions and re-subdivisions in order to further the orderly layout and use of land; and insurance of proper legal descriptions and monumenting of subdivided land to provide adequate records for land titles.
- (8) Avoid excessive expenditure of public funds for the supply of public services.

Section 105 Jurisdiction and Application

The jurisdiction of this ordinance shall apply to all that incorporated area within the boundaries of Woodbine and these regulations shall apply (except as specifically exempt herein) to the following forms of land subdivision.

- (1) The division of land into two (2) or more parcels, lots, or tracts, any-part of which when subdivided shall contain less than two (2) acres in area; and
- (2) The dedication, vacation, or reservation of any public easement or right-of-way through any tract of land regardless of the area involved.

ARTICLE TWO

DEFINITION OF TERMS

Section 201 Usage and Interpretation of Terms

- (1) For the purpose of these regulations, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this section.
- (2) The word "Person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual.
- (3) The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
- (4) The words "used" and "occupied" include the words "intended, designed, or arranged to be used or occupied".
- (5) The word "lot" includes the words "plot" or "parcel".
- (6) Unless the context clearly indicates to the contrary, works used in the present tense, include the future tense; the singular includes the plural; words in the plural number include the singular; the word "herein" means "in these regulations"; the word "regulations" means "these regulations".
- (7) A "building" includes a "structure"; a "building" or a "structure" includes any part thereof.
- (8) Words not defined herein and defined by the City of Woodbine zoning ordinance shall be interpreted by way of said zoning ordinance definitions; all other words not defined herein or by said zoning ordinance shall be construed to have the meaning given by common and ordinary use.

Section 202 Words and Terms Defined

- (1) Block: A parcel of land entirely surrounded by streets or highways, railroad rights-of-way, waterways, or by a combination thereof.
- (2) Building Line: That line which represents the distance a building or structure must be set back from a lot boundary line or a street right-of-way line or a street centerline according to the terms of the zoning ordinance. In all cases, the building lines of a lot shall be determined to run parallel to and set back the appropriate distance required within the district in which the lot is located from street right-of-way lines, street center lines, or other lot boundary lines.

Section 202 Words and Terms Defined (Continued)

- (3) Easement: A grant by the property owner to any person, firm or corporation, or to the general public of the use of a strip or parcel of land for a specified purpose.
- (4) Engineer: A registered professional engineer in good standing with the Georgia Board of Registration.
- (5) Fair Market Value: The value of property or structure as determined by the tax assessor.
- (6) Governing Authority: The Woodbine City Council.
- (7) Lot: A parcel or plot of land of varying size which is designated as a single unit of property and which is intended to be occupied by one building, or group of buildings, and its accessory buildings and uses as required by this ordinance.
- (8) Mobile Home Subdivision: A mobile home park where mobile home spaces are offered for sale.
- (9) Planning Commission: The Woodbine Planning Commission.
- (10) Plat: A map or drawing upon which the subdivider's plan of the subdivision is presented for approval.
- (11) Reserved Strip: A small strip of land between the terminus of a platted street right-of-way and the plat boundary whose ownership could be retained by the subdivider, which would prevent the extension of said street into adjacent property.
- (12) Right-of-Way Line: The outside boundaries of a highway right-of-way, which are established by usage, dedication, or by official action.
- (13) Sewerage, Public: A system that is owned, maintained, and operated by the municipality, or a community corporation or a privately owned system serving more than one lot and approved by the Camden County Health Department.
- (14) Street: A dedicated public way for vehicular traffic, whether designated as an avenue, boulevard, thoroughfare, road, highway, expressway, lane, drive, alley, or any other public way. For the purpose of this ordinance, streets are divided into the following categories:
 - (a) A minor right-of-way dedicated to public use which affords only a secondary means of vehicular access to the back or side of properties otherwise abutting a street and which may be used for public utility purposes.

Section 202 Words and Terms Defined (Continued)

- (b) Collector Streets: A public way designed primarily to connect local streets with arterials or to provide access from residential areas to major destination points such as shopping or employment centers and which may be expected to carry a significant volume of traffic.
 - (c) Arterial Street: A street or highway that is used to move fast or heavy traffic between population centers, around population centers or from one section of the urban area to another.
 - (d) Cul-de-Sac: A minor street of short length having one end open to traffic and one end terminating in a vehicular turn-around.
 - (e) Local Street: A street used primarily for access to the abutting properties.
 - (f) Marginal Access Street: A minor street parallel and adjacent to a major thoroughfare and which provides access to abutting properties and protection from through traffic.
- (15) Subdivider: Any person, firm, corporation, or other legal entity subdividing land within the jurisdiction of this ordinance.
- (16) Subdivision: The division of a tract, parcel, or lot into two (2) or more lots or building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development. This includes all division of land involving a new street or a change in existing streets and includes a re-subdivision and, where appropriate, relates to the process of subdividing or to the land or area subdivided.

The following distinguishes between major and minor subdivisions; in the case of a minor subdivision, only a final plat is required while a major subdivision requires the filing of both a preliminary and final plat.

- (a) Major Subdivision: All subdivisions not classified as minor subdivisions, including but not limited to subdivisions of six (6) or more lots, or any size subdivision requiring any new street or extension of the local governmental facilities, or the creation of any public improvements.
- (b) Minor Subdivision: Any subdivision containing not more than five (5) lots fronting on an existing street, not involving any new street or road, or the extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the master plan, zoning ordinance, or these regulations.

Section 202 Words and Terms Defined (Continued)

- (17) Surveyor: A registered land surveyor in good standing with the Georgia Board of Registration.
- (18) Water, Public: A system that is owned, maintained, and operated by the municipality, or a community corporation, or a privately owned system serving more than one lot and approved by Camden County Health Department.
- (19) Zoning Ordinance: The officially adopted City of Woodbine Zoning Ordinance.

ARTICLE THREE

DESIGN STANDARDS

Section 301 Minimum Design Standards and Improvements

In order that the various purposes of this ordinance may be accomplished, all subdivisions hereafter established shall be developed and improved in accordance with the minimum design standards set forth in this Article. Final approval shall not be given a subdivision until all appropriate design standards have been met and until all appropriate required improvements have either been installed or an appropriate bond, certified check, or contract (performance) bond, or as otherwise provided for herein, has been posted to secure the installation of such improvements.

Section 302 Streets

All streets, which shall hereafter be established in connection with the development of a subdivision as defined by this ordinance, shall comply with the following design standards:

A. General Provisions

The following general provisions shall apply to all streets hereafter established in a subdivision.

(1) Continuation of Existing Street Pattern

The arrangement of streets in a subdivision should provide for the alignment with, or the continuation of, or the appropriate projection of existing collector and higher streets in surrounding areas as shown on the Georgia Department of Transportation Road Classification Map.

(2) Street Jogs

Street jogs, or centerline offsets in the horizontal alignment of streets across intersections of less than one hundred fifty (150) feet shall be prohibited.

(3) Intersections

The centerline of no more than two (2) streets shall intersect at any one point. Streets shall be laid out so as the centerlines will intersect as nearly as possible at right angles and no streets shall intersect any other street at less than eighty (80) degrees.

Section 302 Streets (Continued)

(4) Streets Intersecting with Major Streets and Secondary Streets

New street entrances on roads designated or classified as major streets shall not be less than one thousand seven hundred (1,700) feet apart and new street entrances on roads designated or classified as collector streets shall be not less than five hundred (500) feet apart. Provided, however, that the Planning Commission may reduce these requirements whenever it determines that such action will not be contrary to the purposes of this Ordinance.

(5) Subdivisions on Arterial Streets

Where a subdivision abuts or contains an existing or proposed arterial street, the Planning Commission may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with rear service lanes, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(6) Minimum Curb and Street Radius

The centerline radius of all curvilinear streets shall not be less than seventy-five (75) feet.

(7) Permanent Dead-End Streets

Dead-end streets, designed to be such permanently, shall be provided at the closed end with a turn-around or cul-de-sac having an outside roadway diameter of not less than eighty (80) feet, and a right-of-way diameter of not less than one hundred (100) feet.

(8) Temporary Dead-End Streets

Temporary dead-end streets shall meet the requirements of the Planning Commission for design, maintenance, and removal.

(9) Half-Streets

Half-streets or streets with a right-of-way less than fifty (50) feet shall not be permitted within a subdivision.

Section 302 Streets (Continued)

(10) Interior Streets

Interior streets within subdivisions shall be so laid out and designed that their use by through-traffic and speeding traffic is discouraged.

(11) Street Names

All streets within a subdivision hereafter established shall be named. No name shall be used which will duplicate existing street names. Street names are required to be reviewed and approved by the City as part of the review process.

(12) Additional Right-of-Way

A proposed subdivision that includes a platted street that does not conform to the minimum right-of-way requirements of this ordinance shall provide for the dedication of additional right-of-way along either one or both sides of said street so that the minimum right-of-way required by this Ordinance can be established. If the proposed subdivision abuts only one side of said street, then a minimum of one-half (1/2) of the required extra right-of-way shall be dedicated or reserved by such subdivision.

(13) Street Name Markers

Street name markers shall be constructed to City approval, shall be installed at all street intersections, and shall be of durable material (wood, concrete, etc.) and legible. Street name markers shall be installed prior to any occupancy certificates being issued.

(14) Major Thoroughfare Plan

When the Major Thoroughfare Plan of the community shows proposed arterial streets and collector streets within the proposed location of a proposed subdivision, the subdividers shall design the street system within such subdivision to conform in general with the location and arrangement of such arterial streets and collector streets.

(15) Curbs and Gutters

Either the regular six (6) inch or four (4) inch roll-over concrete curbs and gutters with a minimum over-all width of eighteen (18) inches shall be constructed on all streets. Cement Concrete Valley Gutter shall be permitted across minor residential streets at street intersections only when no storm

Section 302 Streets (Continued)

sewers are available as determined by the City Engineer. Valley gutters shall be at least six (6) feet in width. Whenever driveway openings are provided for lots abutting the street, the driveway shall be six (6) inches thick and a minimum of ten (10) feet in width at the sidewalk or at the street right-of-way line. The driveway shall have a minimum three (3) foot radii at the curb line.

B. Design Specifications

All streets established in a subdivision shall be designed and constructed in accordance with the following minimum specifications, as well as the most current Georgia Department of Transportation specifications. Paving is required by these regulations and it shall be done in accordance with City of Woodbine and Georgia Department of Transportation regulations.

List of Specifications	TYPE OF STREET			
	Major Arterial	Collector Street	Minor Street	Marginal Access Easement
(1) Minimum Right-of-Way	80 ft.	60 ft.	60 ft.	50 ft.
(2) Minimum Pavement Width				
Two-lane single roadway	24 ft.	24 ft.	18 ft.	18 ft.
Two-lane divided roadway	12 ft.	12 ft.	9 ft.	9 ft.
(3) Percent sub-base compaction, modified proctor	95%	95%	95%	95%
(4) Street grading and ditching	All streets, as required herein, shall, at a minimum, be graded and ditched to City specifications.			
(5) Distance between reverse curves	100 ft.	100 ft.	100 ft.	100 ft.
(6) Minimum street centerline elevation (MSL)	8.0 ft.	7.5 ft.	7.5 ft.	7.5 ft.
(7) Drainage:	To be approved by City Engineer or designee. Additional right-of-way for roadside ditches may be required when needed.			
(8) Width of Shoulders	8 ft.	8 ft.	8 ft.	8 ft.

Section 302 Streets (Continued)

(9) Right-of-Way Requirements to Major Arterials

In the case of Major Arterials, a developer shall be required to dedicate an eighty (80) foot right-of-way.

(10) Pavement Width for Major Arterials

If the governing body shall determine that a pavement width of greater than twenty-four (24) feet is required for major arterials, then the developer shall be responsible for providing such additional pavement to the same specifications as required by the governing body.

C. Paving Requirements

All local streets must be prepared and paved according to the following methods or by equivalent methods that are acceptable to the Woodbine City Council.

(1) Subgrade

The subgrade shall be six (6) inches of compacted subgrade material compacted to ninety-five (95) percent modified Proctor density.

(2) Base

The base shall consist either of select soil cement base, sand-clay base, or other approved material having a minimum-thickness of six (6) inches after being thoroughly compacted and constructed or it shall consist of a graded aggregate base course screened one and one half (1½) inches or smaller with a thickness of six (6) inches after being thoroughly compacted.

- (a) All materials shall be secured from an approved source and shall conform to Georgia Department of Highway minimum acceptable standards for this area. A letter so stating must accompany the plat.
- (b) As soon as the base material has been spread and mixed, the base shall be brought to approximate line, grade, and cross-section and then rolled with a sheepsfoot roller until the roller walks out and finally with a pneumatic tire or general purpose roller until full thickness of the base course has been compacted thoroughly. Defects shall be remedied as soon as they are discovered. New materials shall be added if necessary and defective portions shall be entirely removed.

Section 302 Streets (Continued)

- (c) The base course shall be maintained under traffic and kept free from ruts, ridge and dusting, true to grade and cross-section until it is primed.
- (d) No base material shall be deposited or shaped when the subgrade is frozen or thawing or during unfavorable weather conditions.

(3) Pavement

Wearing surface shall consist of two (2) inches rolled to one and one half (1½) inches thick bituminous aggregate plant mix Type "E" or "F" and shall be placed in accordance with the latest edition of the Georgia Department of Transportation Standard Specifications for Roads and Bridges.

(4) Quality Control and Testing Requirements

It will be the responsibility of the developer or his authorized representative to insure that all tests required are made. The cost of all testing and quality control will be performed at the expense of the developer by qualified testing laboratories approved by the City.

<u>Type of Test to Be Performed</u>	<u>Minimum Number of Tests to be Performed</u>	<u>Testing Standards</u>
Sub-grade Compaction (Density in Place)	One (1) per 500 L.F. of Roadway	95% Max. Density ATSM-1557 Field Tests ASTM D-1556 F-2922 & D-2167
Base Compaction	One (1) per 500 L.F. of Roadway	100% Max. Density ATSM-1557 Field Tests ASTM D-1556 F-2922 & D-2167
Asphaltic Concrete (Density in Place)	One (1) per 1,000 L.F. of Roadway	92% Laboratory Density

Section 302 Streets (Continued)

Asphaltic Concrete
(Thickness in Cores)

Intervals not to Exceed
500 L.F.

Deficient in
Thickness not
More than ½"

In all test reports, thickness of base and asphaltic concrete will be shown.

D. Lanes

Service lanes shall be provided in commercial and industrial districts, except that the Planning Commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed. Such lanes shall conform to the following specifications:

- (1) The width of a lane must be twenty (20) feet.
- (2) Dead-end lanes shall be avoided where possible, but if unavoidable, a dead-end lane shall be provided with a turn-around having a diameter of not less than eighty (80) feet.

Section 303 Lots

All lots, which shall hereafter be established within a subdivision, shall comply with the following design standards:

A. General Provisions

The following general requirements shall apply to all lots hereafter established within a subdivision:

(1) Street Access

Each lot shall abut on a dedicated public street that shall conform to the design requirements of this ordinance.

(2) Corner Lots

Corner lots for residential use shall be provided with sufficient width and depth to permit the establishment of appropriate building setback lines from both streets.

Section 303 Lots (Continued)

(3) Double Frontage Lots

Double frontage lots shall only be permitted where it shall be found necessary to separate a development from major arterials or to overcome specific disadvantages of topography and orientation.

(4) Minimum Lot Elevation

The Federal Emergency Management Flood Insurance Rate Map (FIRM) is the official map for the City of Woodbine to determine lots within flood-prone areas, and applicable elevation requirements. All development activities within designated flood-prone areas must conform to established Federal Emergency Management Agency and City of Woodbine guidelines.

B. Lot Width, Area and Coverage Requirements

Lots hereafter established within subdivisions shall conform to the lot area and lot width requirements set forth in the Woodbine Zoning Ordinance.

A Lot Inspection Report, prepared by a registered land surveyor, must be attached to the application for a Building Permit, when such application applies to new construction. Regarding additions to existing structures, the City of Woodbine may request a Lot Inspection Report if it appears warranted. The Lot Inspection Report is to be in the form provided by the City. The "layout sketch" provided on the Lot Inspection Report shall show placement of the structure(s) on the property, building setback distances of the structure(s) from the property lines and street names.

All new construction finish floor elevation shall be no lower than 1.0 feet above the closest City maintained or future City maintained street elevation at the discretion of the City Engineer. This elevation shall be taken within 100 lineal feet in either direction of said construction site. The intent of this is to provide proper drainage for all lots in accordance with the City of Woodbine Master Drainage Study, dated October or the latest revision thereto. The finished floor elevation shall be indicated on a foundation plan and the Lot Inspection Report, and shall be sealed by a State of Georgia licensed surveyor or engineer. No further construction can continue until said plan(s) have been submitted and approved by the City of Woodbine.

C. Building Lines

Building or "set back" lines shall be provided on all lots and shall conform at least to the Woodbine zoning ordinance pertaining to the classification in which the lots to be subdivided are located.

Section 304 Blocks

All blocks hereafter established within a subdivision shall conform to the following design standards:

A. Block Lengths

In order that there may be convenient access between various parts of a subdivision and between the subdivision and surrounding areas for the purpose of preventing traffic congestion and traffic hazards, the length of blocks on a straightaway, where feasible, shall not exceed one thousand eight hundred (1,800) feet in length.

B. Crosswalks

Rights-of-way for pedestrian crosswalks shall be provided when, in the opinion of the Planning Commission, crosswalks are necessary to give a direct pedestrian approach to schools, local shopping centers, and parks. Said rights-of-way shall not be less than ten (10) feet in width.

Section 305 Easements

The following easements shall be required within subdivisions:

A. Utility Easements

Public utility easements shall be provided where necessary and shall meet the approval of the City Engineer or designee.

B. Drainage

Drainage easements or rights-of-way shall be provided where necessary and be approved by the City Engineer or designee.

C. Maintenance Easement

Where a drainage canal is such size that it requires mechanical means for cleaning, such as a dragline, there shall be a fifteen (15) foot access easement or right-of-way on either side of such canal for access purposes.

Section 306 Monuments

Monuments shall be placed at block intersection points of R.O.W. within a subdivision. Iron pins shall be placed at all other lot corners. Reinforced concrete monuments three and one half (3½) inches in diameter or three and one half (3½) inches square, thirty (30) inches long, with a flat top shall be set at each street corner within a subdivision, and at angle points and points of curvature in each street. The top of the monument shall contain a metal

Section 306 Monuments (Continued)

pin or be scored with an indented cross to properly identify the location. Monuments shall be installed following completion of all improvements and shall be identified on the Final Plat.

Section 307 Drainage and Storm Sewers

The Planning Commission shall not recommend for approval any plat of subdivision which does not make adequate provision for storm or flood water runoff channels or basins. The storm water drainage system shall be separate and independent of any sanitary sewer system. Storm sewers, where required, shall be designed by the Rational Method as approved by the Planning Commission, and a copy of design computations shall be submitted along with plans. Inlets shall be provided so that surface water is not carried across or around any intersection, or for a distance of more than six hundred (600) feet in the gutter. When calculations indicate that curb capacities are exceeded at a point, basins shall be used to intercept flow at that point. Surface water drainage patterns shall be shown for each and every lot and block.

A. Nature of Storm Water Facilities

(1) Location

The applicant shall be required by the Planning Commission to carry away by pipe or open ditch any spring or surface water that may exist either previously to or as a result of the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width, and shall be constructed in accordance with the construction standards and specifications.

(2) Accessibility to Public Storm Sewers

- (a) Where a public storm sewer is accessible, the applicant shall install storm sewer facilities, or if no outlets are within a reasonable distance, adequate provision shall be made for the disposal of storm waters, subject to the specifications of the City Engineer.
- (b) If a connection to a public storm sewer will be provided eventually, as determined by the City Engineer and the Planning Commission, the developer shall make arrangements for future storm water disposal by a public utility system at the time the plat receives final approval.

Provision for such connection shall be incorporated by inclusion in the performance bond required for the subdivision plat.

Section 307 Drainage and Storm Sewers (Continued)

(3) Accommodation of Upstream Drainage Areas

A culvert or other drainage facility shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The City Engineer shall determine the necessary size of the facility, based on the provisions of the construction standards and specifications, assuming conditions of maximum potential watershed development permitted by the Zoning Ordinance.

Section 308 Water Supply

A. General Requirements

- (1) Necessary action shall be taken by the applicant to extend or create a water supply district for the purpose of providing a water supply system capable of providing domestic water use and fire protection.
- (2) Where a public water main is accessible, the subdivider shall install adequate water facilities (including fire hydrants) subject to the specifications of the City Engineer. All water mains shall be at least eight (8) inches in diameter.
- (3) Water main extensions shall be approved by the City Engineer.
- (4) To facilitate the above, the location of all fire hydrants, all water supply improvements, and the boundary lines of proposed districts, indicating all improvements proposed to be served, shall be shown on the preliminary plat, and the cost of installing same shall be included in the performance bond to be furnished by the developer. All fire hydrants, water supply improvements and boundary lines of proposed streets shall be inside the City right-of-ways.

B. Individual Wells and Central Water Systems

- (1) In low-density zoning districts, at the discretion of the Planning Commission, if a public water system is not available, individual wells may be used or a central water system provided in such a manner that an adequate supply of potable water will be available to every lot in the subdivision. The results of the water samples shall be submitted to the Health Department for its approval, and individual wells and central water systems shall be approved by the County Health Department. A central water system planned for a subdivision of 15 homes or greater is subject to Georgia Environmental Protection Division Chapter 391-3-5. Approval

Section 308 Water Supply (Continued)

shall be in accordance with EPD Rules for Safe Drinking Water. Orders of approval shall be submitted to the Planning Commission.

- (2) If the Planning Commission requires that a connection to a public water main be eventually provided as a condition to approval of an individual well or central water system, the applicant shall make arrangements for future water service at the time the plat receives final approval. Performance or cash bonds may be required to insure compliance.

C. Fire Hydrants

Fire hydrants shall be required for all subdivisions except those coming under Section 308 B. Fire hydrants shall be located no more than five hundred (500) feet apart and shall be approved by the applicable protection unit. To eliminate future street openings, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other supply improvements, shall be installed before any final paving of a street shown on the subdivision plat.

Section 309 Sewage Disposal

A. General Requirements

The applicant shall install sanitary sewer facilities in a manner prescribed by the local government construction standards and specifications. All plans shall be designed in accordance with the rules, regulations, and standards of the City Engineer and other appropriate agencies. Plans shall be approved by the above agencies. All sanitary sewer facilities will require City of Woodbine inspection and approval during installation. No public sewer shall be less than eight (8) inches in diameter.

B. Medium and High-Density Residential and Nonresidential Districts

Sanitary sewerage facilities shall connect with public sanitary sewerage systems. Sewers shall be installed to serve each lot and to grades and sizes required by approving officials and agencies. No individual disposal system or treatment plants (private or group disposal systems) shall be permitted. Sanitary sewerage facilities (including the installation of laterals in the right-of-way) shall be subject to the specifications, rules, and guidelines of the Health Officer, City Engineer, and appropriate state agencies.

Section 309 Sewage Disposal (Continued)

C. Low-Density Residential Districts

Sanitary sewerage systems shall be constructed as follows:

- (1) Where a public sanitary sewerage system is reasonably accessible, the applicant shall connect with same and provide sewers accessible to each lot in the subdivision.
- (2) Where public sanitary sewerage systems are not reasonably accessible but will become available within a reasonable time (not to exceed fifteen (15) years), the applicant may choose one (1) of the following alternatives:
 - (a) Central sewerage system, the maintenance cost to be assessed against each property benefited. Where plans for future public sanitary sewage systems exist, the applicant shall install the sewer lines, laterals, and mains to be in permanent conformance with such plans and ready for connection to such public mains;
 - (or)
 - (b) Individual disposal systems, provided the applicant shall install sanitary sewer lines, laterals, and mains from the street curb to a point in the subdivision boundary where a future connection with the public sewer main shall be made. Sewer lines shall be laid from the house to the street line, and a connection shall be available in the home to connect from the individual disposal system to the sewer system when the public sewers become available. Such sewer systems shall be capped until ready for use and shall conform to all plans for installation of the public sewer system, where such exist, and shall be ready for connection to such public sewer main.
- (3) Where sanitary sewer systems are not reasonably accessible and will not become available for a period in excess of fifteen (15) years, the applicant may install individual systems or central sewerage or central sewerage systems in Low-Density Residential Districts only.

D. Mandatory Connection to Public Sewer System

If a public sanitary sewer is accessible and a sanitary sewer is placed in a street or alley abutting upon property, the owner thereof shall be required to connect to said sewer for the purpose of disposing of waste, and it shall be unlawful for any such owner or occupant to maintain upon any such property an individual sewage disposal system.

Section 309 Sewage Disposal (Continued)

E. Individual Disposal System Requirements

If public sewer facilities are not available and individual disposal systems are proposed, minimum lot areas shall conform to the requirements of the Zoning Ordinance and percolation tests and test holes shall be made as directed by the County Health Officer and the results submitted to the County Health Department. The County Health Officer shall also approve the individual disposal system, including the size of the septic tanks and size of the fields, or other secondary treatment device.

Section 310 Benchmarks

At least two (2) benchmarks shall be established within a subdivision. Such benchmarks shall be opposite corners of the property being subdivided where feasible in the opinion of the Planning Commission.

Section 311 Dedication of Local Recreation Sites - Open Space

Where a proposed park, playground, open space, or other local or neighborhood recreation or school site is shown on the Comprehensive Plan, or where the Planning Commission considers that a local recreation or school site is necessary to carry out the purpose of these regulations, the Planning Commission may require the dedication of all or a portion of such site in accordance with the following standards:

- (1) The land to be dedicated (fee simple) shall be of suitable size, dimensions, topography, access, and general character for the proposed use; and
- (2) In all subdivisions of more than twenty (20) lots, five (5) percent of the total land area shall be set aside as dedicated open space for recreation.
- (3) Where it is determined that a greater amount of land is required for parks and open spaces to meet the Comprehensive Plan requirements for that area of the City, or a school site is required, the Planning Commission, after so appraising the appropriate public agency, shall so indicate the open space or school site requirements to the subdivider of the approved preliminary plan.
- (4) The subdivider, at the time of the filing of the final plat with the Planning Commission, must offer to sell at a fair market price to the City or other appropriate public agency, within one (1) year immediately following the recording of the final plat, any land so designated for school sites or any land designated for park or open space in excess of the five (5) percent of land area required to be dedicated in accordance with Section 311 (2).

Section 311 Dedication of Local Recreation Sites - Open Space (Continued)

- (5) If any such proposed public areas of school sites have not been purchased by the appropriate public agency within one (1) year after the recording of the final plat, such areas may be subdivided into lots and blocks in accordance with the requirements of this ordinance.

A. Fee in Lieu of Required Dedication

Where the area required for dedication for recreation or open space use would result in a site deemed by the Planning Commission to be too small to be useable, or if the Comprehensive Plan calls for a public recreation site to be located in the vicinity of the subdivision, as determined by the Planning Commission, in lieu of dedication of such land, the developer may pay a fee. Such fee shall be deposited in a Neighborhood Park and Recreation Improvement Fund to be established by the City. Such deposit shall be used by the local government for improvement of a neighborhood park, playground or recreation area including the acquisition of property. Such deposit must be used for facilities that will actually be available to and benefit the persons in said subdivision and be located in the general neighborhood of the subdivision. The following shall govern the payment of such fees:

- (1) The amount of the fee shall be substantially equal to the value, after completion of the development, of the land that would be set aside if the provision of Section 311 were applied.
- (2) The fee shall be paid to the City of Woodbine prior to the approval of the Final Plat.

B. Alternative Methods of Providing Local Recreation Sites

In lieu of requiring the dedication of a recreation site or permanent open space, or permitting a fee to be paid for this purpose, the Planning Commission may permit a private site to be used under the following conditions:

- (1) If, in the judgment of the Planning Commission, the purposes of this Ordinance regarding recreation and open space land will be accomplished; and,
- (2) If the private site is permanently devoted to recreation use of open space and adequately secured for such use by proper deed covenants or other private restrictions.

C. Exemptions

The Planning Commission may exempt subdivisions where the minimum lot size is one (1) acre or more from the provisions of this section.

Section 312 Utilities - Location

All utility facilities including but not limited to gas, electric power, telephone, and CATV cable shall be located underground throughout the subdivision. Wherever existing utility facilities are located above ground, except where existing on a public road and right-of-way, they shall be removed and placed underground. All utility facilities existing and proposed throughout the subdivision shall be shown on the preliminary plat and underground service connections to the street property line of each platted lot shall be installed at the subdivider's expense. At the discretion of the Planning Commission, the requirement for service connections to each lot may be waived in the case of adjoining lots to be retained in single ownership and intended to be developed for the same primary use.

Section 313 Street Lighting

Streetlights shall be installed in the subdivision with underground wiring. The Woodbine Planning Commission and the appropriate electric power company shall approve the placement and location of streetlights in the subdivision.

ARTICLE FOUR

ADMINISTRATION

Section 401 Administrative Agency

The Woodbine Planning Commission shall administer this Ordinance. It shall be the duty of the Planning Commission to inspect sketch plans and to suggest changes that should be made in the proposed design of a subdivision to insure the approval of the Preliminary Plat. It shall be the duty of the Planning Commission to inspect Preliminary Plats and to approve or disapprove such Plat. It shall be the duty of the Planning Commission to inspect Final Plats and the information submitted within such Final Plats, and to recommend approval of such Final Plats when the requirements of this Ordinance have been met and to recommend disapproval of such Final Plats when the requirements of the Ordinance have not been met. When the Planning Commission acts on the Final Plat, it shall be forwarded to the City Council for their signatures.

Section 402 Pre-filing Conference and Sketch Plan

Prior to the filing of a Preliminary Plat, the applicant is encouraged to arrange for a pre-filing conference with the Planning Commission and its staff for the purpose of preliminary discussions. Any applicant choosing to arrange for such a conference shall prepare and submit a sketch plan of the proposed subdivision. The sketch plan need not be prepared by a professional engineer or surveyor but must be of sufficient detail to allow the planning commission and its staff to assess and discuss the proposal.

A. Sketch Plan Specifications

The sketch plan may be a free-hand pencil sketch and it shall include the following information:

1. Name

- (a) Name of subdivision if property is within an existing subdivision.
- (b) Proposed name if not within a previously platted subdivision.
The proposed name shall not duplicate the name of any plat previously recorded.
- (c) Name of property if no subdivision name has been chosen (this is the name by which the property is commonly known).

Section 402 Pre-filing Conference and Sketch Plan (Continued)

2. Ownership

- (a) Name and address, including telephone number of legal owner or agent of property, and citation of last instrument conveying title to each parcel of property involved in the proposed subdivision, giving grantor, grantee, date, and land records reference.
- (b) Citation of any existing legal rights-of-way of easements affecting the property.
- (c) Existing covenants on the property, if any.
- (d) If appropriate, the name and address of the professional person(s) responsible for subdivision design, for the design of public improvements, and for surveys.

3. Description

Location of property by legal description, graphic scale, north arrow, and date.

4. Features

- (a) Location of property lines, existing easements, burial grounds, railroad rights-of-way, water courses, and existing wooded areas; location, width, and names of all existing or platted streets or other public ways within or immediately adjacent to the tract; names of the adjoining property owners from the latest assessment rolls.
- (b) Existing permanent buildings and utility poles on or immediately adjacent to the site and utility rights-of-way.
- (c) Approximate topography at the same scale as the sketch plat; this need not include detailed mapping, but should include approximate elevations and an indication of existing drainage patterns.
- (d) The approximate location and widths of the proposed streets.
- (e) Preliminary proposals for connection with existing water supply and sanitary sewerage systems, or alternative means of providing water supply and sanitary waste treatment and disposal; preliminary provisions for collecting and discharging surface water drainage.

Section 402 Pre-filing Conference and Sketch Plan (Continued)

- (f) The approximate location, dimensions, and areas of all proposed or existing lots.
- (g) The approximate location, dimensions, and areas of all parcels of land proposed to be set aside for park or playground use or other public use, or for the use of property owners in the proposed subdivision.
- (h) If appropriate, the location of temporary stakes to enable the Planning Commission to find and appraise features of the sketch plat in the field, if appropriate.
- (i) Whenever the sketch plat covers only a part of an applicant's contiguous holdings, the applicant shall submit at the scale of no more than two hundred (200) feet to the inch a sketch in pen or pencil of the proposed subdivision area, together with its proposed street system, and an indication of the probable future street and drainage system of the remaining portion of the tract.
- (j) A vicinity map showing streets and other general development of the surrounding area.

Section 403 Preliminary Plat

Before work shall begin to open a subdivision (Preliminary Plats are not required for minor subdivisions) an original and six (6) prints of a Preliminary Plat, showing the proposed design of the subdivision shall first be submitted to the Planning Commission for approval. Until the Planning Commission has approved the Preliminary Plat of the proposed subdivision, a developer shall not grade, scrape, or otherwise open or extend a street in the proposed subdivision, nor shall he or she in any other manner cause construction to actually begin in a subdivision. Clearing of underbrush sufficient for purposes of surveying or engineering is permitted. However, land disturbing activities as regulated by the City of Woodbine Soil Erosion and Sedimentation Control Ordinance, or in the absence thereof as regulated by the Environmental Protection Division of the Georgia Department of Natural Resources, shall not be performed without first obtaining a permit for such land disturbing activities.

A. Preliminary Plat Requirements

The original copy of the Preliminary Plat shall be drawn on transparent tracing materials with either black ink or soft pencil. Such Plat shall be drawn at a scale of not more than one hundred (100) feet to the inch. The Preliminary Plat shall contain the following information:

Section 403 Preliminary Plat (Continued)

1. General

The preliminary plat shall be prepared by a licensed land surveyor at a convenient scale not more than one (1) inch equals one hundred (100) feet, may be prepared in pen or pencil, and the sheets shall be numbered in sequence if more than one sheet is used and shall be of such size as is acceptable for filing in the office of the Clerk of Superior Court, namely: eighteen by twenty-four (18 x 24) inches, leaving one (1) margin two (2) inches in width for binding purposes with the remaining margins to be one-half ($\frac{1}{2}$) inch. It should be noted that the map prepared for the preliminary plat may also be used

for the final subdivision plat and, therefore, should be drawn on tracing cloth or reproducible mylar; preparation in pencil will make required changes and additions easier.

2. Features

The preliminary plat shall show the following:

- (a) The location of property with respect to surrounding property and streets, the names of all adjoining property owners of record, or names of adjoining developments; the names of adjoining streets.
- (b) The location and dimensions of all boundary lines of the property to be expressed in feet and decimals of a foot.
- (c) The location of existing streets, easements, water bodies, streams, and other pertinent features such as swamps, railroads, buildings, parks, cemeteries, drainage ditches, and bridges.
- (d) The location and width of all existing and proposed streets and easements, alleys, and other public ways, and easement and proposed street rights-of-way, and building set-back lines.
- (e) The locations, dimensions, and areas of all proposed or existing lots.
- (f) The location and dimensions of all property proposed to be set aside for park/playground use, or other public or private reservation, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation.

Section 403 Preliminary Plat (Continued)

- (g) The name and address of the owner or owners of land to be subdivided, the name and address of the subdivider if other than the owner, and the name of the land surveyor.
- (h) The date of the map, approximate true north point, scale, and name of the subdivision.
- (i) Sufficient data acceptable to the City Engineer or designee to determine readily the location, bearing, and length of all lines, and to reproduce such lines upon the ground; the location of all proposed monuments.
- (j) Names of the subdivision and all new streets as approved by the Planning Commission.
- (k) Indication of the use of any lot (single-family, two-family, multi-family, townhouse) and all uses other than residential proposed by the subdivider.
- (l) Blocks shall be consecutively numbered or lettered in alphabetical order. The blocks in numbered additions to subdivisions bearing the same name shall be numbered or lettered consecutively through the several additions.
- (m) All lots in each block shall be consecutively numbered.
- (n) All information required on sketch plat should also be shown on the preliminary plat, and the following notation shall also be shown:
 - (i) Explanation of drainage easements, if any;
 - (ii) Explanation of site easements, if any;
 - (iii) Explanation of reservations, if any;
 - (iv) Endorsement of owner, as follows:

Owner

Date

Section 403 Preliminary Plat (Continued)

- (o) Form for endorsements by the Planning Commission as follows:

Approved by the Woodbine Planning Commission.

_____ Chairman _____ Date

Approved by Resolution of the Woodbine City Council.

_____ Mayor _____ Date

- (p) The lack of information under any item specified herein, or improper information supplied by the applicant, shall be the cause of disapproval of a preliminary plat.

3. Additional Information - Construction Plans

If applicable, the following information shall be provided with the preliminary plat.

General - Construction plans shall be prepared for all required or otherwise provided improvements. Plans shall be drawn at a scale of no more than one (1) inch equals fifty (50) feet, and map sheets shall be of the same size as the preliminary plat. The following shall be shown:

- (a) Profiles showing existing and proposed elevations along centerlines of all roads. Where a proposed road intersects an existing road or roads, the elevation along the centerline of the existing road or roads within one hundred (100) feet of the intersection, shall be shown. Approximate radii of all curves, lengths of tangents, and central angles on all streets.
- (b) The Planning Commission may require, where steep slopes exist, that cross-sections of all proposed streets at one hundred (100) foot stations shall be shown at five (5) points as follows: On a line at right angles to the center line of the street, and said elevation points shall be at the center line of the street, each property line, and points twenty-five (25) feet inside each property line.
- (c) Plans and profiles showing the locations and typical cross-section of street pavements including curbs and gutters, sidewalks, drainage easements, servitudes, rights-of-way, manholes, and catch basins; the location of street trees, street lighting standards, and street signs; the location, size,

Section 403 Preliminary Plat (Continued)

and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants, showing connection to any existing or proposed utility systems; and exact location and size of all water, gas, or other underground utilities or structures if provided.

- (d) Location, size, elevation, and other appropriate description of any existing facilities or utilities, including but not limited to existing streets, sewers, drains, water mains, easements, water bodies, streams, and other pertinent features such as swamps, railroads, buildings, features noted on the Official Map or Comprehensive Plan, at the point of connection to proposed facilities and utilities within the subdivision, and each tree with a diameter of eight (8) inches or more, measured four (4) feet above ground level. The water elevations of adjoining lakes or streams at the date of the survey, and the approximate high- and low-water elevations of such lakes or streams. All elevations shall be referred to the USGS datum plane and the Flood Insurance Rate Map (FIRM) panel number and flood zone designation. If the subdivision borders a lake, river, or stream, the distances and bearings of a meander line established not less than twenty (20) feet back from the ordinary high-water mark of such waterways.
- (e) Topography at the same scale as the sketch plat with a contour interval of two (2) feet, referred to sea-level datum. All datum provided shall be latest applicable U. S. Coast and Geodetic Survey datum and should be so noted on the plat.
- (f) A hydrology report prepared by a registered professional engineer, which shall include drainage calculations detailing runoff before and after the proposed project.
- (g) All specifications and references required by the local government's construction standards and specifications, including a site-grading plan for the entire subdivision.
- (h) Notation of approval as follows:

Owner Date

Planning Commission Chairman Date

Section 403 Preliminary Plat (Continued)

- (i) Title, name, address, and signature of professional engineer and surveyor, and date, including revision dates.
- (j) A soil erosion and sedimentation control plan shall also be submitted for those subdivisions subject to the Soil Erosion and Sedimentation Control Ordinance.

B. Filing of the Preliminary Plat

The Preliminary Plat shall be filed within the Planning Commission at least twenty-one (21) days prior to the regular Planning Commission meeting at which it is to be considered. Preliminary plats, when submitted to the Planning Commission for review, shall be accompanied by a fee as required by Article Nine. The City Clerk shall issue a receipt for all fees received. Said fees shall be made payable to the City of Woodbine.

C. Action on Preliminary Plat

If the Planning Commission finds that the proposed design and proposed installation of improvements of the subdivision shown on the Preliminary Plat complies with the requirements of these regulations, it shall approve such Preliminary Plat. If the Planning Commission finds that the proposed subdivision shown on the Preliminary Plat does not comply with the requirements of these regulations, then the Planning Commission shall either disapprove such Plat or shall approve such Plat on the condition that specified violations are corrected prior to the submittal of the Final Plat. If the Preliminary Plat is resubmitted with corrections which require additional review by the City, additional fees based on costs to the City shall be assessed to the developer and shall be due and payable upon demand. When the Planning Commission disapproves a Preliminary Plat, it shall give the developer the reasons for such disapproval in writing. Except where an extension of time is authorized by the applicant for the Preliminary Plat review, the Planning Commission shall have thirty (30) days from the date of the submission of a Preliminary Plat to approve or disapprove such Plat; otherwise, the Preliminary Plat shall be deemed to have been approved and a certificate to that effect shall be issued by the Planning Commission on demand. No plat shall be acted upon by the Planning Commission without affording a hearing thereon. Notice of time and place of the hearing shall be sent by mail to the address of the plat applicant not less than five (5) days before the hearing.

D. When Preliminary Plat Approved, Work May Proceed

When a developer receives approval of the Preliminary Plat showing the design of his proposed subdivision, he or she may proceed with the construction of the subdivision, provided other required permits have

Section 403 Preliminary Plat (Continued)

been issued. Such construction shall conform to the design and plans submitted to and approved by the Planning Commission.

E. Time Limit on Preliminary Approval

The Planning Commission's approval of a Preliminary Plat shall be valid for one (1) year. If work has not started on a subdivision which has been granted Preliminary approval on or before the end of this year period, then the Plat of such subdivision shall be resubmitted for preliminary approval; provided, however, that this time may be extended by the Planning Commission unless changes have occurred in this ordinance, or in the character of the property of the proposed subdivision which makes it necessary to revise the design of the proposed subdivision.

Section 404 Final Plat

Before a plat of a subdivision is recorded with the Clerk of the Superior Court of Camden County and title to the lots thereon are conveyed, an original and seven (7) prints of a Final Plat showing the final design of the subdivision shall be submitted to the Woodbine Planning Commission for review. Until a Final Plat of a subdivision has been submitted to and reviewed and approved by the Planning Commission, and approved and signed by the City Council of Woodbine, the Clerk of the Superior Court of Camden County shall not record the plat of such subdivision, nor shall the owner or agent of such subdivision transfer title to any lot within the subdivision by reference to the subdivision plat. For large subdivisions, the Final Plat may be submitted for approval progressively in contiguous sections satisfactory to the Planning Commission.

A. Final Plat Requirements

- (1) The final subdivision plat shall be presented in india ink on tracing cloth or reproducible mylar at the same scale and contain the same information, except for any changes or additions required by resolution of the Planning Commission, as shown on the preliminary plat. The preliminary plat may be used as the final subdivision plat if it meets these requirements and is revised in accordance with the Planning Commission's resolution. All revision dates must be shown, as well as the following:
 - (a) Notation of any self-imposed restrictions, and locations of any building lines proposed to be established in this manner, if required by the Planning Commission in accordance with these regulations.
 - (b) Endorsement of the Camden County Health Department, where required.

Section 404 Final Plat (Continued)

- (c) Lots numbered as approved by the Camden County Tax Assessor.
- (d) All monuments erected, corners, and other points established in the field in their proper places. The material of which the monuments, corners, or other points are made shall be noted at the representation thereof or by legend, except that lot corners need not be shown. The legend for metal monuments shall indicate the kind of metal, the diameter, length, and weight per lineal foot of the monuments.

2. Preparation

The final subdivision plat shall be prepared by a land surveyor or professional engineer licensed by the State of Georgia.

B. Certificate from City Engineer

At the time the Final Plat is submitted, it shall be accompanied by a certificate from the City Engineer or designee, certifying that the subdivider has complied with one of the following alternatives:

- (1) All improvements have been installed in accordance with the requirements of this ordinance and in accordance with the design approved by the Planning Commission on the Preliminary Plat; or
- (2) A performance bond or certified check has been posted, which is available without obligation or requirement to the City, and in sufficient amount to assure the completion of all improvements as required on the Final Plat.
- (3) Other arrangements, as specifically provided for by this Ordinance, for the purpose of guaranteeing all improvements as required by this ordinance.

C. Filing the Final Plat

The Final Plat shall be filed with the Planning Commission not less than fourteen (14) days prior to a regular meeting of the Planning Commission. In the case of a final plat for a minor subdivision where the preliminary plat requirement has been waived, the filing fee, as established in Article Nine, shall accompany the final plat.

D. Action on the Final Plat

If the Planning Commission finds that all the requirements of this Ordinance have been met, the Final Plat shall be deemed approved, and submitted to the City Council of Woodbine. If the Planning Commission

Section 404 Final Plat (Continued)

finds that all the requirements of this Ordinance have not been met, and after deficiencies have been discussed and reviewed with the sponsor, and the sponsor given a period of time which shall not exceed ninety (90) days to take corrective action, and if he or she fails to take such action, then the Planning Commission shall disapprove the Final Plat and shall set forth its reasons for such disapproval in writing. Except where an extension of time is authorized by the applicant for Final Plat review, the Planning Commission shall have thirty (30) days from the date of the submission of a Final Plat to take action. Unless such action is taken within such thirty (30) day period, then such plat shall be deemed to have received the approval of the Planning Commission. After the final plat has been approved, the Woodbine City Council shall at their next regular meeting sign such plat. If no action is taken, such plat shall be deemed to have received an approval from the Woodbine City Council.

- (1) When the Final Plat has been approved, the Planning Commission shall present the Final Plat to the Clerk of the Superior Court of Camden County, Georgia, to be recorded. The Planning Commission shall provide the subdivider with a reproducible mylar copy of the final plat and the subdivision map book number and page number in which the subdivision has been recorded by the Clerk of the Superior Court. All cost of the copy and such recording shall be paid by the subdivider and shall be deposited with the Planning Commission prior to such recording.
- (2) After the Final Plat of the subdivision has been recorded, then all lots shown on such subdivision may be transferred or conveyed according to such plat, and such subdivision shall be entitled to all privileges and services available to other subdivisions within the City.

E. Revisions to Recorded Plat

The subdivider shall file with the Planning Commission copies of any proposed revision to a recorded plat together with all supporting information as required by these regulations. Proposed revisions to a recorded plat that alter or change in any way the street and/or utility layout of said plat shall be submitted as a Preliminary Plat in accordance with Section 403 of these regulations. Proposed revisions to a recorded plat that do not alter or change in any way the street and/or utility layout of said plat shall be submitted as a Final Plat in accordance with Section 404 of these regulations.

ARTICLE FIVE

ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

Section 501 Completion of Improvements

All improvements required in these regulations shall be guaranteed. All improvements shall be dedicated to the City, free and clear of all liens and encumbrances on the property and public improvements thus dedicated. Before the final plat is signed by the Mayor or the Chairman of the Planning Commission, all applicants shall be required to complete all the street, sanitary, and other improvements as required in these regulations, specified in the final subdivision plat, and as approved by the Planning Commission and City Council.

Section 502 Guarantee of Improvements

A. Performance Bond

- (1) In limited circumstances, where warranted, the Final Plat may be approved prior to final completion of minor improvements of no more than 20% of actual development activities, such as landscaping, cleaning of detention facilities, and top pavement course on streets provided the performance bond is in an amount not to exceed 200 percent of the estimated cost of completing the work and is posted in favor of the City to insure the completion of work as shown on the approved plans and the work is completed within six (6) months or other time frame as described in Section 502.A(3) below.
- (2) Such performance bond shall comply with all statutory requirements and shall be satisfactory to the City Attorney as to form, sufficiency, and manner of execution as set forth in these regulations. The period within which required improvements must be completed shall be specified by the Woodbine City Council in the resolution approving the final subdivision plat and shall be incorporated in the bond and shall not in any event exceed two (2) years from date of final approval.
- (3) Such bond shall be approved by the Woodbine City Council as to amount and surety and conditions satisfactory to the Woodbine City Council. The Planning Commission may, upon proof of difficulty, recommend to the Woodbine City Council extension of the

Section 502 Guarantee of Improvements (Continued)

completion date set forth in such bond for a maximum period of one (1) additional year. The Woodbine City Council may at any time during the period of such bond accept a substitution of principal or sureties on the bond upon recommendation of the Planning Commission.

B. Temporary Improvements

The applicant shall build and pay for all costs of temporary improvements required by the Woodbine City Council and shall maintain same for the period specified by the Woodbine City Council. Prior to construction of any temporary facility or improvement, the developer shall file with the City a separate suitable bond for temporary facilities, which bond shall ensure that the temporary facilities will be properly constructed, maintained, and removed.

C. Costs of Improvements

All required improvements shall be made by the applicant, at his or her expense, without reimbursement by the City or any improvement district therein.

D. Government Units

Governmental units to which these bonds and contract provisions apply may file in lieu of said contractor bond a certified resolution or ordinance from officers or agencies authorized to act on their behalf, agreeing to comply with the provisions of this ordinance.

E. Failure to Complete Improvement

In those cases where a performance bond has been posted and required improvements have not been installed within the terms of such performance bond, the local government may thereupon declare the bond to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the bond is declared to be in default.

F. Acceptance of Dedication Offers

Acceptance of formal offers of dedication of streets, public areas, easements, and parks shall be by resolution of the Woodbine City Council.

The approval by the Planning Commission of a subdivision plat shall not be deemed to constitute or imply the acceptance by the local government of any street, easement, or park shown on said plat. The

Section 502 Guarantee of Improvements (Continued)

Planning Commission may require said plat to be endorsed with appropriate notes to this effect.

G. Alternate Improvement Guarantees

If the Woodbine City Council finds that a developer is not able to post a performance bond, the Woodbine City Council may require the subdivider to use one of the following techniques:

(1) Escrow Account

The subdivider shall deposit cash, or collateral readily convertible to cash at face value, either with the Woodbine City Council or in escrow with a bank. The use of collateral other than cash and the selection of the bank with which funds are to be deposited are subject to the approval of the City Council.

Where an escrow account is to be employed, the subdivider shall file with the Woodbine City Council his agreement with the bank guaranteeing the following:

- (a) That the funds in the escrow account are to be held in trust until released by Woodbine City Council and may not be used or pledged by the subdivider as security for any obligation during that period;
- (b) And that in case the subdivider fails to complete the required improvements, the bank shall immediately make the funds in escrow available to the county for the completion of these improvements.

(2) Property Escrow

The subdivider may offer as a guarantee land or other property, including corporate stocks or bonds. A qualified real estate appraiser shall establish the value of any real property so used and in so doing, shall take into account the possibility of a decline or rise in the value of the property during the guarantee period. The Woodbine City Council reserves the right to reject the use as collateral of any property when the value of the property is unstable, when the property may be difficult to sell, or when other factors exist which will inhibit the Woodbine City Council from exchanging the property for an amount of money sufficient to complete the required improvements. When property is offered as an improvement guarantee, the subdivider shall:

Section 502 Guarantee of Improvements (Continued)

- (a) Execute an agreement with the escrow agent when it is not the City, instructing the agent to release the property to the City in the case of default. The agreement shall be placed on file with the Clerk of the Superior Court.
- (b) File with the Woodbine City Council an affidavit affirming that the property to be used as a guarantee is free and clear of any encumbrances or liens at the time it is to be put in escrow.
- (c) Execute and file with the Woodbine City Council an agreement stating that the property to be placed in escrow as an improvement guarantee will not be used for any other purpose, or pledged as a security in any other matter, until it is released by the Woodbine City Council.

(3) Sequential Development

Where a subdivision is to be developed in phased portions, the Woodbine City Council may waive the use of a guarantee on the initial portion, provided that such portion may not contain more than twenty-five (25) lots, or fifty (50) percent of the total number of lots proposed for the subdivision, whichever is less. The Woodbine City Council may grant final plat approval to only one (1) portion at a time, with the plat approval for each succeeding portion being contingent upon completion of all contracted improvements in each preceding portion, and acceptance of those improvements by the Woodbine City Council. Completion of improvements in the final portion of the subdivision, which must include at least twenty-five (25) lots or fifty (50) percent of the total number of lots in the subdivision, whichever is less, must be guaranteed through the use of one of the other methods detailed herein.

(4) Letter of Credit

Subject to the approval of the Woodbine City Council, the subdivider shall provide a letter of credit from a bank or other reputable institution or individual. This letter shall be deposited with the Woodbine City Council and shall certify the following:

- (a) That the creditor guarantees funds in an amount equal to the cost, as estimated by the subdivider and approved by the Woodbine City Council, of completing all required improvements.

Section 502 Guarantee of Improvements (Continued)

- (b) That if the subdivider fails to complete the specified improvements within the required period, the creditor will pay to the City immediately, and without further action, such funds as are necessary to finance the completion of those improvements, up to the limit of credit stated in the letter.
 - (c) That this letter of credit may not be withdrawn, or reduced in amount, until released by the Woodbine City Council.
- (5) Any other method of sufficient financial commitment that may be acceptable to the Woodbine City Council.

Section 503 Inspection of Improvements

A. General Procedures and Fees

- (1) The City Council shall provide for inspection of required improvements during construction and insure their satisfactory completion.
- (2) Inspection Fee. The applicant shall pay to the local government an inspection fee of one (1) percent of the amount of the performance bond or the estimated cost of required improvements, and the subdivision plat shall not be signed by the Mayor or the Chairman of the Planning Commission unless such fee has been paid at the time of application. These fees shall be due and payable upon demand of the City and no building permits or certificates of occupancy shall be issued until all fees are paid.
- (3) Initial Inspection of Constructed Public Improvements. When the required public improvements have been installed and constructed, the developer shall notify the City in writing that he is ready for an inspection of the public improvements. The City Engineer shall inspect the public improvements and make a recommendation to the City Council to either grant a preliminary approval of the public improvements or shall note any deficiencies and the applicant shall be responsible for completing the improvements in accordance with the City's construction standards and specifications. Wherever the cost of improvements is covered by a performance bond, the applicant and the bonding company shall be severally and jointly liable for completing the improvements according to specifications.
- (4) Preliminary Approval and One-Year Warranty of Public Improvements. When the City Engineer recommends preliminary approval of the public improvements, the City Council shall issue a letter of preliminary approval upon receipt of a one-year written warranty of all public improvements by the developer.

Section 503 Inspection of Improvements (Continued)

- (5) Maintenance of Public Improvements by Developer. The developer shall maintain his completed work until the end of the one-year warranty period and final acceptance by the City Council. The developer shall be required to sign a maintenance agreement with the City Council. If a maintenance bond is posted by the developer, a bond equating to ten (10) percent of the construction cost shall be required.
- (6) End of Maintenance and One-Year Warranty Period Inspection. Prior to the end of the maintenance and one-year warranty period, the developer shall notify the City in writing that he is ready for the end of warranty period inspection. This request shall be made no less than 30 days prior to the end of the warranty period. Failure to request the inspection prior to the end of the warranty period shall not relieve the developer from maintaining the public improvements and making any corrections required by the City prior to final acceptance of the public improvements. The City Engineer shall make final inspection of the public improvements.
- (7) Certificate of Satisfactory Completion. The City Council will not accept dedication of required improvements, nor release, nor reduce a performance bond until the City Engineer has submitted a certificate stating that all required improvements have been satisfactorily completed and until the applicant's engineer or surveyor has certified to the City Engineer, through detailed "as build" survey plat of the subdivision, indicating location, dimensions, materials, and other information required by the Planning Commission or City Engineer that the layout of the line and grade of all public improvements is in accordance with construction plans for the subdivision and that a title insurance policy has been furnished to and approved by the City Attorney indicating that the improvements shall have been completed, are ready for dedication to the City, and are free and clear of any and all liens and encumbrances. Upon such approval and recommendation, the City Council shall either accept the improvements and release the performance bond or reject the improvements within forty-five (45) days of such certification by the City Engineer.

Section 503 Inspection of Improvements (Continued)

B. Release or Reduction of Performance Bond or Other Improvement Guarantee.

A performance bond shall be reduced upon preliminary acceptance of public improvements and then only to the ration that the accepted public improvements bears to the total public improvements for the plat. In no event shall a performance bond be reduced below ten (10) percent of the principal amount, nor shall other improvement guarantee be reduced below ten (10) percent until final acceptance of the public improvements.

ARTICLE SIX

EXEMPTIONS AND MODIFICATIONS

Section 601 Exemptions

The following types of subdivisions shall not be defined as subdivisions and shall be exempted from the procedural requirements of this ordinance.

- A. The subdivision of land for, and the sale of, cemetery lots.
- B. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards set forth in this Ordinance.
- C. The subdivision of a tract of land into no more than two (2) lots.
- D. The sale or exchange of parcels of tracts of less than two (2) acres, into no more than two (2) parts of a particular parcel or tract existing on the date of this regulation (July 21, 2003), and not involving any new public street, private street or easement of access, provided that no illegal zoning lot is created.
- E. In the case of conflict between this section, Exemptions, and Section 105, Jurisdiction and Application, the terms provided by this section shall control.

Section 602 Exemptions From Paving Requirements

Minor subdivisions and the portions of major subdivisions the lots of which front only on an open public right-of-way or easement of at least fifty (50) feet existing at the time this ordinance was enacted shall not be subject to the design and paving requirements of Article Three, Section 302 B and C. However, such subdivisions shall be subject to all other applicable requirements of this Ordinance.

Section 603 Final Plat Approval Only

In the case of a subdivision which shall have lots fronting only on an existing, open, and public street and which does not require a new street, the developer of such subdivision shall only be required to submit a Final Plat. The Planning Commission shall approve such Final Plat if it finds that the subdivision described thereon complies with all of the applicable requirements of this Ordinance.

Section 604 Variances

When a peculiar shape of the topography or a tract of land, or other unusual condition, makes it impractical for a developer to comply with the literal interpretations of the design requirements of this Ordinance, the Planning Commission shall be authorized to vary such requirements provided, however, that in so doing the extent and purposes of this Ordinance are not violated.

ARTICLE SEVEN

PENALTIES

Section 701 Violation a misdemeanor

Any person violating any provision of this Ordinance shall, upon conviction, be deemed guilty of a misdemeanor and shall be subject to such penalties as are provided by law for other misdemeanors.

Section 702 Other Penalties

When a subdivision hereafter established shall not be designed, developed, or recorded in accordance with the provisions of this Ordinance, then:

- A. The City shall not accept the dedication of any street within such subdivision, nor shall the City improve, maintain, grade, pave, or light any street within such subdivision unless such street or streets shall have received the status of public streets prior to the adoption of this Ordinance.
- B. The City shall not assume any responsibility for drainage problems within such subdivision unless City owned and maintained drainage structures already exist in such subdivisions.
- C. The City shall not issue a building permit within such subdivision.
- D. No unit of local government or public utility shall be authorized to extend any publicly-operated service or utility into such subdivision.

ARTICLE EIGHT

AMENDMENTS

This Ordinance may be amended from time to time, but no amendment shall become effective unless it shall have been proposed or shall have been submitted to the Woodbine Planning Commission for review and recommendation. The Woodbine Planning Commission shall submit its report within thirty (30) days of the public hearing on the amendment proposal to the City Council of Woodbine; otherwise, the amendment proposal shall be deemed approved by the Planning Commission. Before enacting an amendment to these regulations, the Woodbine Planning Commission shall hold a public hearing thereon, notice of which shall be published at least ten (10) days prior to such hearing in a newspaper of general circulation in the City.

ARTICLE NINE

SCHEDULE OF PLAT FILING FEES

Section 901 Preliminary Plat Filing Fees

Preliminary Plats, when submitted to the Planning Commission in accordance with Article Four, shall be accompanied by a fee as determined from the following schedule:

1 to 9 Lots	\$40.00 per Lot
10 to 29 Lots	\$400.00 plus \$20.00 for each Lot Over 10
30 to 49 Lots	\$820.00 plus \$15.00 for each Lot Over 30
50 or More Lots	\$1,240.00 plus \$12.00 for each Lot Over 50

Section 902 Final Plat Filing Fees

A final plat filing fee, as determined from the following schedule shall accompany all final plats submitted in accordance with Article Four:

1 to 29 Lots	\$200.00
30 to 49 Lots	\$500.00
50 or More Lots	\$1,000.00

Section 903 Engineering Review Fees

1 to 9 Lots	\$500.00
10 to 29 Lots	\$600.00 plus \$50.00 for each Lot Over 10
30 to 49 Lots	\$1,600.00 plus \$50.00 for each Lot Over 30
50 or More Lots	\$2,600.00 plus \$25.00 for each Lot Over 50

ARTICLE TEN

LEGAL STATUS PROVISIONS

Section 1001 Validity

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the Ordinance as a whole, or any part thereof than the part so declared to be unconstitutional or invalid.

Section 1002 Repeal of Conflicting Ordinances

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 1003 Effective Date

This ordinance shall take effect and be enforced as of July 21, 2003. Enacted and ordained by the Woodbine City Council, Woodbine, Georgia.