

LAND SUBDIVISION ORDINANCE

OF

TURNER COUNTY, GEORGIA

ADOPTED JULY 3, 2001

Prepared by the

**The Greater Turner Planning Advisory Commission with Assistance from the South
Georgia Regional Development Center**

TABLE OF CONTENTS

	Page
ARTICLE I SHORT TITLE, PURPOSE, AND JURISDICTION	2
ARTICLE II DEFINITIONS	3
ARTICLE III GENERAL	8
ARTICLE IV APPROVAL OF SUBDIVISIONS	10
ARTICLE V MINIMUM DESIGN STANDARDS	20
ARTICLE VI MINIMUM IMPROVEMENTS	24
ARTICLE VII ACCEPTANCE AND GUARANTEE OF COMPLETED MINIMUM IMPROVEMENTS	28
ARTICLE VIII VIOLATION AND PENALTIES	30
ARTICLE IX LEGAL STATUS	31
ARTICLE X SCHEDULE OF FEES	32
SAMPLE PLAT	33

AN ORDINANCE REGULATING THE SUBDIVISION OF LAND IN TURNER COUNTY GEORGIA; REQUIRING AND REGULATING THE PREPARATION AND PRESENTATION OF PRELIMINARY AND FINAL PLATS FOR SUCH PURPOSE; ESTABLISHING MINIMUM SUBDIVISION DESIGN STANDARDS; REQUIRING IMPROVEMENTS TO BE MADE BY THE SUBDIVIDER; SETTING FORTH THE PROCEDURE TO BE FOLLOWED BY THE PLANNING COMMISSION IN APPLYING THESE RULES, REGULATIONS, AND STANDARDS; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

BE IT ORDAINED by the Turner County Board of Commissioners:

ARTICLE I

SHORT TITLE, PURPOSE, AND JURISDICTION

- 1-1 Short Title.** This ordinance shall be known as the “**Land Subdivision Ordinance of Turner County, Georgia.**”
- 1-2 Purpose.** This ordinance is enacted pursuant to the authority contained in the Constitution of the State of Georgia, as amended for the following purposes:
- a. To encourage economically sound and stable land development.
 - b. To assure the provision of required streets, utilities, and other facilities and services to land developments.
 - c. To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in land developments.
 - d. To assure the provision of needed public open spaces and building sites in land developments through the dedication or reservation of land for recreational, educational and other public purposes.
 - e. To assure that land is developed in conformity with the 2015 Greater Turner County Comprehensive Plan.
- 1-3 Jurisdiction.** This ordinance shall govern the subdivision of land within the unincorporated area of Turner County, Georgia.

ARTICLE II

DEFINITIONS

2-1 General. When used in this ordinance the following words and phrases shall have the meaning given in this section. Terms not herein defined shall have their customary dictionary definitions where not inconsistent with the context. The term “shall” is always mandatory. When not inconsistent with the context, words used in the singular number include the plural, and those used in the plural number include the singular. Words used in the present tense include the future. The Turner County Board of Commissioners 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 their application.

Abutting Property. Any property that is immediately adjacent or contiguous to property proposed to be subdivided or that is located immediately across any road or public right-of-way.

Alleys. A public right-of-way, not intended to be a vehicular arterial or to provide the primary means of access to abutting property, but used for service access to the rear or side properties otherwise abutting a public street.

Applicant. Any person who submits subdivision plans to the County for the purpose of obtaining approval thereof.

Architect. A qualified person registered and currently licensed or otherwise authorized to practice architecture in the State of Georgia.

Building Line. A line beyond which no foundation wall or part of the structure of any building shall project, with the exception of roof overhang, walkways, and the subsurface projection of footings; provided, however, that such overhang does not exceed six (6) feet and does not encroach upon the adjacent property or right-of-way.

Chairman. The Chairman of the Greater Turner Planning Advisory Commission.

Comprehensive Plan. The 2015 Greater Turner County Comprehensive Plan, as duly amended, reviewed by the Planning Commission and/or the Turner County Board of Commissioners, which may consist of the Major Thoroughfare Plan, General Land Use Plan, Street and Road Classification Plan, and other maps, data, and descriptive matter for the physical development of the County or any portions thereof, including any amendments, extensions, or additions thereto as adopted by the Planning Advisory Commission and/or the Turner County Board of Commissioners..

Consultant. The licensed design or engineering professional or firm hired by the subdivider to oversee all aspects of the subdivision and design process.

County. Turner County, Georgia.

County Engineer. A public official appointed by the County Board of Commissioners who has specialized training in engineering and state certification.

Crosswalk. A right-of-way within a block dedicated to public use for pedestrian use only and 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, the other end being terminated by a turnaround as specified in this ordinance.

Developer. Same as Subdivider

Development. The act or process of erecting buildings, structures, or of making improvements to property, or laying out and dividing land.

Easement. A grant by the owner of land for the use of such land by others, including public usage, for a specific purpose or purposes.

Exempt Subdivision: Any subdivision that has approved zoning and has had a plat submitted for approval by the Turner County Engineer, the Greater Turner Planning Advisory Commission and the Turner County Board of Commissioners prior to the adoption of this ordinance, shall be declared an **exempt subdivision**, and acted upon under the conditions of the ordinances that were in place at the time such plat was submitted.

Flood Prone Areas. An area identified as having a potential flood hazard pursuant to the Turner County Flood Plain Management Ordinance, as amended, from time to time..

Guarantee. A maintenance bond, in the amount of fifteen (15) percent, required by this Ordinance, which guarantees to Turner County, all materials and workmanship of any minimum improvements installed in a subdivision.

Hardship. A situation arising as the result of extraneous or unique circumstances which deprives the developer of the reasonable use of his land if the strict application of the various provisions of this ordinance are applied. (See Variance)

Improvement Plan. The second stage of plat or subdivision plan review, as described in Section 4-2 of this ordinance. For the purpose of the enforcement of this ordinance, the improvement plan must include the Soil Erosion and Sedimentation Control Plan and Land Disturbance Permit Application.

Landscape Architect. A design professional registered and currently licensed or otherwise authorized to practice landscape architecture in the State of Georgia, as defined in Code Section 43-23-1 of the Official Code of Georgia Annotated, providing the services therein defined.

Lot. A parcel of land separated from other portions or parcels by description as shown on a subdivision plat, a survey map recorded in the Turner County Superior Court Clerk's Office, or as described by a metes and bounds description found in a deed of record recorded in said Clerk's Office and which parcel is intended for transfer of ownership or for building development. For the purpose of this ordinance, the term does not include any portion of a dedicated right-of-way.

Lot, Corner. A parcel of land at the junction of and fronting on two (2) or more streets.

Lot of Record. A lot which is part of a subdivision recorded in the Office of the Clerk of Superior Court of Turner County or a parcel described by metes and bounds, the description of which has been so recorded prior to January 20, 2000, the date of adoption of the Turner County Zoning Ordinance.

Lot Width. The distance measured straight between the side lot lines, measured at the intersection of the building line, which shall be parallel to the street right-of-way line.

M.S.L. Mean Sea Level.

Planning Commission. The Greater Turner Planning Advisory Commission.

Performance Bond. A legal instrument made payable to Turner County, which a developer shall post with Turner County to permit recording of a final plat prior to start of completion of the required minimum improvements.

Plat. A map, generally of a subdivision, showing the location, boundaries and ownership of individual properties.

1. **Plat, Preliminary.** The first stage of plat or subdivision plan review, as described Section 4-1 of this ordinance.
2. **Plat, Final.** The final stage of plat or subdivision plan review, as described in Section 4-3 of this ordinance.

Private Right-of-way. A portion of land being used or to be used as a street, road, thoroughfare, crosswalk, pipeway, drainage canal, and/or other similar uses and designated by means of right-of-way but not deeded to the governing authority.

Protective Covenant. A private contract, existing between the land subdivider or developer and subsequent property owners of a particular defined area, limiting design and usage of similarly situated properties. These instruments are generally publically recorded with a particular land subdivision, and maintenance and enforcement of the contract is between the private parties.

Public Water. A system owned and operated by the City of Ashburn, City of Sycamore, or City of Rebecca. Turner County has no water nor sewage services.

Public Right-of-Way. A portion of land being used or to be used as a public street, road, thoroughfare, crosswalk, pipeway, drainage canal, and/or other similar uses and designated by means of right-of-way deed to the governing authority.

Secretary. The secretary of the Greater Turner Planning Advisory Commission, as duly appointed by the members governments of the Greater Turner Planning Advisory Commission.

Staff Development Review Committee. A committee of public employees with specific technical expertise who are officially responsible to the Turner County Board of Commissioners for various public management functions. Under this ordinance, the staff development review committee shall assist the Planning Advisory Commission and Turner County Board of Commissioners in the review of the numerous technical functions associated with the land subdivision process. This committee shall be appointed by the Board of Commissioners.

Streets and/or Roads. A way or thoroughfare which can be and is generally used for travel but does not include service entrances or driveways leading off or from a street (road) on two adjoining properties. Streets and/or roads may be designated as public or private which shall be defined as follows:

- (a) **Public street and/or road.** When the county, city, state, or federal government owns the right-of-way and is responsible for maintenance.

- (b) **Private Street or Road.** When the right-of-way is owned by someone or some entity other than the county, city, state, or federal government. Private streets or roads shall conform to all specifications included in this ordinance. It is understood that the County will accept no substandard, unpaved streets. (See Section 5-6.17)
- (c) **Classifications.** The streets and/or roads throughout the County shall further be defined as follows:
1. **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 County.
 2. **Collector Street:** A street which is designated as such on the Major Thoroughfare Plan and which is intended to collect traffic from local streets and direct it safely to arterial streets.
 3. **Dead-end Street:** A street having only one end open for access to another street, and the other end being abruptly terminated with no turnaround.
 4. **Marginal Access Street:** A street generally parallel to and adjacent to an arterial street providing access to abutting properties and protection from through traffic.
 5. **Local Street:** A street used for local circulation in areas providing access to abutting property.

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 a subdivision as herein defined.

Subdivider's Engineer/ Surveyor. Any professional engineer or land surveyor as defined in Code Section 43-15-02 of the Official Code of Georgia Annotated, providing the services therein defined.

Subdivision. All divisions of a tract or parcel of land into two or more lots, tracts, parcels, building sites, or other divisions for the purpose, whether immediate or future, for sale, legacy, or building development including all division of land involving a new street or a change of width or alignment in existing street(s), and including resubdivision and, where appropriate to the context, relating to the process of subdividing or to the land or area subdivided; provided, however, that the following are not included within this definition:

- a. Where located on an existing public road or street, the combination or recombination of previously platted lots, where the total number of lots is not increased, and the resultant lots are equal to the current standards of the County.
- b. The public acquisition of land.
- c. The sale of public land.
- d. The subdivision of land into parcels of ten (10) acres or more where located on an existing public (county maintained) road. Each ten acre or larger parcel must abut a public road a minimum of 80 feet, and shall meet minimum width requirements established for the respective zoning district.
- e. A division or sale of land among heirs by judicial decree, provided that all lots created by the subdivision must front existing state or, city roads or an approved private road, and lot size, frontage, and access requirements dictated in the Zoning Ordinance have been met.

Subdivision Plans. Subdivision plans are interpreted to be all plans required for delineation of rights-of-way, easements, lots, preservation areas, etc., and all construction plans required for the development of all physical facilities pertaining thereto.

Tax Assessor. The Turner County Board of Tax Assessors.

Tract/Lot. A portion of land with definite and ascertainable limits or boundaries. (See definition of "Lot".)

Turner County Health Department. The Turner County Board of Health Department and/or the State of Georgia Department of Human Resources. The words "Turner County Health Department" and/or "Turner County Environmental Officer" are used in this ordinance to denote the fact that all matters pertaining to health regulations shall be directed to that official or his staff.

Utility. Any community service available to the public by means of an overhead or underground distribution or collection system such as electricity, telecommunications, water, gas, and sewage disposal.

Variance. The relaxation of a dimensional requirement or design standard described within this ordinance as it applies to the development of a particular tract or parcel of land reviewed by the Greater Turner County Planning Advisory Commission and approved by the Turner County Board of Commissioners on an individual basis, after proper public hearing.

Zoning Administrator. The person or persons appointed by the Board of Commissioners of Turner County to coordinate among various agencies involved in review and approval of subdivision plans and ensure compliance of subdividers to administrative requirements of this ordinance.

Zoning Ordinance. The zoning ordinance enacted by the Turner County Board of Commissioners, Ashburn, Georgia as duly amended.

ARTICLE III

GENERAL

- 3-1 Platting Authority.** From and after the passage of this ordinance, the Planning Advisory Commission shall be the official platting authority, and no plat of a land subdivision shall be recorded in the office of the Clerk of the Superior Court of Turner County unless it has the approval of the Planning Commission inscribed thereon. The filing or recording of a plat of a subdivision without the approval of the appropriate reviewing agencies and/or authorities as required by this ordinance is declared to be a violation of this ordinance.
- 3-2 Use of Plat.** The transfer of, sale of, agreement to sell, or negotiation to sell land by reference to, exhibition of, or other use of a plat of a subdivision that has not been given final approval by the Planning Commission and recorded in the office of the Clerk of the Superior Court of Turner County is prohibited, and the description by metes and bounds in such an instrument of transfer or other document shall not exempt the transaction from prescribed penalties.
- 3-3 Opening and Improving Public Streets.** The Turner County Board of Commissioners shall not accept, lay out, open, improve, grade, pave, or light any street, or lay any utility lines in any street, which has not attained the status of a public street prior to the effective date of this ordinance, unless such street corresponds to the street location shown on an approved subdivision plat or the Major Thoroughfare Plan; provided that the Turner County Board of Commissioners may accept, lay out, open, and improve any street not so platted if it first submits such proposed action to the Planning Advisory Commission for its review and comment and approves the same as an amendment to the Major Thoroughfare Plan. Developers of subdivisions will be solely responsible for acquiring all rights-of-ways so that in the event that Turner County needs to perform maintenance, rights-of-ways will be in place.
- 3-4 Issuance of Building Permits.** The Zoning Administrator of Turner County will not issue building permits for a parcel of land, lot, tract, or building site subject to this ordinance that has not been designated and recorded as required by this ordinance. Lots of record are not subject to this requirement. (See 4-7)
- 3-5 Zoning Ordinance Compliance.** No final plat of a subdivision shall be accepted for review which does not conform with the Turner County Zoning Ordinance. Proposed subdivisions must conform with the zoning district classification requirements applicable to the land for which it is proposed.
- 3-6 Official Interpretation.** The requirement(s) of this ordinance, as they may apply to a proposed land subdivision, shall be officially interpreted by the Staff Development Review Committee. In cases which the subdivider disagrees with the official interpretation of these regulations, the developer may appeal to the Planning Advisory Commission and the Turner County Board of Commissioners pursuant to the guidelines established in Section 9-4.
- 3-7 Non-conforming Lots.** Any lot for which a plat or legal description (i.e., metes and bounds) has been recorded in the Office of the Clerk of Superior Court of Turner County which was recorded prior to the adoption of the Turner County Zoning Ordinance, shall be recognized as a non-conforming lot of record and may be utilized for any of the uses permitted by the Turner County Zoning Ordinance in its respective zoning district, subject to current zoning ordinance limitations.
- 3-8 Variances.** All variances shall be recommended by the Planning Advisory Commission on a case-by-case basis. Any request for variance shall be based on circumstances unique to the subject property and proposed

alternate design or improvements must follow accepted engineering practices and principles. Final decisions on variances are made by the Turner County Board of Commissioners pursuant to Section 9-4.

- 3-9 Appeal to the Turner County Board of Commissioners.** Any party aggrieved because of alleged error in any order, requirements, decision, or determination made by the Zoning Administrator, Planning Advisory Commission, or any other party in enforcement of this Ordinance, may appeal in writing to the County Clerk of Turner County for an interpretation of the pertinent Ordinance provision. The appeals procedure shall be the same as used appeals from the Planning Advisory Commission to the Turner County Board of Commissioners on zoning cases. In exercising this power of interpretation, the Turner Board of Commissioners, may in conformity with the provisions of this Ordinance, reverse or affirm any order, requirement, decision, or determination made by the Zoning Administrator, Planning Advisory Commission, or any other party. (See 9-4)
- 3-10 Appeal from the Turner County Board of Commissioners.** Any party aggrieved by any decision of the Turner County Board of Commissioners may seek review of such decision by a Court of Record, as provided by law.

ARTICLE IV

APPROVAL OF SUBDIVISIONS

Pre-application Procedure. The subdivider may visit with the Turner County Staff Development Review Committee and discuss the effect of the Major Thoroughfare Plan, the 2015 Greater Turner County Comprehensive Plan, and other official plans on the subdivision, as well as general design standards, zoning, and related matters.

The subdivider may submit pre-application plans and data for review, advice, and assistance by the Staff Development Review Committee. Professional assistance at this early stage may save time and effort during later steps.

Pre-application plans and data should include:

- A. Location sketch map, showing site in relation to the section of the County in which it is located.
- B. A simple sketch plan on a topographic survey (ten foot intervals, i.e. quad sheets) showing general layout of lots, streets, major drainage ways, and other features, including streams, creeks, wetlands or potential wetlands, in relation to existing conditions on the site and the surrounding street system.
- C. General subdivision information including data on proposed or existing covenants, wooded areas, available and proposed community facilities, and utilities, typical lot size, etc.,

The Staff Development Review Committee and other affected County agencies will review all data submitted and advise the subdivider/developer of significant items which should be considered prior to submittal of the Preliminary Plat or the Master Development Plan.

Subdivisions shall be officially reviewed and approved in three (3) stages as follows:

4-1 Preliminary Plat.

- 4-1.1 Purpose:** The purpose of the preliminary plat is to safeguard the subdivider from unnecessary loss of time and expense in preparation of a subdivision plat which does not conform with the specifications of the subdivision ordinance. The preliminary plat requires only approximate accuracy of scale and dimension. Public agencies having jurisdiction will review preliminary plats regarding matters within their jurisdiction. During the review process, the subdivider or his agent may be called upon for consultation.
- 4-1.2 Subdivisions Requiring No New Street, Water, or Sewer Facilities:** All subdivisions which do not involve the platting, construction, or opening of new streets, water or sewer facilities may be accepted by the Turner County Zoning Administrator in the form of a Final Plat, provided that essential data required by the reviewing agencies to insure compliance with the intent of this ordinance is submitted.
- 4-1.3 Filing:** Any person desiring to subdivide land shall file with the Turner County Zoning Administrator five (5) copies of the preliminary plat accompanied by a letter of application. The letter of application will describe the proposed subdivision at length and will also state for what purposes easements may be utilized for such as water, streets, power or telecommunications maintenance. There will not be any restrictions on the use of easements. The letter of application shall contain the name and address of the developer(s) and his agent(s), the zoning of the property to be subdivided, whether or not the subdivision will be developed in phases, plans for annexation, and plans for serving the proposed subdivision with sewer and water

facilities. The plat shall be prepared in accordance with this ordinance and with applicable County specifications by a registered land surveyor, who is licensed under the laws of the State of Georgia. The preliminary plat shall be deemed filed with the Planning Commission when it is filed with the Turner County Zoning Administrator. At the time of filing, a certificate of filing shall be provided to the subdivider and shall include the time and date of filing. The Zoning Administrator, shall have authority to reject the preliminary plat if he finds it does not comply with this ordinance. If rejected, the Zoning Administrator shall provide the subdivider with a written statement specifying all the respects in which the plat fails to comply. The subdivider may appeal to the Planning Advisory Commission from such rejection. Filing of the preliminary plat shall be accomplished at least thirty (30) days prior to the regular Planning Advisory Commission meeting at which it is to be considered. The preliminary plat shall include:

- a. **Title Block and North Arrow:** The plat will show the name of the proposed subdivision, its location, the name, address and registration number of the surveyor preparing the plat and the date of the plat. A north arrow shall be included with a notation referencing the bearings to magnetic north, astronomical north or grid north.
- b. **General Layout:** The plat shall show information as to the proposed street layout and widths, layout of lots with a notation as to the minimum size and width of lots and proposed open space if any. Any lands to be dedicated will be clearly identified. Plat scale shall be one (1) inch equals one hundred (100) feet. Scale, total acreage of the site and total number of lots created shall be indicated. Lot and block identification and building setback lines shall also be indicated.
- c. **Topography:** The plat shall show existing contour lines dashed and any proposed contour lines solid, both set of lines to be at ten (10) foot intervals (quad sheets), mean sea level (M.S.L.). Prominent drainage features such as lakes, depressions, streams, etc. which could affect the design of the subdivision shall be shown. Engineering data showing the high water elevation and how it was established shall be submitted with the plat.
- d. **Existing Features:** The plat shall show the locations and names of existing and platted property lines, streets (and its right-of-way), railroads (and its right-of-way), public and private rights-of-ways, sanitary sewer (and size), water mains (and size), bridges, culverts, storm drainage (and size), easements, parks and other public open spaces, land lot and land district lines, city limits lines, and names of adjoining property owners or subdivisions. Groups of trees and potential wetland areas shall also be indicated.
- e. **Location Map:** The plat shall include a small scale map of sufficient clarity so that the location of the proposed subdivision can be readily determined.
- f. **Water and Sewer:** A statement from the subdivider shall be submitted with the preliminary plat which will describe the method by which sanitary sewer and water facilities will be provided.
- g. **Future Tract Plan:** In cases where a subdivision is to be developed in stages with additional plats being filed with the Planning Advisory Commission at a later date(s), the filing of the initial plat will be accompanied by Future Tract Plan, a reasonably accurate plat in sketch form of the entire tract which will show the future street system and topography (quad sheets) for the entire tract. Once the required tract plan has been given approval by the Planning Advisory

Commission, five (5) copies of the approved future tract plan must be provided for distribution to the various reviewing agencies and the inspections office.

- h. **Wetlands.** Approximate location of wetlands boundaries shall be delineated on the Preliminary

Plat. All Preliminary Plats delineating wetlands shall have on the face of said Preliminary Plat the note "No fill or work shall be permitted within jurisdictional wetlands without a prior permit from the U.S. Army Corps of Engineers." All minimum lot areas per designated zoning classification requirements shall be calculated upland of any wetlands boundaries within or contiguous to the project.

- 4-1.4 Completeness:** If any of the above required information is omitted or misrepresented on the plat, the Turner County Zoning Administrator may refuse to review the plat, and shall return the plat to the subdivider to be completed or revised.
- 4-1.5 Approval by Individual Agencies:** No preliminary plat shall be approved by the Planning Advisory Commission unless it is approved by the Staff Development Review Committee. Said agencies shall, with or without modification, approve or disapprove the preliminary plat to the extent that each has jurisdiction. If the plat is rejected, the respective reviewing agency shall provide the Planning Advisory Commission with a written statement specifying all aspects where the plat fails to comply.
- 4-1.6 Staff Development Review Committee:** Upon receipt of the filing of the preliminary plat, the Zoning Administrator shall prepare those materials for presentation to the Staff Development Review Committee. The Staff Development Review Committee shall review the preliminary plat for technical compliance with the Turner County Land Subdivision Ordinance, Zoning Ordinance, Comprehensive Plan, and other County ordinances that might impact the proposed land subdivision. The Staff Development Review Committee shall recommend in writing approval, conditional approval, postponement or disapproval within thirty (30) days of submission.
- 4-1.7 Coordination:** It shall be the responsibility of the Zoning Administrator to insure that the respective reviews of the Staff Development Review Committee are brought together in a timely fashion for proper presentation to the Planning Advisory Commission.
- 4-1.8 Review by Planning Advisory Commission:** The Planning Advisory Commission shall review the preliminary plat, giving due consideration to the review of the Staff Development Review Committee. The Planning Advisory Commission shall then recommend to the Turner County Board of Commissioners for preliminary approval, conditional approval, postponement or disapproval within thirty (30) days of submission. The subdivider may waive in writing this requirement and consent to an extension of such period.
- a. **Preliminary approval** means that the developer is now authorized to proceed with the preparation of the required improvement/construction plans, outlined in detail under Section 4-2. No developer shall proceed with any construction or any other work in the proposed subdivision before obtaining preliminary approval of these improvement plans in writing. Lots shall not be sold nor shall building construction begin at this time. Preliminary approval grants the developer a maximum time of eighteen (18) months within which he shall submit his improvements plan and final plat for approval unless a time extension is granted by the Planning Advisory Commission before the expiration of the eighteen (18) month period. If such time extension is granted, it shall be for not more than twelve (12) additional months. Failure to submit improvement plans and final plat within this time period, including extension if any, shall invalidate preliminary plat approval, and require resubmission of preliminary plat. Additionally, if, in the opinion of the Staff Development Review Committee, substantial changes have been made to the approved preliminary plat, the revised plat shall be resubmitted as a new preliminary plat.
- b. **Conditional approval** means the developer may proceed after written notice from the Zoning Administrator, as outlined under "preliminary approval" but only after he has submitted at least five

(5) copies of the corrected preliminary plan to the Zoning Administrator, noting thereon the condition or changes required by the approval of the Planning Advisory Commission.

- c. **Postponement** means action is delayed for specific reasons which shall be noted and transmitted in writing to the developer by the Zoning Administrator. Postponed preliminary plans may be reconsidered by the Planning Advisory Commission without re-submittal to the Staff Development Review Committee and the Turner County Health Department.
- d. **Disapproval** means denial of the application for subdivision because the developer's plans are not in compliance with this ordinance. For further consideration, the developer must rework and resubmit his plans as though they were a completely new preliminary plan. The specific reasons for disapproval shall be stated to allow for correction.

4-2 **Improvement Plans**

4-2.1 **General Requirements:** Subdivision plats receive their second official consideration as "improvement plans." These plans shall be approved by the County Engineer who shall certify that the improvement plans are in conformance with this ordinance, official County specifications, and with the requirements of the approved preliminary plan. No developer shall proceed with any construction work in the proposed subdivision before obtaining this approval. This process of improvement plans approval is between the County Engineer and the developer, and is not subject to Planning Advisory Commission review and approval.

4-2.2 **Professional Engineer Consultant (if applicable) Required:** Should certain design calculations be required to resolve flow problems, possible erosion or drainage problems, or other detailed design problems which might be encountered in the process of preparing the required improvement plan, the County Engineer shall be authorized to require the services of a professional engineer or consultant in the improvement plan design process. Should such services be required, such plans shall reflect the engineer or consultant's state registration. All professional surveying, engineering or consultant service costs shall be the sole responsibility of the applicant.

4-2.3 **Filing:** To secure formal review of his improvement plans, the developer shall file with the Zoning Administrator three (3) certified white background prints of the improvement plans (signed and sealed by the developer's registered consultant) white background prints of the improvement plans. The Zoning Administrator will then distribute the improvements plan to the Staff Development Review Committee which shall jointly review the proposed improvement plans and shall approve or deny the proposed improvement plans. The Zoning Administrator shall notify the Planning Advisory Commission of the Committee's action, in writing.

- a. **Approval** means the developer is now authorized to proceed with the physical improvements in the subdivision, after securing any required construction permits, and may proceed with the preparation of the final subdivision plat.
- b. **Conditional approval** means the developer may proceed as outlined in the preceding paragraph, but only after he submits three (3) certified copies of the corrected improvement plans to the County Engineer for his review and approval.
- c. **Denial** means disapproval of the improvement plans. For further consideration, the developer must rework his plans to conform to the requirements of this ordinance, and then submit the reworked plans to the Zoning Administrator as though they were a completely new set of plans.

4-2.4 **Plans and Data Required for Improvement Plan Submission**

The plans for the required public improvements shall be prepared for the approval by the Staff Development Review Committee prior to the construction and only after approval of the preliminary plat. Such improvement plans shall show the proposed locations, sizes, types, grades and general design features of each facility, and shall be based on reliable field data. Improvement plan approvals are good for 24 months. If the subdivision is sold prior to completion and final platting, a mandatory review by the Staff Development Review Committee shall be required. Failure to comply may result in revocation of construction permit after notice and hearing before the Planning Advisory Commission. The developer shall receive a minimum of ten (10) days written notice of said hearing.

The improvement construction drawing shall be submitted on white background prints. The sheet size shall be twenty-four (24) inches by thirty-six (36) inches unless another size is approved by the County Engineer. The drawing shall include the following information:

- a. **Construction Plans.** The developer shall provide the plan and profile of each proposed street (indicating the existing ground surface elevation and proposed street grade surface elevation including extensions, except where street runs into an existing street, for a distance of one hundred [100] feet to three hundred [300] feet beyond the tract boundary) as required by the County Engineer. Design shall be in accordance with good engineering practices.
- b. **Street-Typical Sections.** A typical section of each proposed street shall be submitted, showing the width of pavement and the rights-of-way.
- c. **Water Supply, Sanitation Systems, and Storm Water Drainage.** The plan and profile of proposed water and sanitation, storm drainage or other drainage systems, with grade and sizes indicated are required. Storm water drainage shall be consistent with applicable County ordinances and other applicable governmental agencies. Water and sewer systems shall be approved by the Staff Development Review Committee and all relevant state agencies. The plat shall not be recorded until the developer submits to the Zoning Administrator all final permits required for the construction of all improvements from other state, local or federal agencies.
- d. **Utility Service Agreement.** A developer's agreement for utilities service shall be required before final improvement plan approval is granted.
- e. **Other Public Improvements.** A plan shall be prepared for parks, recreation or other public use areas and improvements if included in the approved preliminary plat.
- f. **"As Built" Plans.** The designing surveyor or engineer shall submit to the County Engineer two (2) sets of white background prints of certified "as built" plans prior to recording of the final plat.

4-3 **Final Plat.**

- 4-3.1 **Conformance:** The final plat shall conform with the approved preliminary plat. If desired by the subdivider, he may submit only that portion of the preliminary plat he proposes to record and develop at that time; provided, that such portion conforms with all requirements of this ordinance. The record plat (final plat) is to be prepared and sealed by a registered land surveyor, licensed in the State of Georgia. No plat of a land subdivision shall be recorded unless the plat conforms to Turner County Zoning Ordinance requirements and the County's Land Subdivision Ordinance, and the Turner County Board of Commissioners have formally accepted dedication of any proposed streets and improvements.

4-3.2 Filing: Filing the final plat with the Zoning Administrator shall include the following:

- a. A letter of application shall contain:
 - 1) the name and address of the person(s) developing the subdivision and his agent(s);
 - 2) zoning of the property to be subdivided;
 - 3) whether or not the subdivision will be developed in phases;
 - 4) plans for serving the proposed subdivision with sewer and water facilities.
- b. A complete list of deviations, if any, from the approved preliminary plat.
- c. A copy of the agreement for providing the necessary water and sewer facilities.
- d. A fee to cover the cost of investigation and review of the preliminary plan, construction plans, the final plat, and final recording costs will be charged at time of application. The fees are as set by the Turner County Board of Commissioners from time to time.
- e. The original reproducible on plastic or linen and five (5) blue-line prints of the final plat, which will include the following:

- 1) **Sheet Design:** The final plat shall conform to the items listed under the preliminary plat (4-1.3a, 4-1.3b, 4-1.3d, 4-1.3e, 4-1.3g) and the requirements thereof, as set forth in this ordinance and shall be drawn in black India ink on one or more sheets of linen tracing cloth or Mylar film measuring eighteen (18) inches by twenty-two (22) inches. When two or more sheets are used, a key map shall be shown on each sheet. There shall be a two (2) inch margin on the left end of the plat and a one-half ($\frac{1}{2}$) inch margin on the remaining three sides. A revision to a recorded plat shall be drawn in black India ink on the same type cloth or film as mentioned above.

The final plat shall be drawn on the scale (stated and graphical) of 1" in 100 feet. If necessary, more than one sheet may be used as long as a key map is provided to relate each sheet to the entire platted area.

- 2) **Surveyor Certificate:** The following certificate shall be entered on the face of the plat as shown in Figure 1. Placement of this certificate may vary as necessary:

I certify that all measurements are correct and were prepared from an actual survey of the property made under my supervision; the field data upon which this plat is based has a closure precision of one foot in _____ feet and an angular error of _____ per angle point, and was adjusted using _____ rule; the plat has been calculated for closure and is found to be accurate within one foot in _____ feet; monument and pin locations are correctly shown by the symbols _____ and the pins are _____ (type of metallic material and length).

Signed _____ (Seal) (Date) _____
Surveyor, Georgia Registration No. _____

- a) The surveyor must certify whether or not the property is located in a special flood hazard

zone and indicate the informational source and zone of the property. If the property is located within a flood hazard zone then the limits of the zone must be shown.

- b) Proposed lots located in any flood zone will require Certification of Elevation to insure future construction meets applicable County Ordinances regarding the Flood Plain.
- c) Any identified wetlands must be indicated on the final plat, and proof of compliance with any U. S. Army Corp of Engineers requirements for wetlands must be submitted prior to recording of the final plat.

- 3) **Owner Certificate:** The following certificate shall be entered on the face of the plat as shown in Figure 1. Placement of this certificate may vary as necessary:

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

<u>Owner</u>	<u>Date</u>	<u>Mortgagee</u>	<u>Date</u>
_____	_____	_____	_____
_____	_____	_____	_____

- 4) **Approvals:** The following spaces shall be provided (as shown in Figure 1) in the form listed below for approval by all agencies having jurisdiction. Placement on plat may vary:

Approved by the Turner County Health Department, Turner County, Georgia.

Date _____ Signed _____
Health Department Representative

Approved by County Engineer, Turner County, Georgia.

Date _____ Signed _____
County Engineer

Approved by the Greater Turner County Planning Advisory Commission.

Date _____ Signed _____
Planning Commission Chairman

Accepted by the Turner County Board of Commissioners.

Date _____ Signed _____
Chairman

- 5) **Surveying Data:** The final plat shall contain the location, bearing and length of every street line, lot line and boundary line whether curved or straight. A note will be made on the plat as to whether curved or straight. A note will be made on the plat as to whether curved dimensions are arc or chord distances. Easement lines (and width), land lot and land district lines will be shown.

The final plat shall also identify each tract within the proposed subdivision by block and lot

Number.

All dimensions shall be shown in feet and decimals to the nearest one/one-hundredth (1/100th) of a foot, and all angles shall be shown to the nearest second. The error of closure shall not exceed one (1) in ten thousand (10,000), or as defined by the technical standards required by Section 15-6-67, O.C.G.A., of the Law Governing the Practice of Professional Engineering and Surveying, as amended. The final plat shall have a note listing the following:

Total Acres _____
Total Lots _____

- 6) **Monuments:** The final plat shall show the accurate location, material and description of all monuments. A permanent master bench mark shall be established (subject to the approval of the County Engineer) within or adjacent to the site by transfer of levels, not less than third order accuracy, from the nearest approved bench mark of known mean sea level (M.S.L.) elevation showing its location on the final plat and recording its elevation on the final plat to the nearest one/one hundredth (1/100th) of a foot.
- 7) **Easements:** In addition to the requirements for the preliminary plat as set forth in Section 4-1.3d of this ordinance, the final plat shall show the location and width of all public utility easements and drainage easements where required.

- 4-3.3 **Filing Certificate:** The final plat shall be deemed filed with the Planning Advisory Commission when it is filed with the Zoning Administrator. At the time of filing, a certificate of filing shall be furnished to the applicant which will include the time and date of filing. The final plat shall be prepared in accordance with this ordinance and applicable County requirements by a registered land surveyor, who is licensed under the laws of the State of Georgia. The Zoning Administrator and County Engineer shall have authority to reject the final plat if they find that it does not conform with the approved preliminary plat or this ordinance. If the plat is rejected, the Zoning Administrator shall provide the subdivider with a written statement specifying all the respects in which it does not conform. Filing the final plat shall be accomplished at least thirty (30) days prior to the regular Planning Advisory Commission meeting at which it is to be considered.
- 4-3.4 **Approval by Individual Agencies:** No final plat shall be approved unless the Planning Advisory Commission first obtains approval of the Turner County Health Department, and the County Engineer. Said agencies shall approve, with or without modification, or disapprove the final plat to the extent to which each has jurisdiction. Within ten (10) days of time of submittal, the developer will be notified of approval or disapproval. If disapproved, reasons for denial shall be noted.
- 4-3.5 **Staff Development Review Committee:** Upon receipt of the filing of the final plat, the Zoning Administrator shall prepare those materials for presentation to the Staff Development Review Committee. The Staff Development Review Committee shall review the final plan for technical compliance with the Turner County Land Subdivision Ordinance, Zoning Ordinance, Comprehensive Plan, and other County ordinances that might have an impact on the proposed land subdivision. The Staff Development Review Committee shall recommend in writing, approval, conditional approval, postponement or disapproval.
- 4-3.6 **Coordination:** It shall be the responsibility of the Zoning Administrator to insure that the respective reviews of the County Engineer, Turner County Health Department and Staff Development Review Committee are brought together in a timely fashion for proper presentation to the Planning Advisory Commission.
- 4-3.7 **Review by Planning Advisory Commission:** The Planning Advisory Commission shall review and

approve the final plat, giving due consideration to the reviews of the Staff Development Review Committee and the Turner County Health Department. The Planning Advisory Commission shall vote for final approval, conditional approval, postponement or disapproval. No plat shall be acted upon by the Planning Advisory Commission without a hearing, and due notice of the time and place of such hearing shall be provided to the applicant.

4-3.8 Recording a Plat: Upon satisfactory compliance with this ordinance, and after acceptance by the Turner County Board of Commissioners of any proposed streets and improvements, and the required guarantee has been posted, the Chairman of the County Commission shall release the plat to the Zoning Administrator for recording. After a subdivision has been recorded, the subdivider may petition the Turner County Board of Commissioners for permission to remove the subdivision plat from the land records of Turner County. The Board of Commissioners may permit such removal providing that no lot in the subdivision has been sold.

4-3.9 Revision to a Recorded Plat: Proposed revisions to a recorded plat which do not affect platted rights-of-way may be submitted for administrative approval in accord with the provisions of Section 4-3.12. In addition, a revision to a recorded plat shall show the name, phase (if any), date of the recorded subdivision plat being revised, and the exact citation with regard to the County Land Records and the book and page number wherein said plat is recorded. Revisions to a recorded plat which involve platted rights-of-way or other major changes shall be submitted as a preliminary plat.

4-3.10 Distribution: The Zoning Administrator shall make the following distribution of prints and reproducibles:

County Engineer	One Reproducible and One (1) Print
Clerk of Court	One (1) print
(Recording copy)	
Director of Public Works	One (1) print
Building Inspector	One (1) print
County Fire Coordinator	One (1) print
County Police Department	One (1) print
County Tax Assessor	One (1) reproducible and One (1) print
Turner County Health Department	One (1) print
E-911 Coordinator	One (1) print
Servicing Telecommunications Company	One (1) print
Servicing Electrical Utility Company	One (1) print
Servicing Cable TV Company	One (1) print
Sheriff's Department	One (1) print
Board of Education	One (1) print
Planning Commission	One (1) reproducible and One (1) print

4-3.11 Administrative Approval of Small Subdivisions and Resubdivisions: Where located on an existing road or street, the combination of previously platted lots, where the total number of lots does not increase, and the resultant lots are equal to the current standards of the County as determined by the Staff Development Review Committee, shall be subject to administrative approval. Such plats shall conform fully to the requirements of this ordinance. It shall be the responsibility of the Zoning Administrator to coordinate said administrative review responsibilities.

4-3.12 Exempt Plat Process: Any plat submitted for recording to the office of the Clerk of Superior Court, Turner County that is not subject to this ordinance shall comply with O.C.G.A. 15-6-67(d), as amended. All plats exempt from the standard review process must be assigned a map and parcel number by the

Turner County Board of Tax Assessors if a new lot is being created. All exempt plats must be submitted on a Mylar plus five (5) prints. The Mylar will be retained by the Zoning Administrator. Resurvey's of existing parcels which do not involve a map and parcel change must be verified by the Zoning Administrator and the Tax Assessors' office.

All exempt plats, which include resurvey's of lots of record, exempt re-subdivisions and exemptions by definition must be stamped as exempt prior to recording. All plats submitted for exemption must be submitted on a Mylar plus five (5) black line or blue line copies. The Mylar will be retained by the Zoning Administrator. The copies will be stamped, signed and dated to allow recording.

- 4-4 **Unlawful Approval:** If any approval, certification, or any other similar action of acceptance by Turner County is conditioned on a prior act or action by the developer or any other individual or entity, including but not limited to employees of Turner County such as the Zoning Administrator, is accepted without such prior condition being substantially met or completed, then such approval, certification, or acceptance by Turner County is void from the beginning (ab initio).
- 4-5 **Construction of Building:** No person or entity shall begin construction of any building on any lot or parcel until all streets have been built and completed, including paving, and all utilities are in place and installed so that any individual lot owner can hook on to such utility services immediately thereafter. All such improvements must be inspected and approval given by the County Engineer before any construction on a lot may begin.

ARTICLE V

MINIMUM DESIGN STANDARDS

5-1 Blocks.

- 5-1.1 Non-residential:** Blocks for other than residential use shall be of such length and width as may be suitable for their prospective use including adequate provisions for off-street parking and maneuvering space.
- 5-1.2 Residential:** The length of residential blocks shall not exceed twelve hundred (1,200) feet nor be less than four hundred (400) feet. Blocks of more than twelve hundred (1,200) feet 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 onto a line of another person's property, except as provided for in Section 5-3.4. The foregoing shall not prevent the inclusion of blocks of greater width and length, when public use areas such as parks and playgrounds are included in the project design. These areas shall be covered by adequate maintenance agreements if not dedicated and accepted for public maintenance.
- 5-1.3 Crosswalks:** Rights-of-way for pedestrian crosswalks shall be provided when in the opinion of the Planning Advisory Commission crosswalks are necessary for direct pedestrian access to schools, shopping centers, and parks. A crosswalk right-of-way shall not be less than twenty (20) feet wide.

5-2 Easements.

- 5-2.1 Utility:** Utility locations, where feasible, shall be located within the platted street right-of-way; if easements are required, they shall be a minimum width of twenty (20) feet. Telecommunications and Electric lines may be located on the same side or opposite sides of the streets. Wherever public utility easements are planned adjacent to the subdivision tract boundary or phase, they shall be platted within said subdivision or phase thereof.
- 5-2.2 Drainage:** No subdivision plat shall be accepted or approved unless it includes a hydrology plan and a sedimentation and soil erosion control plan certified by a professional engineer or registered land surveyor trained or certified in erosion control. The plan shall provide a means of detaining storm and surface water runoff on site, up to and including a twenty-five (25) year flood event, with such runoff to be released from the property at the same rate of flow that existed prior to the development of property. The engineer or surveyor shall certify that the designed stormwater detention system for the development will fully satisfy these provisions. The County Engineer will verify the accuracy of the drainage plans and may call upon the services of other design professionals for review at the expense of the developer should onsite conditions warrant more detailed review. The developer is solely responsible for the accuracy of all the submitted plans.

5-3 Lots.

- 5-3.1 Minimum Lot Elevation:** The lot area contained within and contiguous to the building walls and for 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 . Said minimum elevation shall be subject to approval by the Turner County Health Department. A change in elevation necessary to meet this requirement will be permitted by filling within a designated flood hazard zone, only if all other applicable permits are obtained prior to any fill work being done.

(a) **Flood Prone Areas.** All preliminary and final plats shall clearly delineate identified flood plain areas in conformance with the Turner County Floodplain Management Ordinance.

(b) **Wetlands.** All final and preliminary plats shall clearly delineate any identified wetlands in conformance with the Georgia Department of Environmental Protection's Part V Environmental Planning Standards (Georgia Planning Act of 1989, as amended). See Section 9-A of the Turner County Zoning Ordinance.

5-3.2 Lot Width and Lot Area Requirements: Lots hereafter established within a subdivision shall conform to the lot area and lot width requirements set forth in the zoning ordinance for Turner County or in other sections of this ordinance.

5-3.3 Corner Lots: Corner lots shall be of such size and dimensions that will permit the location of buildings so as to conform with the building setback lines as prescribed in the zoning ordinance. Corner property lines at street intersections shall have a minimum of a thirty (30) foot deeded radius or a thirty (30) foot permanent miter.

5-3.4 Double and Reverse Frontage: Lots having street frontage both to the front and rear shall be prohibited (unless allowed by variance) except to provide for separation of residential development from railroad right-of-way or arterial or collector street rights-of-way. Where the aforementioned abuts or runs through any portion of the subdivision, the subdivision plan shall provide for lots backing on said railroad or right-of-way, or arterial or collector street right-of-way. All lots shall have a minimum depth adequate to provide for the rear yard setback, required by the respective zoning district, plus an additional 30 feet, 10 feet of which shall be a planted, non-encroachable buffer strip separating the lots from the right-of-way. The buffer zone shall be landscaped with hedges or closely planted small trees to provide a visual screen and shall be planted at the time of development. Said planted, non-encroachable buffer strip shall be clearly indicated on the final plat subject to review by the zoning administrator..

5-4 Building Lines. All building setback lines shall be as specified in the Zoning Ordinance of Turner County.

5-5 Commercial and Industrial Use Buffer Zones: When a portion of the subdivision is to be devoted to commercial and/or industrial purposes and when the commercial and/or industrial area adjoins residential lots, or when a portion of a proposed subdivision adjoins an area zoned for commercial or industrial use, a buffer zone not less than twenty (20) feet in width shall be provided. Said buffer strip shall be landscaped with hedges or closely planted small trees so as to provide visual screening. No building or portion thereof may be constructed in said buffer zone. Said buffer zone shall be labeled as such on the subdivision plat and shall be planted at the time of development and screening installed at the time of the installation of the required minimum improvements.

5-6 Streets. The street and road system of any subdivision shall give due consideration to the Major Thoroughfare Plan. A right-of-way will not be accepted that is determined to be limiting the growth or traffic flow of an area.

5-6.1 Access: Every lot of every subdivision shall abut a public or an approved private street a minimum

of sixty feet which is or shall be maintained by the appropriate governing body. Where the subdivision does not immediately adjoin a public street, the subdivider shall provide a public street from the subdivision to a public or private street.

- 5-6.2 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 or private streets.
- 5-6.3 Cul-de-sacs:** Cul-de-sacs shall terminate in a circular turnaround having a right-of-way of not less than one hundred and sixty (160) feet in diameter. Paving within the turnaround shall have an outside radius of not less than seventy (70) feet. Temporary cul-de-sacs, approved by the Planning Advisory Commission, may be surfaced with gravel.
- 5-6.4 Dead-end Streets:** Dead-end streets and dead-end alleys shall be prohibited unless terminated with a cul-de-sac.
- 5-6.5 Half Streets:** Half streets shall be prohibited. Half streets are streets and alleys with substandard rights-of-way.
- 5-6.6 Intersections:** The center line of no more than two (2) streets shall intersect at (90) degrees.
- 5-6.7 Right-of-way Radius:** The right-of-way radius at street intersections shall be no less than thirty (30) feet except where Georgia Department of Transportation standards shall prevail.
- 5-6.8 Curved Streets:** The centerline radius shall not be less than three hundred and fifty (350) feet for arterial streets, and one hundred twenty (120) feet for collector and local streets. Centerline tangents between reverse curves shall be not less than two hundred (200) feet for arterial streets and one hundred (100) feet for collector streets and local streets.
- 5-6.9 Right-of-way Extension:** Where the proposed subdivision abuts undeveloped properties, it is essential that appropriate extensions of streets be left available to provide for future growth and development. Such street rights-of-way to facilitate future development shall be extended by dedication and improved to the boundary of the proposed subdivision.
- 5-6.10 Street Jogs:** Street jogs at intersections shall be not less than one hundred and twenty (120) feet between rights-of-way. This provision shall not negate the design intent of Section 5-6.2.
- 5-6.11 Street Names:** The subdivider shall indicate on the subdivision plat the proposed name of all streets within the subdivision. Streets and roads that are obviously in alignment with and are extensions of existing previously named or numbered streets shall bear that name. The names of all new streets within the subdivision shall be subject to the review and approval of the Turner County Board of Commissioners. New street names shall not duplicate or closely resemble the names of streets already in existence within Turner County or any incorporated City within Turner County.
- 5-6.12 Alleys:** Public alleys shall not be allowed in single family residential subdivisions.
- 5-6.13 Street Right-of-way and Pavement Width:** Street rights-of-way shall be measured between lot lines and shall be prescribed in this section. The pavement width shall be as prescribed below.

Street Classifications	Minimum Right-of-Way (In Feet)	Minimum Pavement Width (In Feet)
Arterial	100	48
Collector	80	24
Marginal Access	70	24
Local Street	60	22
Easements	**	**

** *As appropriate for the proposed development, with approval required by the County Engineer.*

- 5-6.14 Additional Rights-of-way:** If the subdivision boundary line lies adjacent to the right-of-way line of an existing street of less than minimum right-of-way width, the required extra right-of-way to bring the street to current standards shall be dedicated, except in those cases wherein the existing street was constructed to then current standards, all reasonable efforts shall be made to acquire such additional rights of way.
- 5-6.15 Provisions for Public Use:** In subdividing land, due consideration should be given to suitable sites for schools, parks, playgrounds, and other common areas for public use. Such land should be located in accordance with the Comprehensive Plan. The acquisition of such land shall rest with the appropriate public authority.
- 5-6.16 Private Street and/or Road Approval:** A private street and/or road may be owned by a developer, a homeowners' association, or other non-governmental body and only when such owner is responsible for liability, improvement, and maintenance. All such private roads and their responsible parties must be fully approved in writing by the Turner County Board of Commissioners prior to any development.
- 5-6.17 Conformance to Specifications:** Private streets or roads shall conform to all specifications included in this ordinance, and failure to meet such specifications or failure at any time to have a developer, a homeowners' association, or other non-governmental body responsible for the liability, improvement, and maintenance of such private street and/or road shall authorize the Turner County Board of Commissioners to close such road until compliance with this ordinance is obtained.
- 5-6.18 Street Acceptance:** Turner County will not accept any substandard, unpaved streets. No street and/or road will be considered accepted by the Turner County Board of Commissioners, until the Board of Commissioners vote in writing to accept any street and/or road as a public street and issues written notification of such acceptance.

ARTICLE VI

MINIMUM IMPROVEMENTS

6-1 General. The subdivider shall provide all public improvements as required by this ordinance and by applicable County specifications and requirements.

6-1.1 The design of all minimum improvements shall be under the direction of a registered consultant registered in the State of Georgia and all plans shall bear his seal. (See Section 4-2.2)

6-1.2 A letter of approval from the County Engineer shall accompany all water and sewer plans.

6-2. Paving and Drainage. Within the unincorporated area of Turner County, the subdivider shall install paving with centerline striping and proper drainage, which includes ditch slopes and grassing requirements and proper drainage control structures which may include paved ditches and canals, and retention areas. The County also requires established grass cover on road shoulders, front and back slopes of ditches and erosion control devices at outfall locations are required in subdivisions within the unincorporated areas of Turner County.

All streets and roads shall be paved according to standards set by the Georgia Department of Transportation Standard Specifications for Roads and Bridges. The County Engineer will determine the type of base material to be used on each and all subdivisions based on conditions and sound engineering judgment prior to beginning any grading work. These materials shall be applied according to established construction methods and shall be subject to inspection by and final approval by the County Engineer prior to acceptance for public maintenance.

6-3 Curbs and Gutter. RESERVED.

6-4 Monuments/ Pins. The subdivider shall provide, through the licensed surveyor, the setting of all reinforced concrete monuments and pins. The reinforced concrete monuments shall be four (4) inches in diameter or square, thirty (30) inches long with a flat top. The top of each monument shall be set flush with the ground. Said monuments shall be set within each block of the subdivision and shall be located along the longest interior straight away; a minimum of four (4) per block shall be installed as shown on the plat. Pins, a minimum of 15 inches long and ½ inch in diameter (metallic material type to be listed on plat) shall be placed along the exterior boundary and interior lot intersection except where the concrete monuments are to be located, on each street corner, points of curvature in each street at all points where the street lines intersect the exterior boundary of the subdivision, and where such corners lie within a stream mender (in which case reference pins shall be placed on the bank of the stream). The pin shall be set a minimum of two inches under the ground. The top of the concrete 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.

6-5 Water Supply and Sanitary Sewerage.

6-5.1 It is the intent of these regulations that the general public health of the County be safeguarded from the proliferation of septic tank systems and individual wells in higher density developments.

6-5.2 Where public sanitary sewerage and/or public water is available within one thousand (1,000) feet of any portion of the subdivider's property, the subdivider shall provide every lot of the subdivision with public sewer and public water in accordance with applicable city specifications. Said facilities are to be dedicated to the applicable city for public maintenance and operation prior to recording of

the plat. (Annexation is strongly encouraged.)

6-5.3 Where a public water supply and/or public sewage system is not accessible, and where topography, soil characteristics, drainage, groundwater or other physical conditions preclude safe on-site water supplies and/or sewage disposal systems, the developer shall furnish to the Georgia Department of Natural Resources, Environmental Protection Division, plans and specifications for a public water supply and/or public sewage disposal system for the subdivision.

6-6 **Street and Traffic Control Signs.** The developer shall pay for all street and traffic control signs and installation required for his subdivision. These fees shall be paid to the County prior to release of the plat for recording. The County shall install all street and traffic signs for any subdivision in accordance with the County's sign specification and at no cost to the County.

6-7 **Street Paving.** The subdivider shall provide paved streets in accordance with this ordinance and applicable County specifications.

6-8 **Storm Water Drainage.** The subdivider shall provide adequate storm water drainage in accordance with these regulations and applicable County specifications. Where drainage conditions dictate, open ditches shall be paved. The subdivider shall also provide for adequate drainage of springs or other ground water drainage.

The drainage system for a subdivision, commercial or industrial development shall be designed in accordance with sound engineering principles and procedures such that all salable parcels included in the final plat are positively drained.

The drainage system shall be designed to accommodate drainage from adjacent lands which naturally drain to or through the lands being subdivided. The drainage system shall be designed to not significantly affect the natural drainage onto adjacent lands unless appropriate easements are obtained by the developer from the owner of such adjacent lands concurring with the proposed drainage design. Evidence of such concurrence shall be submitted to the County Engineer along with the improvement plans and specifications.

Drainage facilities that are designed to handle flowing water (e.g., culverts, weirs, etc.) shall be hydraulically designed to function when subjected to the maximum flow rate that can be expected to occur no more often than once in twenty-five (25) years.

Drainage facilities that are designed to handle water accumulations (e.g., detention ponds with overflow provisions) shall be designed to accommodate the maximum water level that can be expected to occur no more often than once in twenty-five (25) years. Necessary drainage facilities including, but not limited to, culverts, rights-of-way, and easements, may be dedicated to Turner County, at no expense to the County, and at the option of the County. Areas required for maintenance shall be cleared of all trees and underbrush which would interfere with maintenance of the facility.

All drainage systems discharging into any creek, stream, or natural body of water including but not limited to wetlands as determined by the U. S. Army Corps of Engineers shall pass through an approved sedimentation or detention pond prior to such discharge.

A Master Drainage Plan shall be submitted to the County Engineer simultaneous with Preliminary Plat submittal at which time technical design criteria will be established.

6.8.1. Soil Erosion Control

A Soil Erosion Control Plan, prepared in accordance with Turner County Soil Erosion and Sedimentation Control Ordinance's latest revisions, shall be submitted to the County Engineer simultaneous with Preliminary Plat.

6-8.2 Wetlands

Wetlands shall be addressed per the Part V Environmental Planning Standards. Location of wetlands boundaries shall be delineated on the Preliminary and Final plats.

All Preliminary Plats delineating wetlands shall have on the face of said Preliminary Plat the note "No fill or work shall be permitted within jurisdictional wetlands without a prior permit from the U. S. Army Corps of Engineers."

6-8.2.1 All minimum lot areas per designated zoning classification requirements shall be calculated upland of any wetlands boundaries within or contiguous to the project.

6-9 Utilities. The installation of utilities shall be as follows:

6-9.1 Telecommunication Distribution Systems: All communication distribution systems installed solely for the purpose of extending communications service within a development and within the property limits of such development shall be placed as directed by the Staff Development Review Committee.

6-9.2 Electric Power Distribution Systems: All electric distribution systems installed solely for the purpose of extending electric service to a development and within the property limits of such development shall be placed as directed by the Staff Development Review Committee.

6-9.3 Easements: Developers shall allocate necessary easements with future maintenance access.

6-9.4 Location of Underground Installations: All utilities must be located underground. The plans submitted to Turner County will set forth the anticipated location of all underground installations. Location approval or acknowledgment by the owners of the underground installations shall be submitted.

6-10 RESERVED.

6-11 Buffer Strips. The subdivider shall provide adequate buffer strips which consist of plantings and/or visual blinds as detailed in this ordinance.

6-12 Street Signs. The developer shall pay for all street signs required for his subdivision at actual cost, including materials and labor, to the County for providing said street signs.. These fees shall be paid to the County prior to release of the plat for recording.

6-13 Installation of Improvements. No grading, paving, or construction of any required improvements shall be permitted until the preliminary plat and improvements plan of the subdivision has been approved by the Planning Advisory Commission.

6-13.1 Said developer can begin installation of the minimum improvements, including grading, paving,

installation of utilities, etc., upon approval of the construction drawings. In all cases, sedimentation control devices, retention, detention or sedimentation ponds shall be first in order of construction.

- 6-13.2** Final plat approval by the Planning Advisory Commission and acceptance by the Turner County Board of Commissioners can be requested during or following the installation of minimum improvements.
- 6-13.3** Improvements required and/or regulated by this ordinance shall be constructed in accordance with approved plans and specifications, the standards, requirements and regulations set forth in these regulations, and other applicable ordinances of the County.
- 6-13.4** Construction of improvements required or regulated by these regulations shall not commence until the County Engineer has approved in writing the plans and specifications for said improvements.
- 6-13.5** The subdivider or subdivider's engineer, surveyor or consultant shall notify the County Engineer of the commencement, suspension, or resumption of work at least one day prior to the commencement, suspension or resumption of such work. This requirement shall not apply to work suspended due to adverse weather conditions. In the event that the subdivider or subdivider's engineer, surveyor or consultant fails to comply with this requirement, the County Engineer is hereby authorized to take whatever steps may be necessary to insure that work performed complies with the approved plans and specifications, the standards set forth in these regulations, and other applicable ordinances of the County.
- 6-13.6** If, in the course of construction, the subdivider wishes to modify the size, type, quality, quantity and/or location of any or all of the improvements required or regulated by these regulations, the subdivider's engineer, surveyor or consultant shall submit a written change request to the County Engineer for review and written approval prior to proceeding with installation of the modified improvement.
- 6-13.7** Tests required by these regulations shall be performed solely by independent testing laboratories, the subdivider's engineer, surveyor or consultant or qualified personnel employed by the subdivider's engineer, surveyor or consultant, and shall be performed at the subdivider's expense. The subdivider's engineer, surveyor or consultant shall direct that the results of required tests be mailed or delivered to the County Engineer immediately on completion. All test results must be clearly indicated as to the project and the exact location of the sample and that no test results be withheld from the County Engineer.

ARTICLE VII

ACCEPTANCE AND GUARANTEE OF COMPLETED MINIMUM IMPROVEMENTS

7-1 **Completion of Improvements.** Before the plat is signed by the Turner County Board of Commissioners Chairman, all developers shall be required to complete, in accordance with this ordinance and to the satisfaction of the County Engineer, all minimum improvements as required by Article VI of this ordinance, specified on the final plat, and as approved by the Planning Advisory Commission, and to dedicate same to Turner County.

7-1.1 In lieu of completion of the minimum improvements as required under this ordinance prior to recording of the final plat, the developer may post an irrevocable letter of credit or a performance bond. This instrument shall be made payable upon demand to Turner County to insure the completion of the required minimum improvements and shall be in an amount of not less than one hundred ten (110) percent of the estimated cost of all required minimum improvements. Cost estimates shall be prepared by the subdivider's registered engineer or consultant, and shall be subject to the review and approval of the Chairman of the Turner Commission and County Engineer.

7-1.2 Bonds and/or cash posted pursuant to this alternative shall be released after formal acceptance of improvements by the Turner County Board of Commissioners.

7-2 **Acceptance.** Upon written notification of completion of Minimum Improvements, the Chairman of the Turner County Board of Commissioners, within thirty (30) days after such notice accept or reject, in writing, the completed improvements stating the deficiencies, if any.

7-2.1 The required minimum improvements shall not be accepted unless they conform to this ordinance and officially adopted County specifications.

7-2.2a. Upon completion of construction of improvements required and/or regulated by this Ordinance, the subdivider's engineer, surveyor or consultant shall deliver to the County Engineer:

1. All required test data not previously forwarded to the County Engineer.
2. Two (2) complete sets of "As Built" plans each sheet of which is clearly marked "As Built" in the lower right corner. "As Built" plans shall depict actual construction on the date of submittal of said plats. One set shall be reproducible and one set shall be prints. For the purpose of this ordinance "set" does not imply one sheet.

b. The County Engineer is authorized to reject any construction which fails to conform to the approved plans and specifications and this chapter.

c. The County shall bill the subdivider the County's cost for any subsequent inspections necessitated by the subdivider's failure to construct improvements in accordance with approved plans and specifications of this chapter. Said costs shall be based on a schedule of fees established as two and one-half times the inspector's hourly rate.

7-3 **Guarantee.** The subdivider shall guarantee for one year after acceptance by Turner County all materials and workmanship in the form of a bond which shall be a fifteen percent (15%) of the total improvement cost.

7-4 Recording of Plat. Upon acceptance of all improvements installed by the developer and posting of the required guarantee as provided in 7-3, the office of the County Board of Commissioners shall release the final plat for recording. Said plat shall be returned to the Zoning Administrator, who shall record said plat in a timely manner and distribute appropriate copies thereof in accordance with the directives of Section 4-3.11.

7-5 Release of Guarantee. Release of Guarantee shall be made by the County Board of Commissioners one (1) year after completion of all required improvements. At the end of one (1) year, the County Board of Commissioners shall arrange for a maintenance/warranty inspection by the County Engineer with said inspection expenses to be solely the responsibility of the subdivider. Any bonded maintenance of the minimum improvements shall be determined by the County Engineer, and said work shall be required of the developer or his contractor prior to release of any guaranteed funds by the County Commission.

ARTICLE VIII

VIOLATION AND PENALTIES

8-1 Violations.

8-1.1 It shall be unlawful to convey or improve property by the construction of buildings on lots of any land subdivision which has not been approved and recorded as provided in this ordinance, except those parcels recorded prior to the effective date of the Turner County Zoning Ordinance.

8-1.2 It shall be unlawful to record a subdivision plat which has not been approved by the Greater Turner Planning Advisory Commission and signed by the Chairman of that Commission. It shall be unlawful to alter recorded subdivision plats without prior approval of the Planning Commission, unless the purpose of such alteration is to combine or increase the size of existing lots.

8-1.3 **Each Day's Violation a Separate Offense.** After due notice has been given each and every day's violation of any provision of this ordinance shall constitute a separate offense.

8-2 **Violation and Penalty.** Any person who violates any provision of this subdivision ordinance shall, upon conviction in Magistrate's Court, be penalized by the imposition of a fine not exceeding \$500.00 per day and/or imprisonment for a period not greater than sixty (60) days.

ARTICLE IX

LEGAL STATUS

- 9-1** **Effect of Invalidity of Part of Resolution.** Should any section or provision of this ordinance be decided by the courts to be invalid, such decision shall not affect the validity of this ordinance as a whole or any other part thereof.
- 9-2** **Conflict with Other Laws.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- 9-3** **Amendment.** This ordinance may be amended from time to time by the Turner County Board of Commissioners, and all amendments shall be submitted to the Planning Advisory Commission for its review and recommendation. Prior to enacting an amendment to this Ordinance, the County shall hold a public hearing thereon, at least fifteen (15) days but not more than forty-five (45) days notice of the time and place of which shall be published in the official legal organ of Turner County.
- 9-4** **Variances.** In cases of undue hardship under this ordinance, or on questions of official interpretation (See Section 3-6), any property owner may petition the Planning Advisory Commission for a variance, and where the Planning Advisory Commission concurs, it will prepare and send to the County Board of Commissioners a recommendation for a variance when considered necessary and equitable. In case the Planning Advisory Commission fails to concur, the property owner may appeal to the Turner County Board of Commissioners for relief. All variance requests will require a public hearing in the same manner as an amendment to the Turner County Zoning Ordinance. None of the items listed in Article VI, Minimum Improvements, of this ordinance shall be subject to variance.
- 9-5** **Effective Date.** This ordinance shall take effect and be in force from and after the date of adoption.

ARTICLE X

SCHEDULE OF FEES

- 10-1 Plat Review Fee Schedule.** All plats to be reviewed, including phases, shall adhere to a fee schedule as approved from time to time by the Turner County Board of Commissioners.
- 10-2 Variance Requests.** All variance requests shall be accompanied by an application fee and costs to cover all publications of required public notices and staff review costs as approved from time to time by the Turner County Board of Commissioners.

July 3, 2001

Date of Adoption

S/ Deral Dukes
Chairman, Turner County Commission

ATTEST:

S/ Mary J. Wynn
County Clerk

(SEAL)

ARTICLE X
SCHEDULE OF FEES

- 10-1 **Plat Review Fee Schedule.** All plats to be reviewed, including phases, shall adhere to a fee schedule as approved from time to time by the Turner County Board of Commissioners.
- 10-2 **Variance Requests.** All variance requests shall be accompanied by an application fee and costs to cover all publications of required public notices and staff review costs as approved from time to time by the Turner County Board of Commissioners.

July 3, 2001

Date of Adoption

S/ *Beral Duff*
Chairman, Turner County Commission

ATTEST:

S/ *Mary J. [Signature]*
County Clerk

(SEAL)

I certify that all measurements are correct and were prepared from an actual survey of the property made under my supervision; the field data upon which this plat is based has a closure precision of one foot in _____ feet and an angular error of _____ per angle point, and was adjusted using _____ rule; the plat has been calculated for closure and is found to be accurate within one foot in _____ feet; monument and pin locations are correctly shown by the symbols _____ and the pins are _____ (type of metallic material and length).

Signed _____ (Seal)
Date _____

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

OWNER(S)	DATE	MORTGAGEE(S)	DATE

Approved by the Turner County Health Department, Turner County, Ga.
Date _____ Signed _____ Health Department Representative

Approved by the County Engineer
Date _____ Signed _____ County Engineer

Accepted by the Greater Turner Planning Advisory Commission.
Date _____ Signed _____ Planning Commission Chairman

Approved by the Turner County Board of Commissioners.
Date _____ Attest: _____ Chairman

SAMPLE PLAT

INDEX TOTAL NO. LOTS _____ TOTAL ACREAGE _____	SCALE: 1" = _____ OF _____ SHEET _____ OF _____
---	--

NAME _____
 ADDRESS _____
 GA. REGIS. NO. _____

SUBDIVISION

TURNER COUNTY, GEORGIA - Ashburn, Georgia

FIGURE NO. 1 (NOT TO SCALE)