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## DRAFT AMENDMENTS FOR CONSERVATION SUBDIVISION, OTHER TYPES OF SUBDIVISIONS AND OTHER SUPPORTING AMENDMENTS

### I. ARTICLE \_\_\_\_ SUBDIVISION DESIGN STANDARDS: PURPOSE OF

Where these regulations conflict with other areas of the code, these regulations shall supersede except when in conflict with any state or federal regulation.

Commented [JJ1]: Check for proper language with legal

### II. Sec. \_\_\_\_ - \_\_\_\_ Types of Subdivisions Types of Subdivisions:

1. Minor Subdivision
2. Residential Subdivision
3. Conservation Residential Subdivision
4. Mixed Use Subdivision
5. Commercial & Industrial (aka Non-residential) Subdivision

### III. Sec. \_\_\_\_ - \_\_\_\_ Definitions Definitions

(Note for draft only: PART II - CODE OF ORDINANCES Chapter 105 - DEVELOPMENT STANDARDS AND REGULATIONS ARTICLE II. - DEFINITION OF TERMS Sec. 105-28. - General definitions. The definitions below are not in red font however, all listed are added and/or amended.)

**Acceleration lane** means a speed change area or lane consisting of added pavement at the edge of through traffic lanes to permit vehicles to accelerate before merging with the through-traffic flow.

**Alley or Service Drive** means a minor, permanent, public service-way which is used primarily for vehicular service access to the back or the side for properties otherwise abutting on a street.

**Applicant** means a person, either the owner or the bona fide representative of the owner of land or structures governed by these regulations, who seeks authority to use, develop, construct upon or otherwise enjoy the use of property through any of the procedures established under these regulations.

**As-Built Survey**, also commonly referred to as record drawings, means a survey to provide formal documentation of exactly how a project was installed. It documents the actual results of the construction project rather than the planned layout shown in the project design and are critical for project closeout.

**Block** means a unit or area of land bounded by public highways or streets, other than alleys, or a combination of streets, public lands, railroad rights-of-way, waterways or any other barrier to the continuity of development.

**Buffer** means natural vegetated and/or landscaped areas used to physically and visually separate land uses to mitigate adverse impacts from adjacent permitted uses including, but not limited to, noise, odor, dust, fumes, glare, unsightly construction or unsightly activity or unsightly storage of merchandise and/or materials. This pertains to all buffers.

**Buffer, disturbed** means a buffer that is allowed to be altered through grading and/or clearing of vegetation during the development of a site.

**Buffer, exterior** means an existing and/or augmented buffer, where prescribed, that may be disturbed for grading and/or development of a site. Where required, exterior buffers shall abut all lot lines and rights-of-way.

**Buffer, large-scale non-residential** means an existing and/or augmented buffer that meets country buffer standards and shall remain undisturbed as applied to large scale non-residential when the subject property abuts a residential or agricultural zoning district.

**Buffer, side and rear** means an undisturbed and/or augmented buffer as applied to commercial, industrial, and mining zoning districts when subject property abuts a residential, agricultural, or zoning district.

**Buffer, stream** means an undisturbed buffer located on both sides of all state waters, measured horizontally from the top of the bank.

**Buffer, undisturbed** means a buffer that is unaltered from clearing and grading processes.

**Centerline, right-of-way**, means the line running midway between the edges of a surveyed or mapped dedicated right-of-way. Where the edges of right-of-way have not been established by subdivision plat or public purchase, the centerline shall be the line running midway between any adjoining drainage ditches or other publicly maintained road improvements.

**Cluster Mailbox Units (CBU)** means a structure or shelter housing multiple mailbox units to serve each residential dwelling of the development for the expressed purpose of regular mail delivery provided by the United States Post office (USPS)

**Commercial & Industrial (aka Non-Residential) Subdivision** means a subdivision of land into 2 or more non-residential lots.

**Conservation area, primary**, means the area with existing, regulatory restrictions on development potential, including but not limited to wetlands, riverfront areas, and floodplains regulated by state or federal law, and steep slopes greater than 25 percent grade that are set aside as permanent open space on a development parcel.

**Conservation area, secondary**, means the unprotected landscapes or elements of the landscape with environmental or cultural significance, including but not limited to upland buffers to wetlands, woodlands, farmland, meadows and/or pastures of at least three contiguous acres, orchards, existing forests of three contiguous acres or more, wildlife habitat including corridors for wildlife movement, historic and archaeological sites, mature trees, scenic views, aquifer recharge areas, slopes between 25 percent and 35 percent, historic and archeological sites, trails, and trailheads constructed with pervious materials connecting to identified county trails, and existing dwelling units of historical significance. Master and open space and recreation plan conservation goals are to be considered when identifying Secondary Conservation Areas.

**Conservation easement** means a legally enforceable agreement between a property owner and the holder of the easement, in a form acceptable to the county attorney and recorded in the office of the Clerk of The Superior Court of Jasper County. A conservation easement restricts the existing and future use of the defined tract or lot to conservation use, agriculture, passive recreation, or other use approved by the Jasper County Board of Commissioners and prohibits further subdivision or development. Such agreement also provides for the maintenance of open spaces and any improvements on the tract or lot. Such agreement cannot be altered except with the express written permission of the easement holder and any other co-signers. A conservation easement may also establish other provisions and contain standards that safeguard the tract or lot's special resources from negative changes.

**Conservation Residential Subdivision (aka Conservation subdivision)** means a subdivision, as defined by this Code, where open space is the central organizing element of the subdivision design and that identifies and permanently protects all primary and all or some of the secondary conservation areas within the boundaries of the subdivision.

**Contiguous common parcels** means parcels adjoining or touching other land at a common point and having a common owner, regardless of whether or not portions of the parcels have separate tax lot numbers, or were purchased in different land lots, or were purchased at different times.

**Cul-de-sac** means a dead-end street of limited length having a primary function of serving adjoining land, and constructed with a turnaround at its end.

**Cul-de-sac, temporary** means a nonpermanent vehicular turn around located at the termination of a street or alley.

**Culvert** means a structure designed to convey water from one side of a public right-of-way to the other.

**Cut** means a portion of land surface or area from which earth is removed by excavating; the depth below original ground surface to excavated surface.

**Cutoff fixture** means an outdoor light fixture shielded or constructed in such a manner that it emits up to, but no more than, two and one-half percent light spillage above the horizontal plane of the fixture.

**Deceleration lane** means an added roadway lane, of a specified distance and which may include a taper, as approved by the director of engineering, that permits vehicles to slow down and leave the main vehicle stream.

**Dedication** means the deliberate appropriation of land by an owner for any general and public use or purpose, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

**Dedication plat** means a plat that indicates property to be dedicated for public right-of-way or land for public use.

**Development** means all activities associated with the conversion of land or the expansion or replacement of an existing use to any new use intended for human operation, occupancy or habitation, other than for agricultural purposes devoted strictly to the cultivation of the land, dairying or animal husbandry. Such activities include land disturbance (clearing and grubbing the land of vegetation and stumps, and grading) and the construction of improvements such as but not limited to streets, driveways or parking areas, water or sewer mains, storm water drainage facilities, sidewalks or other structures permanently placed on or in the property. Where appropriate to the context, the term "development" also may be used to denote a specific subdivision or project which is a single entity or intended to be constructed as in interrelated whole, whether simultaneously or in phases.

**Development Agreement** means a written contract between the County and a property owner or developer that specifies the System Improvements to be provided by the developer for a specific project.

**Development Permit** means an official authorization issued by the Department permitting clearing, grubbing, grading, or construction of storm drainage facilities, access drives, streets, parking or other improvements exclusive of buildings.

**Development Plans** means the detailed and professional plans showing the layout and design, site work and construction activities proposed for a project (other than architectural building plans) and including the Preliminary Plat or Site Plan (as applicable), Grading Plan, Tree Preservation/Replacement Plan, Erosion

and Sediment Control Plan, Buffer and Landscape Plan, and construction drawings for streets, storm water drainage facilities, sanitary sewers, water supply facilities, and other site improvements.

**Existing grade** means the vertical location of the existing ground surface prior to cutting, excavation, or filling.

**Finished grade** means the final grade or elevation of the ground surface forming the proposed design.

**Footcandle** means a unit of measure for illuminance on a surface that is everywhere one foot from a point source of light of one candle, and equal to one lumen per square foot of area.

**Full cutoff fixture** means an outdoor light fixture shielded or constructed in such a manner that it emits no light above the horizontal plane of the fixture.

**Georgia DOT** means the Department of Transportation of the State of Georgia.

**Government agency** means any department, commission, independent agency, or instrumentality of the United States or of the State of Georgia, or any county, city, authority, district, or other governmental unit.

**Grading** means the stripping, cutting, filling, stockpiling, or any combination thereof, and activities where the land itself is cut or filled.

**Grading permit** means a permit issued to authorize earth work to be performed under the terms of this Code.

**Grading Plan** means a plan showing existing and proposed contour lines at an interval of no more than two-feet and shall outline the areas, including dimensions, that are required to remain undisturbed (i.e. tree protection areas, buffer, etc.) and shall indicate protective fencing or staking to be placed surrounding such areas. Grading for roads and improved ditches shall be shown as well as all storm water detention facilities.

**Green space** means that portion of a tract that is set aside for the protection of natural features, farmland, scenic views, and other unique features. Green space may be accessible to the residents of the development and/or the public or it may contain areas of conservancy lots that are not accessible to the public. Green space consists of all primary and secondary conservation areas.

**Grubbing** means the removal of stumps or roots from a property.

**Habitat for endangered or threatened species** means an area verified by the Georgia Department of Natural Resources as 1) actually containing naturally-occurring individuals of a species that has been listed as endangered or threatened under the Federal Endangered Species Act, as amended, and 2) being likely to

support the continued existence of that species by providing for a significant portion of that species' biological requirements, and that meets the definition of "natural conditions" as defined by this Code.

**Health Department** means the Environmental Health Services Division of the Georgia Department of Human Resources for Jasper County.

**Homeowners Association** means a community association in which membership of all the owners of property within the subdivision is mandatory, which holds title to certain common property, manages and maintains the common property, and enforces certain covenants and restrictions. The association shall have the duty and the authority to assess its members for such maintenance and improvements as set forth in the instrument creating the association.

**House Location Drainage Plan (HLDP)** means a drawing showing lot information and all proposed improvements with a proposed method for detaining rainwater on your property, so that it doesn't pool up at your foundation, or run off onto your neighbor's property in a damaging way, perhaps even causing flooding.

House Location and Drainage Plans are required on all lots marked 'HLDP' on a final plat, on lots subject to periodic flooding, and on all lots which the development staff determines have a drainage problem. An HLDP shall be prepared by a qualified professional Civil Engineer, Architect, Landscape Architect, or Surveyor, and will be required before issuance of a Building Permit. A review period is required before permitting and therefore the HLDP should be submitted at least ten (10) working days prior to the building permit request.

- A. House Location and Drainage Plans shall be drawn to scale and may be shown on a certified boundary survey of the lot or any other drawing showing the information required below. The Planning Department may accept a House Location and Drainage Plan drawn to the same scale as shown on the Final Plat where sufficient detail can be shown to support an adequate review and approval.
- B. The House Location and Drainage Plan shall be a drawing with sufficient readability and accuracy to ensure that the proposed improvements will be constructed on the lot in conformance with the requirements of these Development Regulations, the Zoning Ordinance, or other regulations as applicable.
- C. House Location and Drainage Plans shall show the following, as applicable:
  - 1. Boundary lines of the lot, giving distances to the nearest one-tenth of a foot and bearings to the nearest minute.
  - 2. Location and names of all abutting streets or other rights-of-way.

3. Minimum required front, side, and rear building setback lines with dimensions and notation of the existing zoning on the property.
  4. The approximate outline of all buildings, driveways, parking areas, swimming pools, recreational courts, patios, accessory structures and other improvements existing or proposed on the property, and dimensions of buildings and distances between all structures and the nearest property lines.
  5. All easements, public water, sewer or storm drainage facilities traversing or located on the property, septic tank, and septic tank drain field.
  6. Subdivision name, lot designation, land lot, and district.
  7. North arrow and scale.
  8. Limit of the 100-year floodplain, wetland areas, streams, historic structures and any applicable buffers or special building setback lines.
  9. All other applicable requirements of the Zoning Ordinance or conditions of zoning approval.
  10. Name, address, and telephone number of the owner and the person who prepared the House Location and Drainage Plan.
  11. A two-foot contour map of the proposed final grading.
- D. A Certificate of Occupancy shall not be issued for the structure or other improvements until conformance to the provisions or other requirements of the House Location and Drainage Plan with an as-built certification.
- E. The House Location and Drainage Plan shall contain the following signature block: "This House Location and Drainage Plan has been reviewed for general compliance with the Zoning Ordinance and Development Regulations of Jasper County, Georgia, and is approved for issuance of a building permit for the residential structure and other improvements shown hereon. This approval is granted with the provision that no Certificate of Occupancy shall be issued for the completion of construction until conformance to this House Location and Drainage Plan has been field verified with an as-built certification."
- F. An updated 'As Built Certification' must be submitted prior to final inspection and issuance of a certificate of occupancy, in the following form:

I, \_\_\_\_\_, a qualified registered Professional \_\_\_\_\_ in the State of Georgia, hereby certify with my signature and seal, that I have made sufficient visits to the construction site and to the best of my knowledge, the structures located on Lot \_\_\_\_\_ of the project known as



\_\_\_\_\_, and located in land lot \_\_\_\_\_, of the \_\_\_\_\_ district, \_\_\_\_\_ section of Jasper County, Georgia, have been constructed in substantial compliance with the approved House Location and Residential Drainage Plan for the above listed project.

This \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
[Signature] [Seal]  
GA Registration No. \_\_\_\_\_

**Impervious surface** means a man-made structure or surface which prevents the infiltration of storm water into the ground below the structure or surface. Examples include but are not limited to buildings, roads, driveways, parking lots, decks, swimming pools, or patios.

**Landscaped areas** means areas devoted to the installation and permanent maintenance of trees, shrubs, ground covers, turf grasses, mulch, and other similar materials. At least 75 percent of a landscaped area must be covered by live plant material at the time of plant maturity and must consist of at least three of the following elements: vegetative ground cover, herbaceous ornamentals, shrubs, trees. Examples of landscaped areas include landscape strips and landscaped open space.

**Land-disturbing activity** means any grading, scraping, excavating, or filling of land, clearing of vegetation, and any construction, rebuilding, or alteration of a structure. Land-disturbing activity shall not include activities such as farming, ordinary maintenance and landscaping operations, individual home gardens, yard and grounds upkeep, repairs, additions or minor modifications to a single family dwelling, and the cutting of firewood for personal use unless regulated by other local, state or federal regulations.

**Landscape Plan** means a plan that identifies areas of tree preservation and methods of tree protection within the protected zone, as well as all areas for replanting. Within replanting areas, the common and botanical names of the proposed species, the number of plants of each species, the size of all plants, the proposed location of all plants, and any unique features of the plants shall be indicated.

**Land Disturbance Permit** means any permit other than a Building Permit issued by the County that authorizes clearing or grading activities on a site or portion of a site. Said permit may be a Clearing, Clearing and Grubbing, a Grading, or Development Permit as defined and authorized herein.

**Left turn lane** means a lane placed between opposing lanes of traffic for the purpose of allowing traffic from either direction to make left turns off of a roadway.

**Minor Subdivision** means divisions of land into no more than \_\_\_\_\_ new lots, where no new streets are platted, constructed, or opened, no publicly-owned or central

sewerage or water facilities are constructed, and no improvements of existing roads are planned. A Minor Subdivision does not include the further subdividing of a lot within a platted and recorded subdivision. This definition does not include land zoned O-I, C-1, C-2, or M as defined by Sec. 119-48 of Part II of the Code of Ordinances.

**Mixed Use Subdivision** means a complementary mix of residential, commercial, and/or industrial uses in a single district.

**Mulching** means the application of plant or other suitable materials on the soil surface to conserve moisture, hold soil in place, and aid in establishing plant cover.

**Natural conditions** means the flora, fauna, soil and water conditions that would develop on a specific tract of land if all human interference were to be removed. The tract of land must have been undisturbed for a sufficient period of time for natural processes to dominate the tract. This period of time will vary among environments.

**Natural ground surface** means the ground surface in its original state before any grading, excavation or filling.

**Nonstructural stormwater management practice** means any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and includes, but is not limited to, riparian buffers, open and green space areas, overland flow filtration areas, natural depressions, and vegetated channels.

**Open space** means within the context of Article VI., Conservation Subdivision, of Chapter 105, any combination of primary conservation areas and secondary conservation areas, as defined, that together form a permanent, undivided or relatively undivided, undeveloped area. Easements for electric transmission lines or any other above-ground improvement shall not be considered open space. Within the context of other chapters of this Code, "open space" shall have more liberalized meaning to include buffers and areas not containing any man-made structures or pavements except for low impact stormwater designs that incorporate elements such as vegetated bioretention basins or community amenity features as expressly allowed elsewhere in this Code. For all zoning districts requiring open space, including conservation subdivisions, structural stormwater control practices shall not be counted toward the required open space except for low impact stormwater designs that satisfy requirements elsewhere in this Code. Nonstructural stormwater control practices may count toward required open space. An active recreational facility may not be located in the required open space. Passive amenities, such as walking trails, may be located in required open space, but passive amenities may not comprise more than 25 percent of the required open space and may not include impervious materials. Areas dedicated to land application shall not be counted toward required open space unless the application is above ground and the area

affected can be utilized for such activities as ball fields, golf courses, park areas, etc.

**Open space, public** means within the context of Chapter 105, an area within a development or subdivision designed and intended for the use and enjoyment of all residents or for the use and enjoyment of the public in general.

**Original tract** means a unit of land which the owner holds under single or unified ownership, or which the owner holds controlling interest on the effective date of this Code, where all land abutting said tract is separately owned by others, not related to or associated by business partnership with the owner.

**Pedestrian way** means a public right-of-way or private easement across a block or within a block to provide access for pedestrians and which may, in addition to providing pedestrian access, be used for the installation of utility lines.

**Performance bond** means a type of developmental improvement guarantee in the form of a bond, secured by the developer from a bonding company, in an amount specified by the board to cover the costs of required improvements, and payable to the county. The county may call in the performance bond in the event the developer defaults on required improvements.

**Permanent Stabilization (Soil)** means all soil disturbing activities at the site have been completed, and that a uniform and evenly distributed cover of perennial vegetation with a density of at least ninety (90) percent has been established, without large bare areas, for unpaved areas of the site not covered by permanent structures.

**Permit** means any written authorization for building, construction, alteration, occupancy, or other matter required by this Code to be approved by a designated commission, board, official, or employee. The person to whom such permit is issued shall be known as the "permittee."

**Pole-mounted light** means any luminaire set on a pole which raises the source of light off of the ground. The height of any pole-mounted light shall be measured from the base at grade after installation and include the pole, luminaire, and all structural and decorative components.

**Pollution susceptibility** means the relative vulnerability of an aquifer to being polluted from spills, discharge, leaks, impoundments, application of chemicals, injections, and other human activities in a recharge area.

**Project Access Improvement** means any improvement or facility that is planned and designed to provide service or access for a particular project and which is necessary for the use and convenience of the occupants or users of the project and is not a System Improvement. A Project Access Improvement includes but is not limited to: pedestrian access improvements; site driveways; new streets; median

cuts; right turn lanes, left turn lanes, acceleration lanes, and deceleration lanes made necessary to serve site driveways or new streets leading to or from the project; traffic control measures made necessary to serve site driveways or new streets; intersection improvements whose primary purpose at the time of construction is to provide access to the Project; and, necessary right-of-way dedications required for any Project Access Improvement.

**Property Owners Association** means a community association in which membership of all the owners of property within the subdivision which hold title to certain common property, manages and maintains the common property and enforces certain covenants and restrictions. The association shall have the duty and authority to assess its members for such maintenance and improvements as set forth in the instrument creating the association.

**Protected Zone** means all lands that fall outside of the buildable area of a parcel, all areas of the parcel required to remain in open space, and all areas required as landscaping strips according provisions of the Jasper County zoning regulations, or conditions of the zoning approval.

**Reclamation plan** means a written proposal for reclamation of mined or disturbed areas including land uses, maps, and documents as required to describe reclamation, and where relevant, grading specifications and manner and type of revegetation.

**Redevelopment** means a development on a previously developed site; but excludes ordinary maintenance activities, remodeling of existing building interiors, resurfacing of paved areas, and exterior building changes or improvements which do not materially increase or concentrate storm water runoff, or cause additional nonpoint source pollution.

**Residential Subdivision** means a subdivision of land into more than \_\_\_ new lots, where no new streets are platted, constructed, or opened, no publicly-owned or central sewerage or water facilities are constructed, and no improvements of existing roads are planned. A Residential Subdivision does not include the further subdividing of a lot within a platted and recorded subdivision. A Residential Subdivision is subject only to the requirements of the pre-application review, final plat and recording stages of this chapter. They must comply in all respects with the other requirements of this chapter and will be reviewed by the **planning commission** and, if found acceptable, signed by the director of planning in the form of a final plat.

**Commented [JJ2]:** Is this acceptable or should it go to the BOC as well?

**Responsible Party** means in the context of enforcement procedures, a person (as defined above) who is alleged to have committed, caused, continued or created a violation of the terms, requirements, regulations, or provisions of these Regulations whether as a direct act, through lack of action or neglect, or at the direction of or on behalf of others. A responsible party may be the owner of a premises where a violation has occurred; an occupant whether through ownership, lease or other

tenancy; a contractor, builder or developer; an agent of or person otherwise acting on behalf of the aforementioned parties; or other person acting in violation of these regulations.

**Retaining wall** means a wall, terraced combination of walls, or similar structure located at a grade change to hold the soil on the up-hillside from slumping, sliding, or falling. Retaining walls are not integral to the structure and do not provide direct physical contact for the support of a building or structure.

**Road:** See "street."

**Scenic corridor** means any corridor paralleling both sides of a public road that has been formally identified by resolution of the Jasper County Board of Commissioners as a scenic corridor worthy of special protection through an overlay district or other special provisions governing land uses and development and their aesthetic effects on road travelers.

**Scenic views and sites** mean those geographic areas containing visually significant or unique natural features, as identified in the Jasper County Comprehensive Plan, or by an applicant of a conservation subdivision if such information is accepted by the planning commission in the sketch plat review process.

**Semi-cutoff fixture** means an outdoor light fixture shielded or constructed in such a manner that it emits up to, but no more than, five percent light spillage above the horizontal plane of the fixture.

**Sensitive natural areas** mean any area, as identified now or hereafter by the department of natural resources, which contains one or more of the following:

- (1) Habitat, including nesting sites, occupied by rare or endangered species;
- (2) Rare or exemplary natural communities;
- (3) Significant landforms, hydroforms, or geological features; or
- (4) Other areas so designated by the department of natural resources; and which is sensitive or vulnerable to physical or biological alteration.

**Setback** means a minimum distance from the centerline of the right-of-way, side property line, or rear property line, for any construction except septic systems, storm drainage structures, private drives, sidewalks, on grade-patios without foundations, fences, retaining walls, and cantilevered roof overhangs. No parking for non-residential uses shall be allowed within front setbacks. Measurement shall be perpendicular to the property line or centerline of the prescriptive easement.

**Site** means any plot or parcel of land, or a combination of contiguous lots or parcels of land, where grading, building, construction, or alteration is performed or permitted.

**Site plan** means a drawing showing the following information: Proposed layout of streets and lots; lot or tract dimensions with required setbacks shown; buffers and natural areas proposed; buffer fences where appropriate; areas reserved for future construction; proposed structures with dimensions and square footages (except for single family subdivisions); proposed uses for each structure (i.e. retail sales, offices, single family residence, etc.); current zoning district of the subject property and abutting property, and the proposed zoning district, as applicable; location and use of all structures on abutting property; right-of-way locations and dimensions and names of all roads and streets bounding the property in question; driveways and parking areas with number of parking spaces, where appropriate; loading and unloading facilities, where appropriate; storm drainage and structures, where appropriate; water, gas and electric utility lines preliminary locations plus points of utility access; and wastewater facilities including preliminary areas reserved for drain fields and septic tanks or point of access.

**Slope** means a degree of deviation of a surface from the horizontal, usually expressed in percent or degree; the ratio of the difference in elevation between two points on the ground, and the horizontal distance between these two points. For purposes of determining steep slopes eligible for current use assessment under Georgia State Law, slope shall be measured between two points on the ground separated by 500 feet or more.

**State waters** means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural and artificial, lying within or forming a part of the boundaries of the state which are not entirely confined and retained completely upon the property of a single individual, partnership or corporation.

**Visual quality** means the appropriate design, arrangement, and location of any structure in relation to the built or natural environment to avoid abrupt or severe differences.

**Yard** means an area of a lot between the principal structure and adjoining lot lines, unoccupied and unobstructed by any portion of a non-exempted structure from the ground upward.

**Yard, required** means the minimum landscaped area with a slope no greater than 5 to 1 for the purpose of a front, side and rear yard

#### **IV. Sec. \_\_\_\_\_ - \_\_\_\_\_ Minor Subdivision Design**

1. Application Requirements:
  - A. Submit 2 copies or a digital copy of the Minor Plat and supporting data to be reviewed by the Jasper County Planning Office and applicable review agencies.

The plat shall meet the minimum standards for plat preparation including, but not limited, to:

1. General
  - a. Name, address, and phone number of designer of subdivision plat.
  - b. Name, address, and phone number of the owner and developer (if applicable) of subdivision.
  - c. Name of subdivision or address of project location.

B. Minor Subdivisions on State Routes require GDOT comments to be submitted to the Planning Department of Planning & Zoning along with the Minor (aka Final) Plat.

C. Approval of a Minor Plat shall be deemed an expression of approval of the layout submitted, pending fulfillment of the requirements of these Regulations and the conditions of the Minor Plat, if any.

D. If the Minor Plat is not recorded within 24 months of approval, the approval shall expire, unless a request for an extension of time has been submitted to and is subsequently approved by the Planning Commission in a public hearing.

**Commented [JJ3]:** Due to changes in requirements, it is important to get a plat recorded. Thoughts?

**Commented [JJ4]:** Planning Commission should be the body to extend time.

## V. Sec. \_\_\_\_\_ - \_\_\_\_\_

### Residential Subdivision Design

Prior to submitting construction plans for any street, utility, or other site improvements, the Developer shall submit to the Director of Planning & Zoning for approval by the Planning Commission, a Preliminary plat, showing any combination or subdivision of the proposed lot/s prepared in accordance with these Regulations.

**Commented [JJ5]:** Who do we want to be the approving authority for residential plats? Just the Planning Commission or also the BOC?

1. Pre-application review stage.

Before the submission of any plats to the director of planning, the developer must submit a sketch plat showing the proposed development layout of the subdivision. The developer and director of planning should informally discuss what this chapter requires and what the developer proposes to do. This will assist the developer in preparing a residential subdivision plat that meet from the very beginning the intent and standards specified by this chapter so as to reduce undue time and expense in preparing plans that cannot be approved by the planning commission.
2. Application Requirements:
  - A. Submit seven (7) paper copies and one (1) digital copy of the Plat and supporting data to be reviewed by the Jasper County Department of Planning and Zoning and applicable review agencies.

The Preliminary plat shall meet the minimum standards for plat preparation including, but not limited, to:

    1. General
      - a. Name, address, and phone number of designer of subdivision

- plat.
- b. Name, address, and phone number of developer of parcel.
- c. Date of plat preparation with space for revision dates.
- d. North point, identified as magnetic, true or grid.
- e. Minimum Graphic scale of one (1) inch equals 200 feet.
- f. Appropriate legend of symbols used on plat.
- g. List any conditions of zoning, rezoning, variance and date of approval, if applicable.
- h. Certificates of approval. The following certificates shall be inscribed on the residential subdivision plat:
  - (1) Certificate of approval of the preliminary plat by the planning commission.
  - (2) Signed seal of a state-registered land surveyor, certified landscape architect or state professional engineer.
  - (3) Certificate of approval of the preliminary plat by the county health department.
  - (4) Owner's certificate stating property ownership, consenting to development, and that all appropriate taxes have been paid.

2. Existing Conditions

- a. Zoning district of land to be subdivided and zoning classification of adjoining properties.
- b. Exact boundary lines of the tract indicated by a heavy line giving lengths and bearings. The boundary lines should include the entire tract to be developed. Provide date and source of survey.
- c. Location map showing the parent parcel in relation to the surrounding area at a minimum scale of one inch to 2,000 feet. Include well-known landmarks such as railroads, highways, bridges, creeks, etc. and city and/or county jurisdictional boundaries and land lot lines, if applicable.
- d. Location of natural features including streams and watercourses with direction of flow on the proposed project.
- e. Location and/or size of existing cultural features on or adjacent to the proposed subdivision.
- f. Limits of 100-year floodplain. If none, note indicating such with data source and date.
- g. Location and square footage of wetland areas.
- h. Note as to provision of water supply and sewer disposal.
- i. Existing sewers, water mains, drains, culverts, and other underground facilities or utilities within easements or rights-of-way on or within 300 feet of the tract to be subdivided, as relevant.
- j. Adjoining property information, lot arrangement and/or adjoining property owners' names, rights-of-way and



easements within 300 feet of subdivision.

k. Total acreage, minimum dwelling size and minimum lot size of project.

- B. Residential Subdivisions on State Routes require GDOT comments to be submitted to the Planning Department of Planning & Zoning along with the Residential (aka Final) Plat.
  - C. A letter requesting review and approval of a Residential Subdivision plat and giving the name and address of a person to whom the notice of hearing and action on the Residential Subdivision plat is to be sent.
  - D. Official date of submission. The official date of submission of the Residential Subdivision plat will be the date of the next regularly scheduled monthly meeting of the planning commission that is more than 60 days following proper Residential Subdivision plat submittal to the director of planning.
  - E. The planning commission will review the Residential Subdivision plat for conformance to this chapter, the county zoning ordinance set forth in chapter 119, and other relevant regulations and will consider the comments or suggestions of other appropriate review agencies, persons, or entities in regard to the plat. The planning commission or director of planning will indicate on the Residential Subdivision plat, or by a written memorandum attached to the Residential Subdivision plat, any comments or suggested changes that are necessary to meet the intent of this chapter or to serve the best interests of the county.
  - F. Public hearing. Before acting on the Residential Subdivision plat, the planning commission will hear public input on the plat. Notice of the hearing must be published in a newspaper of general circulation in the county at least 15 days before the hearing.
  - G. Action of the planning commission. No more than 30 days after the official date of submission of the Residential Subdivision plat, the planning commission will either approve the plat, conditionally approve the plat (noting the conditions of approval on the plat), disapprove the plat, or table the plat for further consideration. Action may be taken on the entire Residential Subdivision plat or any portion of it.
  - H. Failure of planning commission to act. If the planning commission fails to act within 90 days of the official date of submission of the Residential Subdivision plat, the plat will be deemed automatically approved by the planning commission.
3. Approval of a Residential Plat shall be deemed an expression of approval of the layout submitted, pending fulfillment of the requirements of these Regulations and the conditions of the Residential Plat, if any.

4. If the Residential Subdivision Plat is not recorded within 24 months of approval, the approval shall expire, unless a request for an extension of time has been submitted to and is subsequently approved by the Planning Commission in a public hearing.

**Commented [JJ6]:** Due to changes in requirements, it is important to get a plat recorded. Thoughts and is timeframe sufficient?

## **VI. Sec. \_\_\_\_\_ - \_\_\_\_\_ Conservation Subdivision Design**

1. (Current Sec. 105-159. – with changes) Purposes.  
The purposes of conservation subdivisions are as follows:
  - A. To provide flexibility of design in order to promote environmentally sensitive and efficient uses of the land when developing as a residential subdivision.
  - B. To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
  - C. To preserve important historic and archaeological sites.
  - D. To permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
  - E. To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
  - F. To promote interconnected greenways and corridors throughout the community.
  - G. To promote contiguous green space with adjacent jurisdictions.
  - H. To encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood.
  - I. To encourage street designs that reduces traffic speed and reliance on main arteries.
  - J. To promote construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses, and facilities to reduce reliance on automobiles.
  - K. To conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of open space.
  - L. To protect prime agricultural land and preserve farming as an economic activity.
2. Applicability: This district is to be used to preserve conservation space and to protect natural resources. For properties which are submitted for a Conservation Subdivision, the applicant shall declare the intent to preserve conservation space at the time of application. The application shall be accompanied by an Existing Features Site Analysis Plan, and a map that clearly indicates what is found on site according to the Existing Features Site Analysis Plan. The Conservation district shall not be used on property that has been timber harvested within 24 months prior to adoption filing an application for a Conservation Subdivision.

3. (current Sec. 105-160. – with changes) General regulations.
  - A. Applicability of regulations. The conservation subdivision option is available as a use by right in all residential zoning districts. An applicant shall comply with all other provisions of this chapter, chapter 119 and all other applicable laws, except those that are incompatible with the provisions contained herein. Where there is any conflict in language, these regulations shall supersede.
  - B. Ownership of development site. The tract(s) of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.
  - C. Housing density determination. The maximum number of lots in the conservation subdivision shall be determined by either of the following two methods, at the discretion of the applicant:
    1. Calculation. The maximum number of lots is determined by dividing the area of the tract of land by the minimum lot size specified in the underlying zoning district minus the primary conservation area by the minimum lot size in the underlying zoning district. In making this calculation, the following is considered primary conservation areas and shall not be included in the total area of the any new residential parcel:
      - a. Slopes over 25 percent of at least 5,000 square feet contiguous area;
      - b. The 100-year floodplain;
      - c. Bodies of open water over 5,000 square feet contiguous area;
      - d. Wetlands that meet the definition of the Army Corps of Engineers pursuant to the Clean Water Act.
  - D. Required buffers for the Calculation and the Yield Plan:
    1. A 50-foot non-buildable buffer shall be maintained around the perimeter of the subdivision. In the Calculation Plan, this shall be counted toward the total required Greenspace. In the Yield Plan, this shall be included as a portion of the total lot areas that abut the perimeter of the subdivision and identified on the Final Plat as an undisturbed buffer.
    2. A 100-foot non-buildable buffer shall be maintained adjacent to existing public streets that abut the subdivision.
  - E. When developing as a Calculation Plan subdivision, there is a requirement of greenspace of not less than 20' between all rear lots that is to be undisturbed and outside of the buildable lot.
4. (Sec. 105-161. – with changes) Application requirements.
  - A. Site analysis map required. Concurrent with the submission of a site concept plan, the applicant shall prepare and submit a site analysis map. The purpose of the site analysis map is to ensure that the important site features have been

Commented [JJ7]: Is 20' enough?

adequately identified prior to the creation of the site design, and that the proposed open space will meet the requirements of this article. The preliminary site plan shall include the following features:

1. Property boundaries;
  2. All streams, rivers, lakes, wetlands and other hydrologic features;
  3. Topographic contours of no less than ten-foot intervals;
  4. All primary and secondary conservation areas labeled by type, as described in section 105-162;
  5. General vegetation characteristics;
  6. General soil types;
  7. The planned location of protected open space;
  8. Existing roads and structures;
  9. Potential connections with existing green space and trails.
- B. Open space management plan required. An open space management plan, as described in section 105-162, shall be prepared and submitted prior to the approval of the preliminary plat.
- C. Instrument of permanent protection required. An instrument of permanent protection, such as a conservation easement or permanent restrictive covenant and as described in section 105-162, shall be placed on the open space concurrent with the issuance of a land disturbance permit.
- D. Other requirements. The applicant shall adhere to all other applicable requirements of the underlying zoning and this chapter.
- E. Reserved.
5. (Sec. 105-162. – with changes) Open space.
- A. *Definition.* Open space is the portion of the conservation subdivision that has been set aside for permanent protection. Activities within the open space are restricted in perpetuity through the use of an approved legal instrument.
- B. *Standards to determine open space.*
1. The minimum restricted open space shall comprise at least 40 percent of the gross tract area.
  2. The following are considered primary conservation areas and are required to be included within the open space, unless the applicant demonstrates that this provision would constitute an unusual hardship and be counter to the purposes of this article:
    - a. The 100-year floodplain.
    - b. Riparian zones of at least 100 feet in width along all perennial and intermittent streams.
    - c. Slopes above 25 percent of at least 5,000 square feet contiguous area.
    - d. Wetlands that meet the definition used by the Army Corps of Engineers pursuant to the Clean Water Act.
    - e. Populations of endangered or threatened species, or habitat for such species.
    - f. Archaeological sites, cemeteries and burial grounds.

**Commented [JJ8]:** Same comment as below as to section number

**Commented [JJ9]:** May change if section numbers change, but is pointing to the Open Space requirements.

**Commented [JJ10]:** Same comment as above.

C. The following are considered secondary conservation areas and should be included within the open space to the maximum extent feasible.

1. Important historic sites.
2. Existing healthy, native forests of at least one acre contiguous area.
3. Individual existing healthy trees greater than eight inches caliper, as measured from their diameter breast height (DBH).
4. Other significant natural features and scenic view such as ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads.
5. Prime agricultural lands of at least five acres contiguous area.
6. Existing trails that connect the tract to neighboring areas.

D. Aboveground utility rights-of-way and small areas of impervious surface may be included within the protected open space but cannot be counted towards the 40 percent minimum area requirement (exception: historic structures and existing trails may be counted). Large areas of impervious surface shall be excluded from the open space.

E. At least 25 percent of the open space shall consist of land that is suitable for building.

F. At least 75 percent of the open space shall be in a contiguous tract. The open space shall adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space.

G. The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the open space.

H. *Permitted uses of open space.* Uses of open space may include the following:

1. Conservation of natural, archeological or historical resources.
2. Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas.
3. Walking or bicycle trails, provided they are constructed of porous paving materials.
4. Passive recreation areas, such as open fields.
5. Active recreation areas, provided that they are limited to no more than ten percent of the total open space and are not located within primary conservation areas. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the protected open space.
6. Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, and such activities are not conducted within primary conservation areas.
7. Landscaped stormwater management facilities, community wastewater disposal systems and individual wastewater disposal systems located on soils

particularly suited to such uses. Such facilities shall be located outside of primary conservation areas.

8. Easements for drainage, access, and underground utility lines.
9. Other conservation-oriented uses compatible with the purposes of this chapter.
10. Cluster Box Units

I. *Prohibited uses of open space.*

1. Golf courses;
2. Roads, parking lots and impervious surfaces, except as specifically authorized in subsections (b) and (c) of this section;
3. Agricultural and forestry activities not conducted according to accepted best management practices;
4. Impoundments;
5. Other activities as determined by the applicant and recorded on the legal instrument providing for permanent protection.

J. *Ownership and management of open space.*

1. *Ownership of open space.* A homeowners' or property owners' association representing residents of the conservation subdivision shall own the open space. Membership in the association shall be mandatory and automatic for all homeowners of the subdivision and their successors. The homeowners' association shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the open space and any facilities located thereon shall be borne by the homeowners' or property owners' association.
2. *Management plan.* The applicant shall submit a plan for management of open space and common facilities ("plan") that:
  - a. Allocates responsibility and guidelines for the maintenance and operation of the open space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
  - b. Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the open space and outlines the means by which such funding will be obtained or provided;
  - c. Provides that any changes to the plan be approved by the board of commissioners; and
  - d. Provides for enforcement of the plan.
3. *Maintenance responsibility.* In the event the party responsible for maintenance of the open space fails to maintain all or any portion in reasonable order and condition, the county may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance may be charged to the homeowners' association, or to the individual property owners that make up the homeowners' association, and may include administrative costs and penalties.

Such costs shall become a lien on all subdivision properties or through a special tax district encompassing the subdivision and levy an ad valorem property tax annually in an amount adequate to fund maintenance and operations of the open space.

K. *Legal instrument for permanent protection.*

1. The open space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument shall be one of the following:

A. A permanent conservation easement in favor of either:

(1) A land trust or similar conservation-oriented nonprofit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or

(2) A governmental entity with an interest in pursuing goals compatible with the purposes of this chapter.

If the entity accepting the easement is not the county, then a third right of enforcement favoring the county shall be included in the easement.

B. A permanent restrictive covenant for conservation purposes in favor of a governmental entity.

C. An equivalent legal tool that provides permanent protection, if approved by the county.

2. The instrument for permanent protection shall include clear restrictions on the use of the open space. These restrictions shall include all restrictions contained in this article, as well as any further restrictions the applicant chooses to place on the use of the open space.

J. *Tax assessment of open space.* Once a legal instrument for permanent protection has been placed upon the open space, the board of tax assessors may be requested to reassess the open space at a lower value to reflect its more limited use.

6. Reserved

7. Entrance: Historic and rural Jasper County seeks to protect its most precious resource, its land, and further protect the viewshed to maintain a small town feel by establishing a required 100 ft buffer along all exterior road frontage at the entrance of the interior subdivision roads. The entrance **buffer** and its uses shall further be defined in Sec. \_\_\_\_ within this chapter

Commented [JJ11]: Add definition for entrance buffer

8. Buffers

a. Lot buffers

(1) Entrance buffer along existing roads shall be 100 feet. This buffer shall be natural and undisturbed. Where the entrance buffer is sparse or lacking in vegetation, there shall be a required planted buffer to further protect the viewshed and the proposed development.

- (a) The CBU may be placed in the 100-foot entrance buffer at least 50 feet inside the development.
  - (2) Exterior lot buffer along adjoining property lines shall be a 25-foot undisturbed buffer and shall be located outside the buildable lot.
  - (3) Rear lot buffer shall mean the buffer that adjoins to the rear of a proposed lot to separate the lot with an adjoining rear lot. This buffer shall be at least 20 feet wide and not included in the buildable lot area.
  - (4) Cul-de-sac lot buffer
  - (5) Reserved
- b. Reserved

9. Lot size and setbacks

Zoning District	Agricultural	Agricultural (Residential)	RR	R2	R1*	RL*
<b>Lot size by Zoning District</b>	10 or 12 acres	5 acres	3 acres	2 acres	1 acre	1 acre
<b>Well &amp; Septic</b>						
Minimum Lot Size Allowed	5 acres	2.5 acres	1.5 acres	1 acre	27,500 sf	27,500 sf
Minimum Lot Width at Building Line/Road Frontage	200	150	150	100	100	100
Minimum Lot Depth	600	500	400	250	250	200
<b>Public Water &amp; Septic</b>						
Minimum Lot Size Allowed	5 acres	2 acres	1 acre	37,500 sf	25,500 sf	25,500 sf
Minimum Lot Width at Building Line/Road Frontage	200	150	100	100	100	100
Minimum Lot Depth	600	400	300	200	200	200
<b>Public Water &amp; Sewer</b>	N/A	N/A	N/A	N/A	N/A	

\* No Variance allowed to side setbacks per zoning district requirement  
 \*\* reserved

10. Other Design standards  
 a. Lot layout design



- (1) Circulation is desired. In order to create a more walkable environment, streets shall be interconnective and block style there shall be no more than \_\_\_ cul-de-sac roads within a subdivision.
- b. Road design
  - (1) Required number of entrances, decel, left-turn lane, road improvements required (explain when)
    - A. Entrances
      - (a.) All subdivision road entrances are required to provide a deceleration lane of at least 150 feet. Depending on the number of lots, there may be other requirements such as a left turn lane and/or acceleration lane. Additional traffic calming devices shall be decided by the Director of the Road Department or their designee.
      - (b.) For subdivisions with up to 30 lots there shall be 1 entrance required.
      - (c.) For subdivision with up to 99 lots there shall be 2 entrances required.
      - (d.) For subdivisions over 100 but less than 200 lots there shall be 3 entrances and shall have road frontage on at least 2 existing roads.
      - (e.) For subdivisions over 200 lots there shall be at least 4 entrances and shall have road frontage on a least 2 existing roads.
    - B. Road Improvements Required:
      - 1. When a new subdivision accesses from an existing county road that is substandard, the
  - (2) Except the boulevard entrance and primary road for the subdivision, the maximum length of any new through street shall not exceed 800 feet in RL and R1 and 14,000 linear feet in RR and AG
  - (3) All new roads shall be paved to county standards
    - (a.) Pavement specs shall be 6:2:1
  - (4) Minimum width of right-of-way for all new roads shall be \_\_\_ feet.
  - (5) Minimum circumference of cul-de-sac shall be \_\_\_\_
  - (6) Required street signage
  - (7) Driveways shall not exceed a slope of \_\_\_\_\_ %
- c. Health, safety, welfare
  - (1) Required Fire Protection for all new subdivisions.
  - (2) Reserved
- d. Stormwater and development runoff shall be required. Some lots with the potential for drainage to an adjoining lot or right-of-way may be deemed as an HLDP lot.
- e. Required amenities:
  - (1) Cluster Box Units
    - A. All Cluster Box Units shall be designed to be of Impervious Surface capable of being accessed in compliance with ADA standards.
    - B. Required Parking Spaces:

**Commented [JJ12]:** Make sure to define and except cul-de-sac lots

**Commented [JJ13]:** This is based on required road frontage per zoning district (125 for RL & R1 and 200 for RR & AG); however, the street lengths can be shortened based on review and input.

**Commented [JJ14]:** Check for language for road specs.

**Commented [JJ15R14]:** Check with Road dept on specs & language

**Commented [JJ16]:** 60 or 80 feet?

1. There shall be a minimum of \_\_\_ ADA spaces per \_\_\_ lots. Said parking spaces shall be out of the public right of way and on private property of the subdivision.
  - C. Cluster Box Units shall accommodate the following:
    1. A minimum of 1 box per residence and 4 large parcel units, 2 at each end of at least 3' x 4' (?)
    2. Shelter to provide space to cover all Mailbox units and at least 3' of clearance
  - D. Security lights
  - E. Reserved
- (2) Enhanced Greenspace/Passive Recreation
- f. Reserved

**Commented [JJ17]:** Input or more research for number of spaces needed

**Commented [JJ18]:** This is for large parcels & request input if anyone has experience for mailbox units.

11. Application Requirements
12. Reserved

**VII. Sec. \_\_\_\_ - \_\_\_\_  
Mixed Use Subdivision (Reserved)**

**VIII. Sec. \_\_\_\_ - \_\_\_\_  
Commercial & Industrial (aka Non-Residential) Subdivision Design**

Prior to making any street improvements or clearing or grading a site planned for development, installing any utilities or selling any parcels, the developer shall submit to the Director of Planning & Zoning for approval by the Planning Commission, a plat, showing any combination or subdivision of the proposed lot/s prepared in accordance with these Regulations.

**Commented [JJ19]:** Who do we want to be the approving authority for non-residential plats?

1. Application Requirements:
  - I. Submit two (2) paper copies or one (1) digital copy of the Plat and supporting data to be reviewed by the Jasper County Department of Planning and Zoning and applicable review agencies. The plat shall meet the minimum standards for plat preparation including, but not limited, to:
    1. General
      - a. Name, address, and phone number of designer of subdivision plat.
      - b. Name, address, and phone number of developer of parcel.
      - c. Date of plat preparation with space for revision dates.
      - d. North point, identified as magnetic, true or grid.
      - e. Minimum Graphic scale of one (1) inch equals 400 feet.
      - f. Appropriate legend of symbols used on plat.
      - g. List any conditions of zoning, rezoning, variance and date of

**Commented [JJ20]:** If reviewed by Planning Commission – this number will need to be changed. And I suggest it follows the same procedures as a Residential Subdivision plat.

approval, if applicable.

h. Certificates of Review of the Environmental Health Dept. and/or Water Authority (as applicable).

2. Existing Conditions

- a. Zoning district of land to be subdivided and zoning classification of adjoining properties.
- b. Exact boundary lines of the tract indicated by a heavy line giving lengths and bearings. The boundary lines should include the entire tract to be developed. Provide date and source of survey.
- c. Location map showing the parent parcel in relation to the surrounding area at a minimum scale of one inch to 2,000 feet. Include well-known landmarks such as railroads, highways, bridges, creeks, etc. and city and/or county jurisdictional boundaries and land lot lines, if applicable.
- d. Location of natural features including streams and watercourses with direction of flow on the proposed project.
- e. Location and/or size of existing cultural features on or adjacent to the proposed subdivision.
- f. Limits of 100-year floodplain. If none, note indicating such with data source and date.
- g. Location and square footage of wetland areas.
- h. Note as to provision of water supply and sewer disposal.
- i. Existing sewers, water mains, drains, culverts, and other underground facilities or utilities within easements or rights-of-way on or within 300 feet of the tract to be subdivided, as relevant.
- j. Adjoining property information, lot arrangement and/or adjoining property owners' names, rights-of-way and easements within 300 feet of subdivision.
- k. Total acreage, minimum dwelling size and minimum lot size of project.

**PAGE BREAK ADDED HERE WITH THE FOLLOWING CHANGES WILL SHOW  
RED FONT WHERE CHANGES HAVE BEEN MADE.**

**IX. Sec. \_\_\_\_\_ - \_\_\_\_\_**

(Note: the following is the entirety of certain sections of the Development Standards and Regulations. The only changes are in red font; however, the entirety is sent so that you understand the context of the changes.)

**Chapter 105 - DEVELOPMENT STANDARDS AND REGULATIONS**

**ARTICLE I. - IN GENERAL**

(\*Add the following in red to this section)

**Sec. 105-1. - Authority.**

The power of a local government to enact an ordinance such as the one from which this chapter is derived, which is intended to protect the public health, safety, and welfare, is provided by Georgia Constitution article 9, § 2, ¶ 4 and article 9, § 2, ¶ 3, the county's general police powers and other local and state law applicable hereto.

**Authority and delegation.**

These regulations are adopted pursuant to powers vested in counties by the State of Georgia Constitution and pursuant to state administrative rules for the adoption and implementation of comprehensive plans and the protection of vital areas of the state. The board of commissioners is vested with the authority to review, approve, conditionally approve, and disapprove sketch plats, and to grant variances from the requirements of chapter 18 and chapter 19 of this Code when applications for variance(s) are submitted simultaneously with a sketch plat application and pertain to the same property as the sketch plat application.

The director of planning and community development is vested with the authority to review, approve, conditionally approve or disapprove final plats of minor subdivisions and minor re-subdivisions, lot combination plats, lot line adjustments, dedication plats, construction plans and final plats of major subdivisions when such sketch plat approval of construction plans has been obtained.

The director of planning and community development shall also be authorized to review major subdivisions and major re-subdivisions for conformity to the requirements of this Code, and to make reports and recommendations to the planning commission on major subdivisions and major re-subdivisions, and to administer, interpret, and enforce the provisions of this chapter. The director of planning and community development shall further be authorized to administratively approve variances where expressly authorized in this Code. The director of engineering is vested with the authority to require and approve improvements and improvement guarantees specified in this chapter.

**Sec. 105-2. - Jurisdiction.**

This chapter applies to all land within the unincorporated areas of the county.

(\*Add new section)

**Sec. 105-3 Applicability and prohibitions.**

- (a) The subdivision regulations of Jasper County shall apply to all real property within unincorporated Jasper County, but specifically excluding the subdivision of property as outlined in section XXX, "Exemptions."
- (b) Effect of prior subdivision regulations. At the subdivider's request, a plat that received preliminary approval under prior subdivision requirements may be processed through the final plat process under such requirements.
- (c) No person shall sell, advertise, or offer to sell, by deed, map, plat or other instrument, any parcel of land not subdivided under the requirements of this chapter.
- (d) No plat of land subdivision shall be entitled to be recorded in the Office of the Clerk of the Superior Court of Jasper County, and it shall be unlawful to record such a plat of land subdivision, unless and until it shall have been approved in accordance with the requirements of this chapter.
- (e) It shall be unlawful for any person to transfer or sell land by reference to, or by exhibition of, or by other use of, a plat of a land subdivision that has not been approved and recorded in accordance with the requirements of this chapter. The description of such land by metes and bounds in the instrument of transfer shall not exempt the transaction.
- (f) No person shall commence construction of any improvements on any land, prior to the approval of construction plans and engineering plans for said improvements.
- (g) No building permit or certificate of occupancy shall be issued for a building, structure, or use, nor shall any excavation, grading, or land disturbance applications be approved, on any parcel of land created by subdivision after the effective date of this Code that has not been approved in accordance with the provisions of this chapter.
- (h) No land dedicated as a public street or for other public purpose shall be opened, extended, or accepted as a public street or for other purpose unless such improvements are constructed in accordance with the specifications of this chapter and formally approved and accepted as public improvements by the board of commissioners.
- (i) No street or road will be accepted for maintenance by the county unless the property owner(s) first constructs the road to county standards.

(\*REPEAL RENAME, & REPLACE the following section)

**Sec. 105-4. - Purposes.**

This chapter seeks to encourage the development of desirable land use patterns within the county in accordance with the county zoning ordinance set forth in chapter 119 and the Jasper County Future Land Use Plan. The promotion of sound land use patterns and practices is intended to reduce or eliminate the occurrence of certain conditions that can

threaten the general health, safety, and welfare of the residents of the county. This chapter serves the following purposes:

- (1) To establish procedures for the subdivision and re-subdivision of land in order to further the orderly development of land and encourage the development of economically sound and stable communities.
- (2) To promote the orderly, planned, efficient, and economic development of the unincorporated portions of Jasper County and to guide future growth in accordance with the Jasper County Comprehensive Plan.
- (3) To ensure that lands subdivided are of such character that they can be used for building purposes without danger to the health or safety of its residents, and to secure safety from fire, flood, or other menace.
- (4) To provide for the proper documenting of subdivided land and proper legal descriptions.
- (5) To ensure the proper provision of improvements such as drainage, water, sewerage, and capital improvements such as schools, parks, playgrounds, recreational facilities, and transportation facilities.
- (6) To ensure the adequate protection of safe and convenient traffic access and circulation in new land development.
- (7) To help eliminate the costly maintenance problems which develop when streets and lots are established without proper consideration given to various public purposes.
- (8) To establish the provision of appropriate open spaces and building sites in new land developments through the dedication or reservation of land for recreational space, buffer areas, or other conservation purposes through the most efficient design and layout of the land.
- (9) To prevent the pollution of air, streams, and ponds; to encourage the wise use and management of natural resources throughout the unincorporated portions of Jasper County, and to preserve the topography and beauty of the community and the value of land.
- (10) To accommodate low-impact stormwater best management practices, where appropriate, to improve water quality and infiltration.
- (11) To offer protection of natural resources through required buffers and undisturbed areas that minimize land disturbance and protect existing vegetation while allowing for the removal of non-native, invasive species at the discretion of the approval of the county.
- (12) To facilitate and inform lot purchasers who generally lack the specialized knowledge needed to evaluate subdivision improvements and design.

(\*RENAME & REPLACE former Sec. 105-4. - Content. with the following renumbering)

**Sec. 105-5. - Content.**

This chapter:

- (1) Defines certain terms used in this chapter.
- (2) Establishes minimum standards for lots, streets, and other facilities associated with land development.
- (3) Provides procedures for administering and amending this chapter.
- (4) Provides penalties for violation of this chapter.
- (5) Repeals conflicting ordinances.

**X. Sec. \_\_\_\_\_ - \_\_\_\_\_**

(Note: the following is the entirety of certain sections of the General Procedures. The only changes are in red font; however, the entirety is sent so that you understand the context of the changes.)

**ARTICLE IV. - GENERAL PROCEDURES**

**Sec. 105-85. - General overview of subdivision plat review and approval procedures.**

- (a) *Five stages of subdivision review and approval.* The procedure for the review and approval of a subdivision consists of five required stages. These are as follows:
- (1) Pre-application review.
  - (2) Preliminary plat.
  - (3) Construction plans.
  - (4) Final plat.
  - (5) Recording of final plat.
- (b) *Summarization of stages.* These five steps are summarized in subsections (b)(2) through (6) of this section. Details of each step are provided in sections 105-86 through 105-93.

~~(1) — *Exception for Residential Subdivisions.* Subdivisions that do not involve the platting, construction, or opening of new streets or the construction or extension of new publicly owned or central sewerage or water facilities, and subdivisions which do not involve improvement to existing streets are defined as minor subdivisions. They are subject only to the requirements of the pre-application review, final plat and recording stages of this chapter. They must comply in all respects with the other requirements of this chapter. Minor subdivisions will be reviewed by the planning commission and, if found acceptable, signed by the director of planning in the form of a final plat.~~

~~(2)~~ (1) *Pre-application review stage.* Whenever the subdivision of a tract of land is proposed, the developer is to consult early and informally with the director of planning. The developer will submit sketch drawings and basic data reflecting existing conditions at the site and in its vicinity and the proposed development layout of the subdivision. The purpose of the pre-application review stage is to facilitate the subsequent preparation of plans and plats by discussing matters relating to the proposed subdivision, the county zoning ordinance set forth in chapter 119, and this chapter.

~~(3)~~ (2) *Preliminary plat stage.*

a. The developer must submit to the planning commission for recommendation and to the Jasper County Board of Commissioners for approval a preliminary plat of the proposed subdivision prepared in accordance with the provisions of this chapter. If the proposed subdivision abuts a state highway, a letter of tentative

**Commented [JJ21]:** Remove this section as it is now has been modified within definitions.

**Commented [JJ22]:** With the removal of the above section, all sections will be renumbered.

approval by the state department of transportation must accompany the preliminary plat submission.

b. If any lots are smaller than three acres and on-site sewage disposal systems are proposed for those lots, the county health department must have reviewed the project prior to planning commission review and signed the preliminary plat indicating which lots are acceptable for conventional or alternative sewage disposal systems. The developer must also furnish a copy of the preliminary plat to the utility company that serves water to the immediate area if applicable.

c. Approval of the preliminary plat by the Jasper County Board of Commissioners will be indicated on the face of the preliminary plat following a vote of approval at the meeting by the signature of the Chairperson of the Board of Commissioners.

~~(4)~~ (3) *Construction plan stage.* Prior to the issuance of a land disturbance permit, the developer must submit to the director of planning a set of construction plans of the proposed subdivision prepared in accordance with the provisions of this chapter. The design presented in the construction plans must conform to the preliminary plat. The construction plans shall include street profiles, topography, utility plans, drainage plans, sediment and erosion control plans, construction details, and other information as may be required by the director of planning. The construction plan stage requires the approval of the director of planning and any other review entities specified by the county commission. It is the responsibility of the director of planning to ensure that the plans are reviewed and approved by the appropriate entities for compliance with technical requirements of this chapter prior to issuance of the land disturbance permit.

~~(5)~~ (4) *Final plat stage.* After completion of the physical development of all or a phase of the area shown on the preliminary plat as approved by the Jasper County Board of Commissioners, and before selling any lots, a final plat together with the required certificates must be submitted to the director of planning for approval.

~~(6)~~ (5) *Recording and dedication.* After the final plat is signed ~~by the director of planning~~, it is to be recorded in the office of the clerk of the superior court of the county. After recording, the appropriate deeds and documents must be presented to the county commission for dedication and acceptance if applicable.

**Sec. 105-87. - Submission and approval of preliminary plat.**

(a) *Preliminary plat submission.* After completing the pre-application review stage, and at least 30 days before the regularly scheduled monthly meeting of the planning commission at which the developer desires planning commission recommendation, the developer must submit the following:

- (1) A letter requesting review and approval of a preliminary plat and giving the name and address of a person to whom the notice of hearing and action on the preliminary plat is to be sent.
- (2) Six copies of the preliminary plat ~~and one digital copy.~~
- (3) If the proposed subdivision abuts a state highway, a letter of tentative approval of the proposed subdivision by the state department of transportation.



- (b) *Additional information.* The director of planning may ask for any additional information he feels is necessary for the planning commission and the Jasper County Board of Commissioners to properly evaluate the preliminary plat.
- (c) *Official date of submission.* The official date of submission of the preliminary plat will be the date of the next regularly scheduled monthly meeting of the planning commission that is more than 30 days following proper preliminary plat submittal to the director of planning.
- (d) *Preliminary plat review.* The planning commission will review the preliminary plat for conformance to this chapter including compliance to Sec. 105-03 Purposes, the county zoning ordinance set forth in chapter 119, and other relevant regulations and will consider the comments or suggestions of other appropriate review agencies, persons, or entities in regard to the plat. The planning commission or director of planning will indicate on the preliminary plat, or by a written memorandum attached to the preliminary plat, any comments or suggested changes that are necessary to meet the intent of this chapter or to serve the best interests of the county.
- (e) *Public hearing.* Before acting on the preliminary plat, the planning commission will hear public input on the preliminary plat. Notice of the hearing must be published in a newspaper of general circulation in the county at least 15 days before the hearing stating the date both the planning commission meeting and the Jasper County Board of Commissioners hearing dates.
- (f) *Action of the planning commission.* No more than 30 days after the official date of submission of the preliminary plat, the planning commission will either recommend approval of the plat, conditionally recommend conditional approval of the plat (noting the conditions of approval on the plat), recommend disapproval of the plat, or table the plat for further consideration. Action may be taken on the entire preliminary plat or any portion of it.
- (g) *Failure of ~~planning commission~~ Jasper County Board of Commissioners to act.* If the planning commission fails to act within ~~60~~ 90 days of the official date of submission of the preliminary plat, the preliminary plat will be deemed automatically approved by the ~~planning commission~~ Jasper County Board of Commissioners.
- (h) *Approval of preliminary plat.* Approval of a preliminary plat is effective and binding upon the Jasper County Board of Commissioners for a period of no more than two years. Before the two-year period expires, the developer may submit to the Jasper County Board of Commissioners a request in writing for an extension of time. If the Jasper County Board of Commissioners grants such an extension, final subdivision construction drawings must be submitted, approved, and work must begin within the limits of the extension. *If no extension is sought prior to two-year time period, the preliminary plat is deemed void and the developer must start the process over.*

**Sec. 105-88. - Specifications for preliminary plat.**

The preliminary plat must meet the minimum standards of design set forth in this chapter and must include the following:

- (1) *Generally.*

- a. Title block including the proposed name of subdivision and name of former subdivision, if any or all of the proposed subdivision has been previously subdivided.
  - b. Plat key including:
    - 1. Name and address of person in charge of plat preparation.
    - 2. Date of plat preparation with space for revision dates.
    - 3. Graphic scale of one inch equals 200 feet or smaller.
    - 4. North point, identified as magnetic, true, or grid north.
    - 5. Area of proposed subdivision in acres.
    - 6. Appropriate legend of symbols used on plat.
  - c. Location sketch map locating the subdivision in relation to the immediately surrounding area and showing generally:
    - 1. Well-known landmarks such as railroads, highways, bridges, creeks, etc.
    - 2. Zoning district classification of land to be subdivided and adjoining properties.
    - 3. Government jurisdictional boundaries and land lot lines, if applicable.
  - d. Entire tract. The developer shall submit a preliminary plat of his entire tract, even though his present plans may call for the actual development of only a small portion of the property. Regardless of the area covered by the preliminary plat, any unit divisions or phasings of unit divisions intended in the future must be generally represented on the preliminary plat.
  - e. Resubdivision. In the case of resubdivision, a copy of the existing plat with the proposed resubdivision superimposed on it must be provided.
  - f. Elevations. All elevations must refer to mean sea level datum.
  - g. Sheet size must be no larger than 36 inches wide and 24 inches long. A margin one inch wide must be on the left side for binding purposes, and margins of one-half inch must be on the other three sides. If the complete plat cannot be shown on one sheet of this size, it may be shown on more than one sheet with an index map on a separate sheet of the same size.
- (2) *Existing features of site to be shown on plat.*
- a. Bearings (to nearest degree, minute, and second) and dimensions (to nearest 1/100 of a foot) of all existing exterior property boundary lines of the parcel to be developed as determined by a field-run boundary survey.
  - b. A level three soils map and soil descriptions in areas where lots smaller than three acres will be proposed with on-site sewage disposal.
  - c. A field-run topographic survey or aerial mapping using standard photogrammetric methods is required for all major subdivisions. In areas

where lots of less than three acres are proposed, a contour interval of two feet is required. If all lots will be larger than three acres, the topography requirements of section 105-90(2)a will apply.

d. Location and size of existing cultural features on or adjacent to the proposed subdivision including:

1. Right-of-way, pavement widths, and names of existing and platted streets.
2. Railroads and railroad rights-of-way.
3. Bridges, buildings, and other structures.
4. All surface utility lines within easements or rights-of-way on or adjoining the tract (showing the location of towers or poles).
5. Existing wells, sewers, water mains, drains, culverts, and other underground facilities or utilities within easements or rights-of-way on or adjoining the tract (grades and invert elevations of manholes must also be shown).
6. All other easements and rights-of-way.
7. Cemeteries.

(3) *Proposed conditions and facilities.*

- a. Layout of all streets and other accessways with right-of-way and pavement widths, as well as proposed street names.
- b. Layout of all lots, including all building setback lines; approximate dimensions of interior proposed property lines; utility easements with width and use; block numbers; and lot numbers.
- c. A description of proposed sewage disposal systems (individual, community, or public), with approval by the county health department or other applicable agency shown by type of system proposed.
- d. A description of the proposed water supply system (individual, non-public, or public). Where an EPD-approved public water supply will not be utilized, lots shall be sized to accommodate individual wells.
- e. A general indication of proposed drainage provisions.
- f. Designation of lands to be reserved or dedicated to public use.
- g. All land uses, including areas to be occupied by uses other than single-family dwellings, including the following non-single-family residential uses:
  1. Multifamily residential.
  2. Commercial.
  3. Industrial.
  4. Recreation, open space, conservation, and areas for other such uses.

h. All roads, utilities and other infrastructure will be shown as required in article VIII of this chapter.

i. Where public water is not available the use of an alternative water supply system for fire protection shall be required. A description of the alternative water supply system must be included.

(4) *Certificates of approval.* The following certificates shall be inscribed on the preliminary plat:

a. Certificate of approval of the preliminary plat by the Jasper County Board of Commissioners.

b. Signed seal of a state-registered land surveyor, certified landscape architect or state professional engineer.

c. Certificate of approval of the preliminary plat by the county health department.

d. Owner's certificate stating property ownership, consenting to development, and that all appropriate taxes have been paid.

**Sec. 105-89. - Submission and approval of construction plans.**

(a) *Construction plan submission.* After the preliminary plat of the proposed subdivision has been given approval by the Jasper County Board of Commissioners, the developer may submit construction plans to the director of planning.

(b) *Format.* Six copies of the construction plans must be submitted to the director of planning. The scale on the construction plans must be at least 100 feet to the inch.

(c) *Approval of construction plans.* Approval of the construction plans and issuance of a land disturbance permit constitutes authorization to proceed with the installation of planned improvements.

(d) *Materials testing fee.* The developer is responsible for the cost of construction materials testing and inspection as approved by the county. Testing will be accomplished by a registered testing firm approved by the director of planning. All required testing will be paid for by the developer. Test results will be submitted to the county and maintained by the county.

(e) *Inspection reports.* A copy of the NPDES inspection reports will be furnished by the developer to the director of planning at the time they are submitted to EPD. All inspection reports submitted by the developer will be maintained by the county.

**Sec. 105-90. - Specifications for construction plans.**

The construction plans must include the following:

(1) A copy of the preliminary plat or equivalent information including proposed centerline and horizontal curve data, and all proposed easements.

(2) Grading and drainage information to include at a minimum:

a. Existing and proposed contour lines at a contour interval no greater than two feet in all areas of proposed land disturbance. A minimum 200-foot-wide field-run

strip topo is required for all proposed roads. In areas where lots will exceed three acres and no disturbance is proposed, ~~a contour interval of ten feet~~ LIDAR topo is acceptable.

b. Locations and types of all proposed stormwater drainage structures to include inlets, junction boxes, flumes, headwalls and outlet structures. (State DOT specification concrete inlets and headwalls are required.)

c. A pipe chart indicating the diameter, length, slope, design flow, maximum flow capacity, and maximum flow velocity for each pipe proposed. (Asphalt-coated, corrugated metal pipe or approved equivalent or reinforced concrete pipe is required.)

d. Profiles of all proposed storm pipe runs.

e. Grassed swales along property lines to facilitate drainage where appropriate. A 20-foot easement must be provided for these features.

f. All stormwater structures and facilities shall be designed to accommodate the 100-year storm event.

g. One or more permanent stormwater detention basins shall be required if determined appropriate to mitigate negative impacts of increased off-site flow.

(3) Erosion and sediment control plan with appropriate detail sheets if necessary. The county has adopted the Manual for Erosion and Sediment Control in Georgia. Any specifications and details required by this chapter shall be adhered to and exhibited on plans submitted by the developer.

(4) Proposed road cross-section to comply with county minimum standards. Curb and gutter shall be constructed in any development where the majority of lots (excluding cul-de-sac lots) have less than 125 feet of road frontage or where specifically required by the zoning district.

(5) Road centerline profiles showing existing and proposed grade.

(6) Utility plans to include proposed water and sewer line locations if applicable. Locations of proposed water meters and sewer laterals shall be indicated. Profiles for all proposed sewer lines are required. Locations of all hydrants, valves, tees, plugs, and bends shall be identified.

a. ~~If public water is not available, the developer shall include a Fire Safety Plan by utilizing an alternative water supply system for fire protection (approval of Jasper County Fire Marshal)~~

(7) Locations and details of proposed road striping and signage.

(8) Landscaping plans as required.

(9) Hydrology report to include narrative summarizing site conditions, assumptions made, and all hydrograph and flow calculations required to properly design the site drainage features including detention basin routing data for two-year and 100-year storm events.

- (10) Construction details shown in construction plans shall conform to county-approved construction plan details as amended. County-approved construction plan details may be amended by the director of planning in conjunction with the public works director and other appropriate reviewers. In the event that information shown in an approved construction detail conflicts with information in the text of this chapter, the chapter shall govern.
- (11) Certifications. The following certifications must be in a form and substance approved by the planning commission and inscribed directly on the construction plans:
  - a. Construction plans for residential subdivisions must bear the signed seal of a state registered professional engineer or state registered surveyor. Construction plans for commercial subdivisions must bear the signed seal of a professional engineer.
  - b. Statement of approval of the water system in the proposed subdivision obtained from the Jasper County Water Authority, the City of Monticello, the City of Shady Dale, Turtle Cove, or Alcovy Shores Water Authority, as applicable, for extensions of those systems or the environmental protection division of the state department of natural resources.
  - c. The erosion control plan must include the required National Pollutant Discharge Elimination System certification statement signed by a professional engineer, surveyor, or landscape architect.

**Sec. 105-91. - Submission and approval of final plat.**

- (a) *Final plat submission.* After the preliminary plat of the proposed subdivision has been given approval by the Jasper County Board of Commissioners, the construction plans have been approved by the director of planning and the appropriate reviewers, and required improvements have been completed and approved by the road building inspector, the developer may, within two years from the date of the preliminary plat approval, apply for final plat approval. The developer must submit to the director of planning the following:
  - (1) A letter requesting review and approval of a final plat and giving the name and address of the person to be notified of the action on the final plat.
  - (2) Six copies of the final plat and other documents as may be specified. The scale of the plat must be at least 100 feet to the inch. If more than one sheet (maximum size 17 inches by 22 inches) is required, a cover sheet index shall be included.
    - (b) *Official date of submission.* The official date of submission of the final plat will be the date that all required documents have been received by the director of planning.
    - (c) *Final plat review.* The director of planning will review the final plat for conformance with the approved preliminary plat and construction plans and with this chapter and other relevant regulations.

(d) *Action of the director of planning.* No more than ~~30~~ 60 days after the official date of submission of the final plat, the Jasper County Board of Commissioners will either certify the final plat for recording, conditionally approve the plat (noting the conditions of approval on the plat), or disapprove the plat. If the final plat is conditionally approved, once the developer has complied with the conditions indicated, the Jasper County Board of Commissioners will certify the plat, or disapprove the plat. If the final plat is disapproved, the planning commission will cause the developer to be notified in writing, stating the reasons for the disapproval. One copy and the original of the plat will be returned to the developer, and one copy will be made part of the records of the planning office. Action may be taken on the entire final plat or any portion of it.

(e) *Failure of director of planning to act.* If the Jasper County Board of Commissioners fails to act within 60 days of the official date of submission of the final plat, the final plat will be deemed automatically approved by the Jasper County Board of Commissioners.

(f) *Approval of final plat.* Following recommendation for approval of the final plat by the planning commission, the final plat shall be submitted to the ~~Jasper County Board of Commissioners~~ ~~board of commissioners~~ for review at its next available meeting. Using the same review standards as the planning commission, ~~Jasper County Board of Commissioners~~ ~~board of commissioners~~ shall review the plat for sufficiency and may also inquire from various county departments as to whether all improvements shown on the final plat have been satisfactorily completed and installed as required. Failure of the owner to satisfactorily complete such improvements as are shown on the plat shall result in disapproval of the plat. The board of commissioners may approve, disapprove or defer action on the plat if required improvements have not been satisfactorily completed. Once the final plat has been approved by the ~~Jasper County Board of Commissioners~~ ~~board of commissioners~~, the owner may record the plat which shall constitute acceptance by the county of all roads and other public improvements shown on the final plat. Only after such approval and recordation of the final plat may building permits be issued on the properties described by the plat.

**XI. Sec. \_\_\_\_\_ - \_\_\_\_\_**

(Note: the following is the entirety of certain sections of the General Requirements. The only changes are in red font; however, the entirety is sent so that you understand the context of the changes.)

**ARTICLE V. - GENERAL REQUIREMENTS**

**Sec. 105-127. - Development standards for lots.**

All lots established in the county after the effective date of the ordinance from which this chapter is derived must comply with the development standards contained in this section. However, where provisions of chapter 119 apply and are stricter, those provisions take precedence. Development standards for lots are as follows:

- (1) *Lot lines.* As far as practical, side lot lines must be roughly perpendicular or radial to street lines.
- (2) *Lot frontage arrangements.* Land must be subdivided in a manner that provides each lot in the subdivision with direct abutting access to an existing public street or to an approved street contained within the proposed subdivision. Each non-cul-de-sac lot must meet the minimum buildable width by zoning district as outlined in chapter 119. (See flag lots in subsection (6) of this section.) Lots fronting on cul-de-sac must maintain at least 60 feet of frontage.
- (3) *Adequate building sites.* Each lot must contain an adequate building site not subject to flooding or steep slope greater than a \_\_\_\_% and outside the limits of existing easements or building setback lines required by this chapter or any existing ordinance as is appropriate.
- (4) *Double frontage lots.* Double frontage lots are prohibited unless required by the planning commission.
- (5) *Reverse frontage lots.* Reverse frontage lots may be included in major subdivisions and private street subdivisions abutting a minor collector, major collector or arterial road provided the following standards are satisfied:
  - a. An easement of at least 25 feet in width, across which there shall be no right of access, shall be provided along the line of lots abutting any minor collector, major collector or arterial road or local street.
  - b. The backs of the adjacent houses must be screened from view as follows:
    1. The easement may retain its natural, undisturbed vegetation if existing trees and understory shrubs will adequately screen the view of the backs of the adjacent houses.
    2. Supplemental vegetation may be added within the easement to provide adequate screening.
    3. The easement may be improved with a landscaped earthen berm of no less than four feet in height.
- (6) *Flag lot.* A flag lot is a lot, the main portion of which is located away from the public street with a connecting strip of land at least 60 feet wide providing a minimum of 60 feet of frontage on the public street and which does not have a buildable site (exhibiting minimum lot width) within 500 feet of a public road. Flag lots are prohibited in subdivisions unless topographic conditions or the shape and orientation of the property to be subdivided make the inclusion of some flag lots necessary in the judgment of the planning commission. A flag lot is not intended to provide access to other properties so as to circumvent the street and right-of-way requirements of this chapter. A flag lot is intended only to provide a means of using a portion of a property for residential purpose that might not be accomplished through conventional street development.
- (7) *Lot remnants.* Lot remnants are prohibited. Such remnant areas must be added to adjacent lots, rather than remain as unusable parcels. Cemeteries are excepted.



- (8) *Monuments.* All lot corners must be marked with solid steel rods no less than one-half inch in diameter, and at least 2½ feet long, driven into the ground such that no more than two inches protrudes from the ground surface.
- (9) *Cemeteries.* The area within cemeteries shall not contribute to the minimum required lot area.
  - (10) *Off-street parking.* Each lot is required to provide a minimum of two spaces, and a maximum of four spaces for off-street parking of passenger cars and light trucks. A minimum of two of these spaces must be either a carport or a garage that is complementary to the principal structure erected on the lot.
- (11) *Driveways.* Each lot shall have a driveway connecting the required off-street parking to the street. The driveway must be constructed of concrete, asphalt, or brick pavers.
- (12) *Storage shed/utility buildings.* Storage sheds and utility buildings are used to store lawn and garden equipment/tools, small household items. Only one such building is permitted on a subdivision lot. It must be complementary to the principal structure.

**Sec. 105-128. - Development standards for utility installations.**

- (a) *Utility easements.* When it is found to be necessary and desirable to locate public utility lines in other than street rights-of-way, easements must be shown on the plat for such purposes. Such easements must not be less than 20 feet wide and, where possible, must be centered on rear or side lot lines.
- (b) *Installation of utilities.* After grading is completed and approved and before any base is applied, all of the underground work within the street right-of-way (water mains, gas mains, etc.) must be installed completely and approved throughout the length of the road and across the flat section. At the same time, all service connections must be stubbed out to each lot.
- (c) *Water supply systems.*
  - (1) *Public water system.* If a state environmental protection division (EPD) approved public water supply is available to a proposed subdivision and connection to it is permitted, water mains, fire hydrants, and stub connections to each lot within the subdivision must be provided as shown on approved construction plans. If an EPD-approved public water supply is not available, the developer must size all lots to accommodate a well and an on-site septic system in accordance with county health department specifications. In order to meet minimum fire protection needs, all water mains must be six inches or greater, with approved hydrants at not more than ~~1,000-foot~~ 500-foot intervals. Systems shall be tested by county fire services.
  - (2) *Individual water supply.* When an EPD-approved public water supply is not available, the developer must carefully consider the capability and suitability of the general area of the subdivision to support individual water supplies and on-site septic systems on each lot. The planning commission must consider the recommendation of the county health department and county fire services (see

hydrant requirement in subsection (c)(1) of this section) regarding any proposed private water supplies in considering approval of a plat.

(3) Alternative water supply system for fire protection. Where public water is not available for installation of a fire hydrant, the developer shall be responsible for devising and installing an approved alternative water supply system for fire protection.

(d) *Sanitary sewerage disposal systems.*

(1) *Public sewage system.* If an EPD-approved public sewage system is available to a proposed subdivision and connection to it is permitted, sewage mains and lateral connections to each lot within the subdivision must be provided as shown on approved construction plans.

(2) *Community sewage system.* If an EPD-approved public sewage system is not available, the developer may install a central sewage system developed according to plans and specifications shown on the approved construction plans and approved by the EPD or the county health department, as applicable.

(3) *Individual sewage system.* When an EPD-approved public sewage system is not available and a community sewage system is not proposed by the developer, the developer must carefully consider the capability and suitability of the general area of the subdivision to support individual sewage systems (septic tanks). A level three soil study will be required and the proposed sewage system must be approved by the county health department.

## **XII. Sec. \_\_\_\_ - \_\_\_\_**

(Note: the following is the entirety of certain sections of Article X. Standards for Utility Infrastructure. The only changes are in red font; however, the entirety is sent so that you understand the context of the changes.)

### **ARTICLE X. - STANDARDS FOR UTILITY INFRASTRUCTURE**

#### **Sec. 105-275. - Potable water system requirements.**

(a) *Compliance with state standards.* All potable water systems shall comply with the design and construction standards of the state EPD.

(b) *Extension within subdivisions.* The applicant shall be responsible for the material and labor cost of extending water systems within a subdivision as directed and inspected by the entity approved by the state EPD which provides water to the subdivision in question.

(1) The extensions of water mains within a subdivision shall be designed to provide adequate hydraulic capacity for future extensions to the surrounding area and shall be connected to existing surrounding water mains to accomplish desirable hydraulic looping.

(2) Dead-end mains within a subdivision shall be avoided, based on a determination by the entity approved by the state EPD to provide water to the subdivision in

question. Water mains in dead-end streets shall have a fire hydrant installed at the end of the line on a common lot corner according to the standard details provided by said entity approved by state EPD.

(c) *Hydrants.*

- (1) Hydrants shall be placed to ensure free and clear access from the nearest public right-of-way. No equipment, landscaping, mail boxes, or other structures shall be placed in such a manner as to obstruct clear access from the right-of-way to the fire hydrant.
- (2) Hydrants will be as approved by county fire services. Hydrants shall be of the standard three-outlet type, shall be not more than ~~1,000~~ 500 feet apart, and not more than 500 feet from any structure. Hydrants must pass a minimum flow rate of 500 GPM.

**Sec. 105-277. - Other utilities.**

- (a) *Certificate of occupancy.* A certificate of occupancy shall not be issued for structures in a subdivision or development until all necessary utilities have been installed in full compliance with the design, construction, and placement standards set forth in this article.
- (b) *Exemptions.* The following specific facilities shall be exempt from the requirements of this section, provided that the placement of these facilities complies with the requirements for free and clear access to fire hydrants as set forth in section 105-275(c):
  - (1) Poles used exclusively for street lighting, provided that the street lighting standards set forth in section 105-226 are met.
  - (2) Existing poles, overhead lines, and associated overhead structures owned by a utility company crossing over any portion of an area from which overhead wires are allowed.
  - (3) Overhead lines in commercial and industrial areas attached to the exterior of a building by means of a bracket or similar device and extending from one location on the building, or to an adjacent building without crossing any street or right-of-way.
  - (4) Radio antennae and associated structures and equipment used for furnishing communications service.
  - (5) Service terminals and necessary pad-mounted electric transformer equipment installed above ground, used to distribute communications and electric service in underground systems.
- (c) *Electrical substations.* Electrical substations are permissible in any zoning district, subject to the approval of the county. The utility company shall obtain an easement for these installations. The easement shall be clearly indicated on the preliminary and final plats.

(d) Other types of Water Supply for fire protection systems for residential or commercial developments where public water is not available include water storage tanks, gravity tanks, pressure tanks

**XIII. Sec. \_\_\_\_\_ - \_\_\_\_\_**

**Below is suggested changes and clarity to the existing zoning districts.**

**ARTICLE IV. - DISTRICT REGULATIONS**

**DIVISION 4. - DEVELOPMENT STANDARDS—ALL DISTRICTS**

**Sec. 119-244. - Development standards—Agriculture and residential districts.**

Item	AG	AG-R	R-R	R-2	R-1	RL	V-P
Minimum heated floor area per dwelling unit	1,200 sf	1,200 sf	1,200 sf	1,800 sf	1,800 sf	1,800 sf	750 sf
<del>Minimum lot area without water or sewer</del> Minimum lot area with well and septic	<del>5</del> <b>10 or 12</b> acres	5 acres	3 acres	2 acres	1.2 acres	1 acre	NA
Minimum lot area with public/private water and septic	<del>5</del> <b>10 or 12</b> acres	5 acres	3 acres	2 acres	1 acre	1 acre	NA
Minimum lot area with public/private water and sewer	<del>5</del> <b>10 or 12</b> acres	5 acres	3 acres	2 acres	1 acre	1 acre	<b>4,000 sf</b>
Minimum lot width	400 ft	200 ft.	200 ft.	125 ft.	125 ft.	125 ft.	See section 119-295
Minimum road frontage	400 ft	200 ft.	200 ft.	125 ft.	125 ft.	125 ft.	See section 119-295
Minimum front yard arterial road	80 ft.	80 ft.	80 ft.	80 ft.	80 ft.	80 ft.	80 ft.
Minimum front yard major collector	80 ft.	80 ft.	80 ft.	80 ft.	80 ft.	80 ft.	10 ft. store; 30 ft. others

Minimum front yard minor collector	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	0 ft. store; 20 ft. other
Minimum front yard local roads	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	0 ft. store; 20 ft. other
Minimum side yard	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	0 or 10 ft.
Minimum rear yard	50 ft.	50 ft.	50 ft.	30 ft.	30 ft.	30 ft.*	30 ft.
Compliance with architectural standards required?	No	No	No	No	No	No	No