

DRAFT

ORDINANCE AMENDMENT

AN ORDINANCE BY JASPER COUNTY, GEORGIA TO AMEND CHAPTER 105 DEVELOPMENT REGULATIONS BY ADOPTING LANGUAGE AS DELINEATED BELOW; TO PROVIDE FOR CODIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Jasper County, Georgia, hereinafter referred to as the (“County”) pursuant to Paragraph I, Section II, Article IX of the Constitution of the State of Georgia, known as the “Home Rule for Counties”, is authorized to adopt clearly reasonable ordinances, resolutions or regulations related to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable thereto, and;

WHEREAS, Jasper County, Georgia has determined it beneficial and necessary to have well-functioning ordinances to promote and manage development in the County;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF JASPER COUNTY, GEORGIA THAT THE BOARD OF COMMISSIONERS OF JASPER COUNTY, GEORGIA HEREBY ORDAIN:

RESOLVED AND APPROVED by the Board of Commissioners of Jasper County, Georgia, this ____ day of September, 2023.

SECTION I

The Code of Ordinances of Jasper County, Georgia is hereby amended by revising the following definitions to Part II – Code of Ordinances, Chapter 105, Article II., Sec. 105-28 shown below:

Minor Plat means a division of land into no more than **3** 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 Plat 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. Further dividing of land approved through the Minor Plat process within a 24-month period where the total number of lots would exceed the **3-lot** limit previously approved shall follow for the ~~Residential Subdivision~~ process for a **Land Division Plat** and require the review and approval of the Planning Commission and Board of Commissioners.

~~Residential Subdivision Design~~ **Land Division Plat** means a subdivision ~~division~~ of land into more than **3** 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~~ **Land Division Plat** does not include the further subdividing of a lot within a platted and recorded subdivision.

SECTION II

The Code of Ordinances of Jasper County, Georgia is hereby repealed and replaced by the following language to Part II – Code of Ordinances, Chapter 105, Article VI. and subsection 105-159

Article VI. SUBDIVISION DESIGN STANDARDS

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

Section 105-159

Types of ~~Subdivisions~~ **Divisions of Land**:

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

SECTION IV

The Code of Ordinances of Jasper County, Georgia is hereby repealed and replaced by adding the following language to Part II – Code of Ordinances, Chapter 105, Article VI. subsection 105-161

Section 105-161 - Residential ~~Subdivision Design~~ **Land Division Plat**

Prior to submitting construction plans for any street, utility, or other site improvements (as applicable), the Developer shall submit to the Director of Planning & Zoning to forward for review and recommendation by the Planning Commission and review and final decision by the Jasper County Board of Commissioners, a Plat showing any combination or subdivision of the proposed lot/s prepared in accordance with these Regulations.

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~~ **Land Division 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.

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 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~~ **Land Division 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~~ **Land Division Plats** on State Routes require GDOT comments to be submitted to the Planning Department of Planning & Zoning along with the ~~Residential Subdivision~~ **Land Division** (aka Final) Plat.
- C. A letter requesting review and approval of a ~~Residential Subdivision plat~~ **Land Division Plat** and giving the name and address of a person to whom the notice of hearing and action on the ~~Residential Subdivision plat~~ **Land Division Plat** is to be sent.
- D. Official date of submission. The official date of submission of the ~~Residential Subdivision plat~~ **Land Division 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~~ **Land Division Plat** submittal to the director of planning.
- E. The planning commission will review the ~~Residential Subdivision plat~~ **Land Division 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~~ **Land Division Plat**, or by a written memorandum attached to the ~~Residential Subdivision plat~~ **Land Division 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~~ **Land Division 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 Board of Commissioners. No more than 60 days after the official date of submission of the ~~Residential Subdivision plat~~ **Land Division Plat**, the Board of Commissioners 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~~ **Land Division Plat** or any portion of it.

- H. Failure of Board of Commissioners to act. If the Board of Commissioners fails to act within 90 days of the official date of submission of the ~~Residential Subdivision plat~~ **Land Division Plat**, the plat will be deemed automatically approved by the Board of Commissioners.
3. Approval of a ~~Residential Subdivision Plat~~ **Land Division 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~~ **Land Division** Plat, if any.
4. If the ~~Residential Subdivision Plat~~ **Land Division Plat** is not recorded within 6 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.

SECTION V

The sections, paragraphs, sentences, clauses or phrases of this Ordinance are severable, and if any phrase, clause, sentence paragraph or section of this Ordinance shall be declared illegal by the valid judgement or decree of any court of competent jurisdiction, such illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION VI

All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION VII

The adoption date of this ordinance amendment is upon creation.

[SIGNATURE LINE BELOW]

SO ORDAINED this ____ day of September, 2023

**BOARD OF COMMISSIONERS
OF JASPER COUNTY, GEORGIA**

**Don Jernigan, Chairman
District 3**

**Shelia Jones, Commissioner
District 1**

**Bruce Henry, Commissioner
District 2**

**Steven Ledford, Commissioner
District 5**

{Jasper County, Georgia Seal}

ATTEST:

Sharon Robinson, County Clerk

APPROVED AS TO FORM:

Barry Fleming, County Attorney