

**JASPER COUNTY
PRELIMINARY PLAT PETITION
Planning Commission
10/26/2023**

Case Number: PPT23-002
Name of Applicant: Brian Cagle
Address of Property: 3535 County Line Road & Rocky Creek Rd
Tax Parcel: 008 005 & 008 005 001
District: 5 (Five)

Request: To subdivide two contiguous parcels of land into 36 lots as a Conservation Subdivision

Applicable Standard: Section 105-162 (Conservation Subdivision Design), Section 105-87 (Submission and approval of the preliminary plat), Section 105-3 (Purposes) of the Development Regulations; and Section 119-196 of the Zoning Ordinance

Purpose of Request: To create a conservation subdivision with 36 lots.

Size of Property: 80.68 acres (shown as 85 acres on QPublic)

Present Zoning: RES (fka R1)

Present Use: Undeveloped

Review Sections: The applicable sections include Sec. 105-87, Sec. 105-3, Sec. 105-162 and Sec. 105-222 of the Development Regulations and Sec. 119-196 & Sec. 119-244 of the Zoning Ordinance. These sections are listed at the end of the report after maps & the applicant's information.

Staff Analysis, Comments & Recommendations:

The tract of land is 80.68 acres designed as a Conservation Subdivision with a total of 36 lots and 40.1% (32.39 acres) of greenspace. The property has road frontage on both County Line Road and Rocky Creek Road (north end of the road). Rocky Creek Road is a local unpaved road which requires improvement along the road frontage where it adjoins the existing property per Sec. 105-222 (a). The approximate amount of road frontage along Rocky Creek Road is approximately 801.75+- feet.

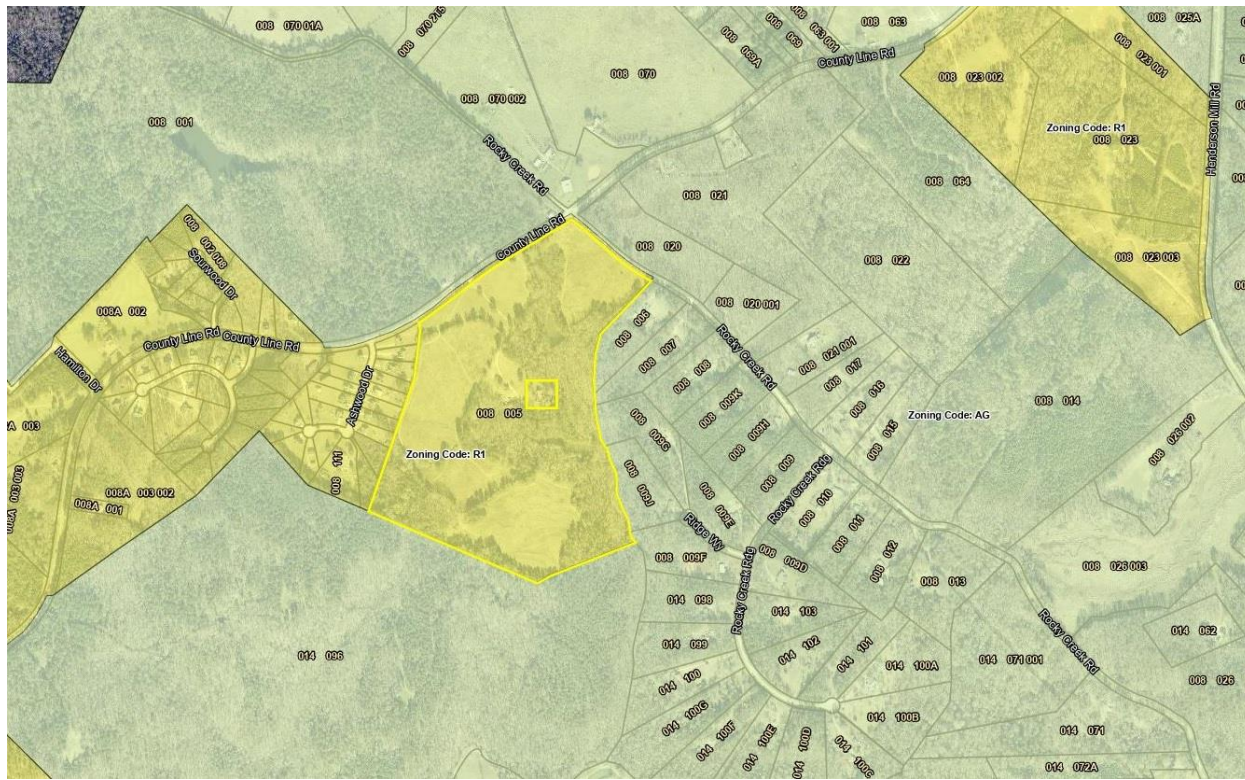
The property was rezoned by the Jasper County Board of Commissioners on March 1, 2004 to R2-15 zoning district which is now know as RES (Residential). The case number was 2004Z01 and below is the snippet from the official BOC Minutes:

Public hearings

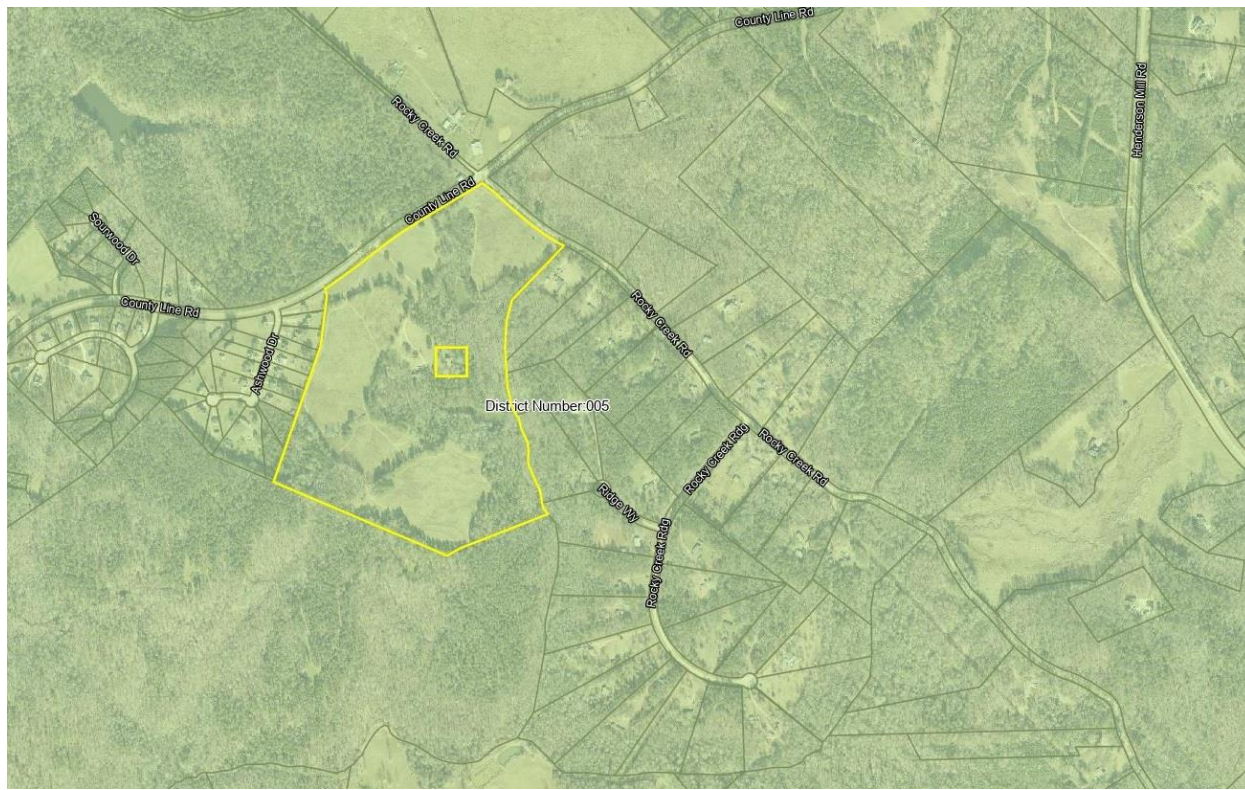
2004Z01, by David Morrison, rezoning 85 acres in the 3500 block of County Line Road and 2300 block of Rocky Creek Road from Agriculture to Residential R2-15 to allow division of residential lots. Planning and Zoning recommended approval. Dan Grier, Mr. Morrison's attorney, spoke for Mr. Morrison. Mary Patrick asked if Mr. Bennett is doing work for Mr. Morrison. The answer was yes, he is and he has in the past, but it is not a conflict of interest. Ms. Patrick feels like it is a conflict of interest for Chairman Bennett to vote due to his working relationship with Mr. Morrison. Jack Bernard agrees with Ms. Patrick about Mr. Bennett having a conflict of interest. Mr. Lazar feels Mr. Morrison has come before the board too many times on rezoning. Ms. DuFrense, vice-president of the Jasper County Homeowners Association, said that she attends commission meetings in other counties, and usually the county attorney is consulted about questions of conflict. The comment from the Mr. Dan Roberts, the county attorney was that there would have to be a basis for the conflict. Mr. Lazar commented that he feels that Mr. Roberts is a liar. Wilma Parrot commented on the traffic situation. Emmett Denby from Newton County who lives on Henderson Mill Road spoke about conflict of interest. Ms. Lazar commented that her husband does not have a very large vocabulary and she does not feel that Mr. Roberts is a liar. Charles Forsythe spoke of conflict of interest. (Commissioner Bennett requested that Mr. Roberts respond at the next meeting on conflict of interest) Francis Cason commented on dead end roads and recreation areas. He feels we need to limit the number of dead end roads and large developments should be made mandatory to supply recreation areas. Rita McBride from Newton County stated that ethics is sometimes difficult to prove. She brought up examples about Hubert White with the Board of Commissioners in Newton County. She would like to know when the questions from the citizens will be answered. Mr. Lazar apologized to Mr. Roberts for his verbal attack earlier and retracted his comment of Mr. Roberts being a liar. (Mr. Roberts asked Ms. Patrick if they are asking "If a commissioner accepts work from a zoning applicant, and the appearance of propriety is the question she would like answered) Mr. Roberts states that if you receive money it's a conflict of interest. Mr. Dan Grier stated that he heard nothing today about accepting or denying the zoning issue. Mr. Forsythe supports zoning as long as it's in the future land use plan. Commissioner Wyatt commented on the future plan for high density zoning. 12 acres was already zoned R2-15 and they are wanting to rezone the rest of the property the same way. He would like to put a 4-way stop to help the dangerous intersection.

Commissioner Wyatt made motion to approve 2004Z01 to rezone 85 acres from Agriculture to Residential R2-15. Commissioner Crow seconded motion. Vote 4 in favor (Hill, Wyatt, Pennamon & Crow), 1 abstained (Bennett) motion passed.

ZONING MAP



COMMISSIONER DISTRICT



APPLICANT'S INFORMATION

Jasper County Planning and Zoning
126 W Greene St, Suite 017
Monticello, GA 31064



Office numbers: 706-468-4905 or 706-468-4940

APPLICATION FOR PRELIMINARY PLATS

Application Fees - \$300 + \$10 per lot

All PRELIMINARY PLATS must be accompanied by a minimum of 2 full size plats and a digital copy.

Yellow area for office use only

Date application processed 9/22/23 Date Approved/Not Approved _____

Submittal Date: 9/22/2023 Submitted by: Robert Jordan

Project Name: Twinponds Subdivision

Phase: 1 of 1 # of Lots 36

Project Type: Preliminary Plat

Project Address of Primary Street: 3535 County Line Rd, Monticello, Ga

Tax Map and Parcel Number 008 005 & 008 005 001 Zoning R-1

Total Acres 80.68 Disturbed Acres 48.38 TBD

Public Water yes Open Space Acres 32.27

Jasper County Planning and Zoning
126 W Greene St, Suite 017
Monticello, GA 31064



Office numbers: 706-468-4905 or 706-468-4940

Applicant/Company: BCA Enterprises, LLC

Representative: Brian Cagle Cell: 404-281-0561

Email: bkcagle@bellsouth.net

Address: PO Box 627, Monticello, Ga 31064

Property Owner's Name: BCA Enterprises, LLC

Phone: 404-281-0561 Cell Phone: _____

Address: PO Box 627, Monticello, Ga 31064

Email: bkcagle@bellsouth.net

(If property owner is different from applicant, we must have a signed, notarized original letter giving express written permission for the use.)

24-Hour Contact Name : Brian Cagle

Phone: 404-281-0561

Applicant Signature: *Brian Cagle*

Date: 9-22-23

----- OFFICE USE -----

APPLICANT LETTER OF INTENT



Ms. Judy Johnson, Planning Director
126 W. Greene Street, Suite 17
Monticello, Georgia 31064

September 22, 2023

Dear Ms. Johnson,

On behalf of my client, BCA Enterprises, LLC, I am submitting this letter of intent to describe the Twinpond Subdivision proposed residential development on County Line Road at its intersection with Rocky Point Road. The 80.68-acre parent parcels, tax parcels 008 005 and 008 005 001, are currently zoned RES, single-family residential. My client proposes to follow the conservation subdivision development rules as prescribed in the Jasper County development ordinance to build road, drainage, and potable water infrastructure and create 36 residential building lots. The proposal will set aside 40.1 percent of the site as green space and will include lots having a minimum size of 1.2 acres and a minimum frontage of 125 feet on straights and 60 feet on cul-de-sacs. Two new streets are proposed, Bullfrog Road (2500 feet) and Treefrog Court (357 feet). Each lot exhibits more than the minimum area of suitable soil for onsite sewage management system permitting and installation. Required buffers from property lines and state water bodies have been reflected and a deceleration lane is proposed as required. A mail kiosk will be installed near the new entrance on County Line Road.

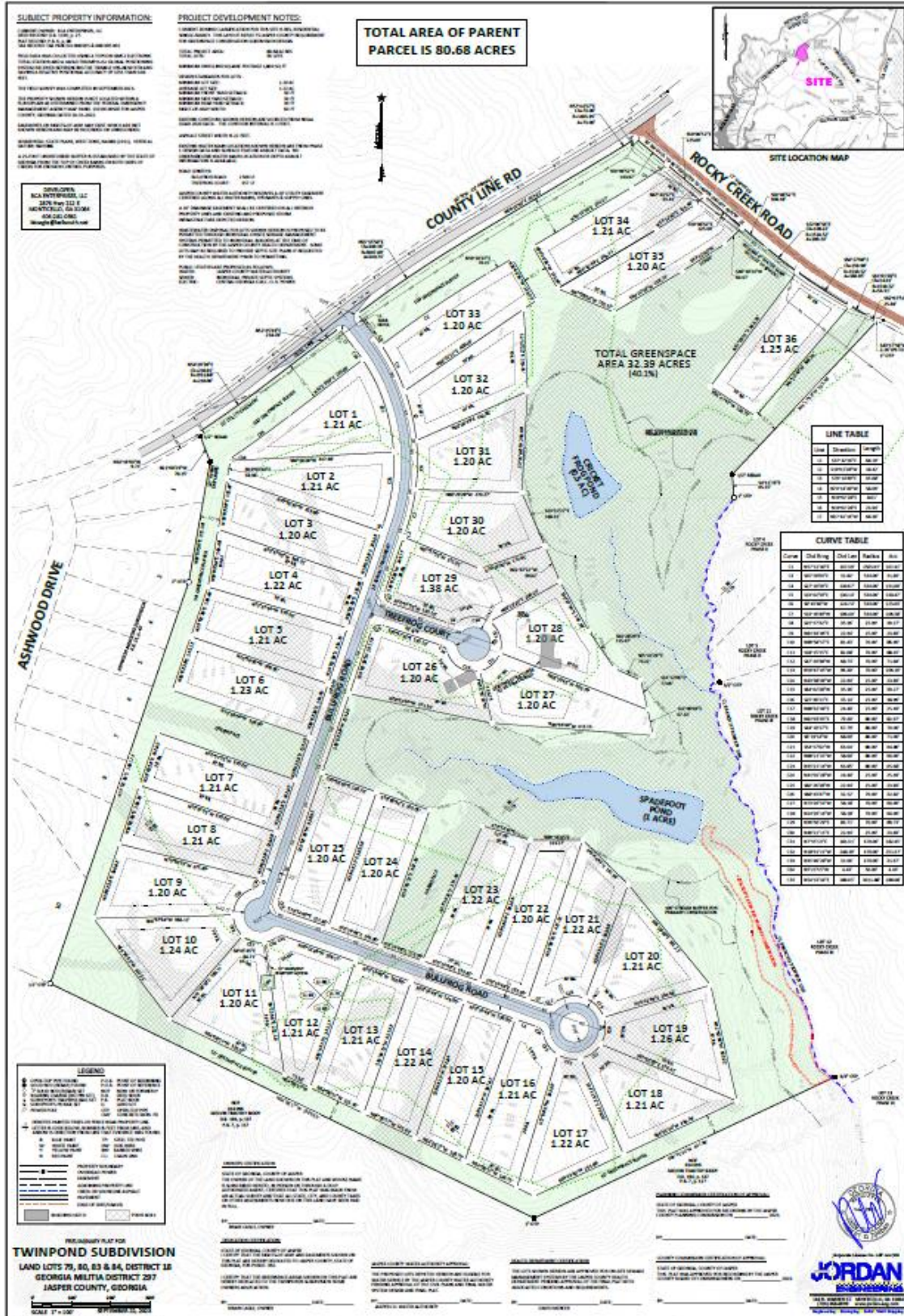
Having submitted the required preliminary plat applications and documents, my client requests that the proposed development be brought before the Jasper County Planning Commission and other entities as required to accomplish approval of the preliminary plat, at which time my client will begin preparation of construction plans for review and implementation.

Please contact me at robert@jordan-eng.com or 706-468-8999 if you have questions regarding the preliminary plat or other submittals.

Sincerely,

Robert O. Jordan, PE RLS
Jordan Engineering, Inc.

PRELIMINARY PLAT



SOILS SURVEYS

SUBJECT PROPERTY INFORMATION:

CURRENT OWNER: BCA ENTERPRISES, LLC
 DEED RECORD: 0.8, 1.53, & 1.9
 PLAT RECORD: P. 8, & 9
 TAX RECORD: TWP PARCELS 006 095 & 098 009 001

FIELD DATA WAS COLLECTED USING A TOPCON (GMS) ELECTRONIC TOTAL STATION AND A 3000 TRIPOLI (L) GLOBAL POSITIONING SYSTEM RECEIVER REFLECTING THE TRIMBLE VRS SHOW 870 AND HAVING A RELATIVE POSITIONING ACCURACY OF 1/10 THIRDS AN INCH FEET.

THIS FIELD SURVEY WAS COMPLETED IN SEPTEMBER 2023.

THE PROPERTY SHOWN HEREON IS NOT LOCATED WITHIN A FLOODPLAIN AS DETERMINED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY MAP PANEL 12E00600A FOR JASPER COUNTY, GEORGIA DATED 10-31-2022.

EASEMENTS OR RIGHTS OF WAY MAY EXIST WHICH ARE NOT SHOWN HEREON AND MAY BE RECORDED OR UNRECORDED.

HORIZONTAL STATE PLANE, WEST ZONE, NAD83 (2011), VERTICAL DATUM: NAVD83.

A 25-FOOT UNDISTURBED BUFFER IS ESTABLISHED BY THE STATE OF GEORGIA FROM THE TOP OF CHIM CHIMES ON BOTH SIDES OF CREEKS FOR EROSION CONTROL PURPOSES.

DEVELOPER:
 BCA ENTERPRISES, LLC
 2878 Hwy 212 E
 MONTICELLO, GA 31064
 404-281-0561
 bcagroup@earthlink.net

PROJECT DEVELOPMENT NOTES:

CURRENT ZONING CLASSIFICATION FOR THIS SITE IS RESIDENTIAL SINGLE-FAMILY. THIS PROJECT REQUIRES JASPER COUNTY REQUIREMENT FOR GREENSPACE CONSERVATION SUBDIVISION DESIGN.

TOTAL PROJECT AREA: 80.68 ACRES
 TOTAL LOTS: 84 LOTS

MINIMUM LOT SIZE: 1.20 AC
 AVERAGE LOT SIZE: 1.22 AC
 MINIMUM FRONT YARD SETBACK: 30 FT
 MINIMUM REAR YARD SETBACK: 30 FT
 HEIGHT OF ROOF: 8 FT

DESIGN STANDARDS FOR LOTS:
 MINIMUM LOT SIZE: 1.20 AC
 AVERAGE LOT SIZE: 1.22 AC
 MINIMUM FRONT YARD SETBACK: 30 FT
 MINIMUM REAR YARD SETBACK: 30 FT
 HEIGHT OF ROOF: 8 FT

EXISTING CONTOURS SHOWN HEREON ARE Sourced FROM NOAA LOAR 2023 DATA. THE CONTOUR INTERVAL IS 1 FOOT.

EXISTING WATER MAIN LOCATIONS SHOWN HEREON ARE FROM PHASE I DESIGN DATA AND SURFACE FEATURE ADJUST DATA. NO UNDERGROUND WATER MAIN LOCATION OR DEPTH AVAILABLE. INFORMATION IS AVAILABLE.

ASPHALT STREET WIDTH IS 21 FEET.

EXISTING ROAD WIDTH IS 20 FT.

EXISTING ROAD WIDTH IS 33 FT.

JASPER COUNTY WATER AUTHORITY RESERVES A 20' UTILITY EASEMENT CENTERED ALONG ALL WATER MAIN, WASTEWATER & SUPPLY LINES.

A 30' DRAINAGE EASEMENT SHALL BE CENTERED ON ALL INTERIOR PROPERTY LINES AND EXISTING AND PROPOSED STORM INFRASTRUCTURE DEVICES HEREON.

WASTEWATER DISPOSAL FOR LOTS SHOWN HEREON IS PROPOSED TO BE PERMITTED THROUGH INDIVIDUAL ON-SITE SEWERAGE MANAGEMENT SYSTEMS PERMITTED TO INDIVIDUAL BUILDERS AT THE TIME OF CONSTRUCTION BY THE JASPER COUNTY HEALTH DEPARTMENT. SOME LOTS MAY BE REQUIRED TO PROVIDE SEPTIC TANKS IF REQUESTED BY THE HEALTH DEPARTMENT PRIOR TO PERMITTING.

PUBLIC UTILITIES ARE PROPOSED AS FOLLOWS:
 WATER: JASPER COUNTY WATER AUTHORITY
 SEWER: INDIVIDUAL-BUILDERS SPECIFIC SYSTEMS
 ELECTRIC: CENTRAL GEORGIA ELEC. CO. O.H. POWER

TOTAL AREA OF PARENT PARCEL IS 80.68 ACRES

SEE SOIL SURVEY SHEET 1 OF 2 FOR SOILS PROPERTIES TABLE AND NOTES



LEGEND

- OPEN TOP PIPE CULVERT
- SOLID ROOF (BARREL) FOUND
- BEARING CAPACITIES (PSF)
- SURVEYOR'S TRAP/PIVOT NAIL SET
- POWER POLE
- CONCRETE MON. TD
- IDENTIFIED TREES OR FRINGS NEAR PROPERTY LINE (LETTERS & CODE BELOW, NUMBER IS FEET FROM LINE AND ARCHON IS DIRECTION FROM LINE THAT TREE/CORNER WAS FOUND)
- WHITE PAVEMENT
- YELLOW PAVEMENT
- RED PAVEMENT
- PROPERTY BOUNDARY
- OVERHEAD POWER
- EASEMENT
- ADDING PROPERTY LINE
- CREEK OR SHOULDER ADJUSTMENT
- PAVEMENT
- EDGE OF SHOULDER
- BUILDING HATCH
- POOR SOILS

SHEET 2 OF 2
LEVEL 3 SOIL SURVEY FOR TWINPOND SUBDIVISION
 LAND LOTS 79, 80, 83 & 84, DISTRICT 18
 GEORGIA MULTI-DISTRICT 297
 JASPER COUNTY, GEORGIA

SCALE: 1" = 100'
 SEPTEMBER 22, 2023

HEALTH DEPARTMENT CERTIFICATION:
 THE LOTS SHOWN HEREON ARE APPROVED FOR ON-SITE SEWERAGE MANAGEMENT SYSTEMS BY THE JASPER COUNTY HEALTH DEPARTMENT PENDING APPROVAL OF THE FINAL PLAT WITH ASSOCIATED CONDITIONS AND REQUIREMENTS.

BY: DAVID MERKER DATE:

JORDAN ENGINEERING
 1416 WALKER ST. MONTICELLO, GA 31064
 (706) 468-3020
 www.jordaneng.com

SOIL INVESTIGATION REPORT

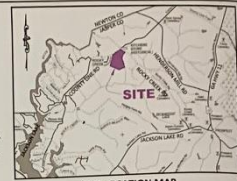
COUNTY: JASPER SUBDIVISION: TWINPOND SUBDIVISION LOT NO. 1-38
 CLIENT: BICA ENTERPRISES, LLC LAND LOT 79, 80, 83 & 84 DISTRICT: 18
 STREET NAME: COUNTY LINE ROAD CLIENT PHONE NO.: 404-281-0561

ESTIMATED SOIL PROPERTIES

Soil Series	Observed High Water Table	Observed Depth to Bedrock	Depth to Indications of Seasonal Water Table (Coulter/Probe)	Absorption Rate (Coulter/Probe)	Slope (percent)	Soil Codes	Geog. Dist. Suitability Code	NOTES
ALTAVISTA	>72"	>72"	30-48"	SEE CODES 2-12	SEE CODES	C		NOT SUITABLE
APPLETON	>72"	>72"	>72"	50	2-10	36	A	SUITABLE
ADULAR	>72"	20-40"	>40"	SEE CODES 1-10	SEE CODES	I		NOT SUITABLE
BETHLEHEM 2	>48"	28"	48"	60	4-20	24	N2	SUITABLE FOR SHALLOW SYSTEM NOT SUITABLE FOR CONVENTIONAL SYSTEM
CATALINA	>72"	>72"	30-48"	SEE CODES 2-12	SEE CODES	C		NOT SUITABLE
CECIL	>72"	>72"	>72"	45	2-15	36	A	SUITABLE
CECIL (STONY)	>72"	>72"	>72"	45	2-15	36	B	SUITABLE
FILL	>72"	>72"	>72"	SEE CODES 2-15	SEE CODES	F		NOT SUITABLE
OWENETT	>72"	45-72"	>72"	50	2-15	30	B	SUITABLE
HARD LABOR 1	>72"	>72"	30-48"	SEE CODES 1-10	SEE CODES	C		NOT SUITABLE FOR CONVENTIONAL SYSTEM VERY SHALLOW SYSTEM
HARD LABOR 2	>72"	>72"	48-72"	75	1-10	24	F	NOT SUITABLE
HELENA	>72"	>72"	18-30	SEE CODES 2-15	SEE CODES	F		NOT SUITABLE
HIRSDISSE	>72"	>72"	>72"	50	2-15	36	A	SUITABLE
LLOYD	>72"	>72"	>72"	50	2-15	36	A	SUITABLE
MADISON	>72"	>72"	>72"	45	2-15	36	A	SUITABLE
MUSSELLA	>72"	20-40"	>40"	SEE CODES 2-15	SEE CODES	I		NOT SUITABLE
PACOLET	>72"	>72"	>72"	35	5-20	36	A	SUITABLE
PACOLET (Stony)	>72"	>72"	>72"	45	5-20	36	A	SUITABLE
BILO	>72"	>72"	>72"	35	7-20	36	A	SUITABLE
BAR	>72"	>72"	20-40"	SEE CODES 0-5	SEE CODES	I		NOT SUITABLE
STARB	>72"	>72"	40-70"	SEE CODES 0-5	SEE CODES	D		NOT SUITABLE
STATE	>72"	>72"	40-70"	SEE CODES 0-5	SEE CODES	D		NOT SUITABLE
TALLAPOOSA	>72"	28-30"	>60"	50	2-15	30	B	SUITABLE
TOCOSA	>72"	>72"	30-80"	SEE CODES 0-2	SEE CODES	D		NOT SUITABLE

THE RESULTS OF THIS SOIL SURVEY DO NOT GUARANTEE THE PROPER FUNCTION OF A SEPTIC SYSTEM

- NOTES:**
- THIS REPORT IS VOID IN AREAS WHERE CUT OR FILL OF MORE THAN 18" OCCURS AFTER THE TIME OF THE FIELD STUDY.
 - BORINGS WERE PERFORMED USING 72" LONG, 2.75" DIAMETER HAND AUGERS.
 - SOIL BORING LOCATIONS WERE ESTABLISHED USING A TRIMBLE GEO XT GPS RECEIVER.
 - PORTIONS OF THIS SITE WHERE SLOPES EXCEED 25% MAY REQUIRE SPECIAL SYSTEMS OR A SITE-SPECIFIC DESIGN FOR PROPER OPERATION.

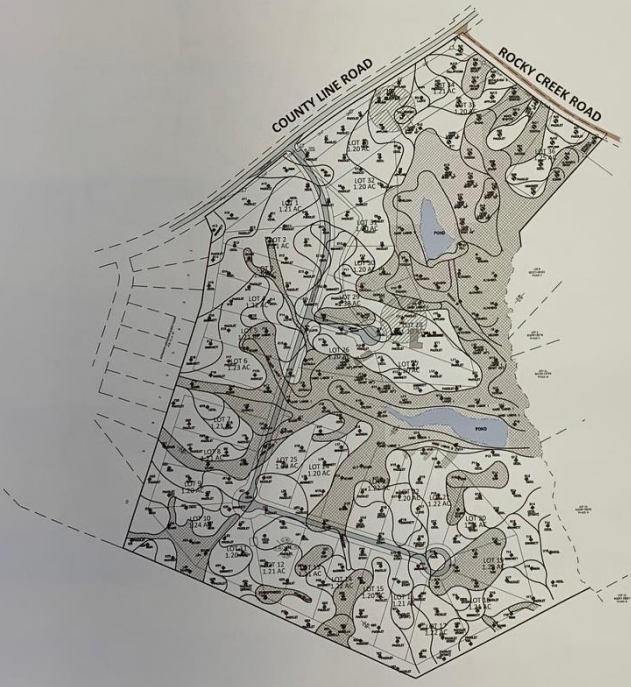


SITE LOCATION MAP

KEY TO GEORGIA SOIL SUITABILITY CODES:

A. Soil series should have the ability to function as a suitable absorption field with proper design, installation, and maintenance.
 B. Some rock and or stony conditions were found. This soil should function as a suitable absorption field provided that the system is put in first to make sure there will be no rock interferences. Notes have been noted to all notes 2" above above the unit with a hand auger.
 C. Due to water table, flooding and or drainage problems, there is a high probability of failure of conventional systems.
 (Your health department can discuss with you if an alternative system might be an option for your situation).
 D. Due to the drainage and or flooding conditions these soil types should be avoided. On alterations which correct surface or subsurface water may make these areas suitable. A further soil study is recommended if alterations are made.
 E. Normally considered unsatisfactory for use for conventional absorption fields.
 F. Depth to bedrock is generally not sufficient to accommodate a septic system. However, soils with bedrock depths 36" or greater or inclinations of other soils with sufficient depth may be suitable. Test borings, pits, and saturated soil hydraulic conductivity tests, or possibly permeation tests may be needed to determine this. These areas should have the ability to function for drip emitter systems.
 G. This soil is suitable in hardness and/or depth of the parent material or substrate. Hand auger method occurred at a depth less than 48".
 H. This soil is suitable in hardness and/or depth of the parent material or substrate. Hand auger method occurred at a depth greater than 48".
 I. This soil is suitable in hardness and/or depth of the parent material or substrate. Hand auger method occurred at a depth greater than 48".
 J. This soil is suitable in hardness and/or depth of the parent material or substrate. Hand auger method occurred at a depth greater than 48".
 K. This soil is suitable in hardness and/or depth of the parent material or substrate. Hand auger method occurred at a depth greater than 48".
 L. This soil is suitable in hardness and/or depth of the parent material or substrate. Hand auger method occurred at a depth greater than 48".
 M. This soil is suitable in hardness and/or depth of the parent material or substrate. Hand auger method occurred at a depth greater than 48".
 N. This soil is suitable in hardness and/or depth of the parent material or substrate. Hand auger method occurred at a depth greater than 48".
 O. This soil is suitable in hardness and/or depth of the parent material or substrate. Hand auger method occurred at a depth greater than 48".
 P. This soil series has water table and/or drainage problems in the lower portion of the soil which could cause problems for conventional septic systems. However, the depth to the seasonal high water table is such that a shallow installation (which maintains the required 24" separation between the trench bottom and the seasonal high water table) is possible and may result in proper system function.

SITE OVERVIEW
 (SEE SHEET 2 OF 2 FOR SOIL MAPPING)
 SCALE 1" = 200'



SHEET 1 OF 2
 LEVEL 1 SOIL SURVEY FOR
TWINPOND SUBDIVISION
 LAND LOTS 79, 80, 83 & 84, DISTRICT 18
 GEORGIA MILITIA DISTRICT 297
 JASPER COUNTY, GEORGIA

SCALE 1" = 200'
 SEPTEMBER 22, 2023

HEALTH DEPARTMENT CERTIFICATION
 THE LOTS SHOWN HEREON ARE APPROVED FOR ON-SITE SEWAGE MANAGEMENT SYSTEMS BY THE JASPER COUNTY HEALTH DEPARTMENT PENDING APPROVAL OF THE FINAL PLAN WITH ASSOCIATED CONDITIONS AND REQUIREMENTS.



David Mercer, P.E.
JORDAN ENGINEERING
 124 N. WAREHOUS ST. MONTECALLO, GA 31056
 (706) 960-8980 www.jordan-pe.com
 Engineering • Surveying • Real Estate Services

APPLICABLE ORDINANCE SECTIONS

Development Regulations:

Sec. 105-87. - Submission and approval of preliminary plat. (as amended 11/07/2022)

- (a) *Preliminary plat submission.* After completing the pre-application review stage, and at least 60 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) Seven (7) 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 60 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 60 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 Jasper County Board of Commissioners to act.* If the Jasper County Board of Commissioners fails to act within 90 days of the official date of submission of the

preliminary plat, the preliminary plat will be deemed automatically approved by the 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. 105-3. - Purposes. (as amended 11/07/2022)

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) Encourage the development of economically sound and stable communities.
- (2) Assure the provisions of required streets, utilities, facilities, and services in new land development.
- (3) Assure the adequate protection of safe and convenient traffic access and circulation in new land development.
- (4) Assure 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.
- (5) Assure in general the wise development of new areas in harmony with the county land use plan.
- (6) Assure that all roads and other infrastructure are constructed in a manner that will ensure permanence and minimum operating and maintenance costs to county government.

Section 105-162 - Conservation Subdivision Design (as amended 11/07/2022 & 03/06/2023)

1. 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 7 years prior to adoption filing an application for a Conservation Subdivision.
3. 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 housing density determination will be determined by subtracting all the roads and right-of-way, required exterior buffers, and all conservation areas, and meeting the minimum lot size for each new lot as shown in the chart below:

Zoning District	Agricultural	RR	RES
Lot size by Zoning District	5 acres	3 acres	2 acres
Minimum Lot Size Allowed	3 acres	1.8 acres	1.2 acre

- D. Required buffers:
1. A 50-foot non-buildable buffer shall be maintained around the perimeter of the subdivision adjoining outside parcels. This shall be counted toward the total required Greenspace.
 2. A 100-foot natural buffer shall be maintained adjacent to existing public county streets and a 150-foot natural buffer along all state routes that abut the subdivision.
 3. A buffer of not less than 50' between all rear lots that is outside the buildable lot.
4. 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 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 subsection 5 Open Space;
 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 subsection 5 Open Space, 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, subsection 5 Open Space, 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. 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.

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 should consist of land that is suitable for building.

- F. Open space should be in a contiguous tract to every extent possible. 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-foot natural buffer adjacent to existing public county streets and a 150-foot natural buffer along all state routes that abut exterior road frontage at the entrance of the interior subdivision roads.

8. 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 whenever possible

b. Road design

(1) Required number of entrances, decel, left-turn lane, road improvements required (explain when)

A. Entrances

(a.) All new subdivision road entrances shall 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 and not consistent with good transportation engineering practices (for example, dirt or gravel road, inadequate width of pavement or right of way, improper angle of approach), provides the primary means of access to a development, the developer shall enter into a contract with the County regarding the upgrading of the substandard street. Said contract shall specify the improvements to be completed by the developer and the improvements, if any, to be completed by the County. Any such contract shall be approved by the Board of Commissioners.
 - (1) All new roads shall be paved to county standards found in Chapter 20 – Roads and bridges, Article V. Paving Roads.
 - (2) Minimum width of right-of-way for all new roads shall be 60 feet.
 - (3) All new roads shall have street signage including but not limited to stop signs, road name signs, and other public safety signage.
 - (4) Driveways shall not exceed a slope of 15%.
- c. Health, safety, welfare
 - (1) 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 out of the public right of way and capable of being accessed in compliance with ADA standards.
 - B. Required Parking Spaces:
 1. There shall be a minimum of 2 Parking Spaces for up to the first 50 lots and an additional parking space for every 50 lots within the subdivision. There shall be at least 1 ADA Parking Space provided.
 - 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. A shelter or covering shall be provided for all mailbox units that includes at least 3 feet of space to walk around the mailbox unit.
 - D. Security lights shall be provided.

Sec. 105-222. - Improvements to existing streets and rights-of-way for subdivisions.

- (a) Existing unpaved road. Any unpaved road upon which a subdivision has frontage and/or access

shall be paved and widened, according to the functional class of the road, as set forth in Table 105-221.1 along the frontage of the subdivision to the nearest intersection with a paved county road. The minimum right-of-way required according to Table 105-221.1 shall be dedicated along the entire frontage of the subdivision.

(b) Existing paved road. Any existing paved county road upon which a subdivision has frontage and/or access and which is deficient relative to county specifications (see Tables 105-221.1 and 105-221.2) shall be resurfaced and widened as determined by the county department of transportation for the entire frontage of the subdivision. The minimum right-of-way required according to Table 105-221.1 shall be dedicated along the entire frontage of the subdivision.

Zoning Ordinance:

Sec. 119-196. - RES Single-Family Residential District (as amended 03/06/2023)

The RES Single-Family Residential District is intended to provide for single-family residential development at low-intensity (not over one principal dwelling unit per two acres) along with such public buildings, schools, churches, recreational facilities and accessory uses as may be necessary to support such communities and are normally compatible with such surroundings. For all major subdivisions of land for residential purposes in this district, conservation design is required leaving large amounts of land as green space protected by conservation easement. The RES district is designed to accommodate development in areas that are served by public water.

Sec. 119-244. - Development standards—Agriculture and residential districts. (as amended 03/06/2023)

Item	AG	R-R	RES
Minimum heated floor area per dwelling unit	1,200 sf	1,200 sf	1,800 sf
Minimum lot area without water or sewer	5 acres	3 acres	2 acres
Minimum lot area with public/private water	5 acres	3 acres	2 acres
Minimum lot area with public/private water and sewer	5 acres	3 acres	2 acres
Minimum lot width	200 ft.	200 ft.	125 ft.
Minimum road frontage	200 ft.	200 ft.	125 ft.
Minimum front yard arterial road	80 ft.	80 ft.	80 ft.
Minimum front yard major collector	80 ft.	80 ft.	80 ft.
Minimum front yard minor collector	30 ft.	30 ft.	30 ft.
Minimum front yard local roads	30 ft.	30 ft.	30 ft.

Minimum side yard	30 ft.	30 ft.	30 ft.
Minimum rear yard	50 ft.	50 ft.	30 ft.
Compliance with architectural standards required?	No	No	No