

Adopted by Town Council - May 21, 1997

**SUBDIVISION REGULATIONS**  
FOR  
**THE TOWN OF WOOLSEY**

AN ORDINANCE SETTING FORTH REGULATIONS, SPECIFICATIONS, AND PROCEDURES GOVERNING THE PLATTING OF LAND WITHIN THE CORPORATE LIMITS OF THE TOWN OF WOOLSEY INTO SUBDIVISIONS; REQUIRING AND REGULATING THE PREPARATION AND PRESENTATION OF SUBDIVISION PLATS FOR SUCH PURPOSE; ESTABLISHING MINIMUM IMPROVEMENTS; DEFINING TERMS AND PROVIDING PENALTIES FOR VIOLATIONS OF SUCH ORDINANCE, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY the Mayor and Council of the Town of Woolsey and it is hereby ordained by the authority of the same:

**SECTION 1**

**DECLARATION OF PURPOSE**

To encourage a neotraditional style of growth to occur in areas which are best suited for increased density in accordance with the Town's Comprehensive Plan of 1995 and in pursuance of authority conferred by the Constitution of Georgia of 1983 and the Charter of the Town of Woolsey (Ga. L. 1995, p. 4251) the regulations, specifications and procedures for the subdivision and subsequent development of land and for the platting thereof, prescribed and adopted by this ordinance are hereby declared by the Town of Woolsey to be desirable and necessary in order to help insure the public health, safety, morals, and general welfare by means of harmonious, orderly, and progressive development of land; further, to encourage and ensure the neotraditional development of stable neighborhoods; to assure the adequate provision of required streets, utilities, and other facilities and services to new land developments; to assure reasonably safe and convenient vehicular and pedestrian traffic access and circulation; to assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, and other public purposes; to provide accurate, uniform records for identification and location of real estate boundaries, and to assure, in general, a pattern of development which permits the efficient delivery of services while creating a built environment that fosters a sense of community.

## SECTION 2

### DEFINITIONS

For the purpose of this ordinance, the following words, terms, phrases, and their derivations shall have the meaning given in this Section.

Words used in the present tense include the future tense. Words used in the singular number include the plural number and words used in the plural number include the singular. The word "shall" is always mandatory while the word "may" is merely discretionary.

The Town Council's interpretation shall be final as to the meaning of any definition, statement, requirement, symbol, and/or abbreviation used in connection with these regulations and/or application thereof.

- 2.1 Commissioners of Health. The Fayette County Commissioner of Health, the Fayette County Health Department and/or the State of Georgia Department of Health. The words "Commissioner of Health" are used in these regulations to denote the fact that all matters pertaining to health regulations shall be directed to that official or their staff.
- 2.2 Comprehensive Plan. The Comprehensive Plan for the Town of Woolsey, Georgia, approved by the Mayor and Town Council which contains maps, data and descriptive matter for the physical development of the Town.
- 2.3 County Engineer. The official to whom the responsibilities normally associated with this title have been delegated.
- 2.4 Cul-de-sac. A street having only one end open for access to another street, and the other end being terminated by a turn-around as specified in these regulations.
- 2.5 Development. The act, process or state of erecting buildings, structures, or making improvements, or laying out and dividing land.
- 2.6 Easement. A grant by the owner of land for the use of such land by others, including the public for a specific purpose or purposes.
- 2.7 Lot. An undivided portion of land which is designed as a distinct and separate tract and identified by a tract number, lot number, or symbol on an approved subdivision plat property recorded, and which is or may in the future be offered for sale, conveyance, transfer or improvement.
- 2.8 Lot Width. The distance between the side lot lines, measured at a building line, parallel to the street right-of-way line.
- 2.9 M.S.L. Mean Sea Level.
- 2.10 Right-of-Way. A portion of land being used or in the future will be used as a street, road, thoroughfare, crosswalk, pipeway, drainage canal, and/or other similar uses and designated by means of right-of-way lines.
- 2.11 Street. A public right-of-way which provides vehicular access to abutting property.
  - 2.11.1 Major Arterial Street. A street which is designated such on the Major Thoroughfare Plan and which is intended to provide swift and safe movement of traffic through the community.
  - 2.11.2 Secondary Arterial Street. A street which is designated such on the Major Thoroughfare Plan and which is intended to provide easy and convenient movement of traffic through the community.
  - 2.11.3 Collector Street. A street which is designated such on the Major Thoroughfare Plan and which is intended to collect traffic from residential streets and direct it safely to secondary or major streets.
  - 2.11.4 Dead-End Street. A street having only one end open for access to another street, the other end being abruptly terminated with no turn-around.
  - 2.11.5 Residential Street. A street used for local circulation in residential areas providing access to abutting property.

- 2.12 Subdivider. Any person, firm, corporation, association or partnership or any agent thereof who undertakes or proposes to undertake the subdivision of land so as to constitute a subdivision as defined herein.
- 2.13 Subdivision. The division of a tract or parcel of land into two (2) or more lots, building sites or other divisions; the combination of two or more lots or parcels to form one; the division of land involving the dedication of a new street, easement or other public way for the purpose whether immediate or future, of sale, transference, legacy, development or other purposes; includes resubdivision; where appropriate relates to the process of subdivision, where appropriate relates to the process of subdividing of the land or area subdivided. Exemptions are as follows:
- a. The public acquisition of land for use in widening existing streets.
  - b. The transference of part of one lot or tract in an existing subdivision to an adjacent lot or tract in the same subdivision providing that the transference does not reduce any lot or tract to an area or width less than the zoning minimum of the area and does not increase the total number of lots.
- 2.14 Tract. A portion of land with definite and ascertainable limits or boundaries.
- 2.15 Utility. Any community service available to the public by means of an overhead or underground distribution or collection systems such as electricity, telephone, water, gas, and sewerage.

## SECTION 3

### GENERAL

- 3.1 Zoning Regulations. No subdivision shall be accepted for review which does not conform with the Zoning Regulations applicable to the land for which it is proposed.
- 3.2 Subdivisions Not Involving Changes in Public Facilities. All subdivisions which do not involve the platting, construction or opening of new streets, water or sewer facilities shall be accepted by the Town Council in the form of a Final Plat providing that the Plat shall comply with these regulations in all respects.
- 3.3 Approval by Individual Agencies. The Town Council shall not approve any subdivision plat without said plat having first been reviewed and approved by the County Engineer and the Commissioner of Health to the extent that each has jurisdiction.

## SECTION 4

Subdivisions shall be reviewed and approved in two (2) stages as follows:

- 4.1 Preliminary Plat.
  - 4.1.1 Purpose. The purpose of the preliminary plat is to safeguard the subdivider from unnecessary loss of time and expense in preparation of a subdivision plat which does not conform with the specifications of the Subdivision Regulations Ordinance. The preliminary plat only requires approximate accuracy of scale and dimension. Public agencies having jurisdiction will review the preliminary plat regarding matters within their jurisdiction. During the review process the subdivider or their agent may be called upon for consultation.
  - 4.1.2 Future Tract Plan. The subdivider shall submit to the Zoning Administrator for the Town Council a reasonably accurate plat in sketch form of the entire tract which will show the tentative future street system for the entire tract.
  - 4.1.3 Filing. Any person desiring to subdivide land shall file with the Zoning Administrator for the Town Council a number of copies, which number shall be determined by the Zoning Administrator, of the preliminary plat. In order to be considered by the Town Council, the preliminary plat shall be submitted in accordance with the schedule of hearing dates and application deadlines established by the Town Council. Said schedule is available with the Zoning Administrator. The plat shall be prepared in accordance with these regulations and with applicable Town and County specifications by a registered engineer, surveyor, and/or architect who is licensed under the laws of the State of Georgia. The preliminary plat shall be deemed filed with the Town Council when it is filed with the Zoning Administrator. At the time of filing, certificate of filing shall include the time and date of filing. The Zoning Administrator shall have authority to reject the preliminary plat, if after study, they find that it does not comply with these regulations. If rejected, the Zoning Administrator shall provide subdividers with a written statement specifying all the respects in which the plat fails to comply. Subdividers shall have the right to appeal to the Town Council from such rejection.
    - a. Plat Review Fee. Upon the filing of any preliminary plat, a plat or plan review fee, established by the Town Council shall be assessed. There shall be no recording of any plat or plan until the plat or plan review fee is paid.

- 4.1.4 Approval by Individual Agencies. No preliminary plat shall be approved by the Zoning Administrator unless the Zoning Administrator first obtains the approval of the County Engineer and the Health Department. These agencies shall approve with or without modification or disapprove the preliminary plat to the extent that each has jurisdiction. Percolation tests meeting Health Department requirements shall be furnished in three (3) copies. Approval will be on an individual lot basis.
- 4.1.5 Public Hearing. All subdivision applications, whether they meet existing zoning codes or not, shall be provided a public hearing. The public hearing shall be scheduled in such a way so as to provide all public agencies an opportunity for input prior to the hearing to ensure that the proposed development meets all current applicable standards. The primary purpose of the hearing shall be for the public to gather and share information concerning proposed developments affecting their community.
- 4.1.6 Approval by Town Council:
- a. The preliminary plat shall be accepted for consideration by the Town Council when the file is complete as required by the Zoning Administrator according to these regulations. The Zoning Administrator shall have authority to accept the preliminary plat with modification when necessary to make the plat comply with provisions of these regulations.
  - b. The Town Council shall take action on preliminary plats in Executive Session except for Revisions to a recorded plat which, under the provisions of 4.2.7, requires approval of a new preliminary plat. Revisions which change a street and/or utility layout shown on a recorded plat shall be afforded a public hearing on the new preliminary plat, the legal notice for which shall be advertised in at least one (1) issue of the newspaper in which is carried the legal advertisements of the Town in such a manner as to give at least seven (7) days notice of the public hearing from the date of issue.
  - c. Approval or disapproval of a preliminary plat by the Town Council shall be accomplished within thirty (30) days of the Zoning Administrator's Certification that the application is complete. If after thirty (30) days from the issuance of said Certification of completeness the Town Council fails to act, the preliminary plat shall be deemed approved; provided, however, that the subdivider may waive this requirement in writing and consent to an extensions of such period.
- 4.1.7 Approval of Engineering Drawings. Upon approval of the Preliminary Plat and before preparation of the final engineering drawings for the minimum improvements required by these regulations, the subdivider shall receive tentative approval of said engineering plans from the County Engineer.
- a. The design of all minimum improvements shall be under the direction of an Engineer or Architect registered in the State of Georgia and all plans shall bear their seal.
  - b. A certificate of approval from the County Health Department, the County Water Board, and the State and Federal Agencies having jurisdiction shall accompany all water and sewer plans.
- 4.1.8 Expiration. Preliminary plats shall include the following statement: "Approval of this preliminary plat shall expire eighteen (18) months from the date of approval by the Town Council unless a final plat for at least one (1) section has been approved or street bases construction on at least one (1) section has been completed and inspected."

## 4.2 Final Plat

- 4.2.1 Conformance. The final plat shall conform with the approved preliminary plat. If desired by the subdivider, the final plat may constitute only that portion of the preliminary plat they proposed to record and develop at that time; provided that such portion conforms with all requirements of these regulations.
- 4.2.2 Filing the final plat. The final plat shall not be submitted for review until the minimum improvements are complete subject to the provision of Section 8 of these regulations. The final plat shall be deemed filed when it has been certified by the Zoning Administrator to be complete. Within fourteen (14) days of such certification of completeness by the Zoning Administrator, the final plat shall be determined by the County Engineer to comply with the Subdivision Regulations and the approved preliminary plat, and approved or disapproved accordingly. The Town Clerk shall endorse the plat upon approval by the County Engineer.
- 4.2.3 Approval by Individual Agencies. No final plat shall be approved by the Town Council unless the Subdivider first obtains approval of the Commissioner of Health and the County Engineer. Said agencies shall approve, with or without modification or disapprove the final plat to the extent to which each has jurisdiction.
- 4.2.4 Approval by Zoning Administrator and County Engineer. Approval or disapproval of the final plat shall be accomplished within fourteen (14) days after the plat is filed. If after fourteen (14) days the Zoning Administrator and/or County Engineer has failed to act, the final plat shall be deemed approved and on demand a copy shall be signed by the Town Clerk; provided, that the subdivider may waive in writing this requirement and consent to an extension of such period. If the final plat is disapproved, the reasons therefore shall be stated on the plat. The approval of a final plat shall not be deemed to constitute an acceptance by the Town of Woolsey of any street or other real property shown upon the plat.
- a. Revisions to a recorded plat which, under the provisions of 4.2.7, require approval of new preliminary and final plats, shall be afforded a public hearing before the Town Council, the legal notice for which shall be advertised in at least one (1) issue of the newspaper in which is carried the legal advertisements of the Town and County, and shall provide at least seven (7) days notice of the public hearing from the date of issue.
  - b. Each approved final plat shall include thereon the following statements: "The Town of Woolsey does not accept the ownership maintenance or responsibility for any drainage easement or overall drainage plan, or the lack of one, indicated by this plat."
- 4.2.5 Recordation. In addition to the above requirements the following documents must be submitted to the noted authorities.
1. A warranty deed for the subdivision or portion of the subdivision covered by the final plat, shall be submitted to the Zoning Administrator.
  2. A performance bond or irrevocable letter or credit to cover any asphalt pavement which the subdivider will be completing at a later date, shall be posted with the Director of Public Works in accordance with Section 8 of these regulations.
- 4.2.6 Removal. After a subdivision has been recorded, the subdivider may petition the Town Council for permission to remove the subdivision plat from the land records of the Town of Woolsey. The Town Council may permit such removal providing that no lot in the subdivision has been sold. Upon giving its permission for such removal, the Town Council shall release the bonds and/or cash posted by the subdivider pursuant to the provision of Section 8.
- 4.2.7 Revision to a recorded plat. Proposed revisions which change in any way the street and/or utility layout shall be submitted as a preliminary plat in accordance with Section 4.1 of these regulations. Proposed revisions which do not change in any way the street and/or utility layout shall be submitted as a final plat in accordance with Section 4.2 of these regulations. In addition, a revision to a recorded plat shall show the name, phase (if any), date of the recorded subdivision plat being revised and the exact citation with regard to the Town Land Records and the book and page number wherein said plat is recorded. Proposed revisions to any existing residential or agricultural-residential subdivisions which add property to, increase the number of platted lots, or change the principal use on a lot(s) within a residential subdivision will be considered in public hearings before the Town Council.

4.2.8 Reproduction. Upon approval of the final plat by the Town Council, the subdivider shall be required to furnish to the Zoning Administrator for the Town Council the following required number of reproducibles and prints:

Distribution Schedule:

Zoning Administrator	One (1) paper reproducible and one (1) print
County Records	Original linen or plastic reproducible and one (1) print
County Engineer	Three (3) prints (2 file and 1 building inspector)
County Tax Assessor	One (1) print
County Health Department	One (1) print
Sheriff's Department	One (1) print
Water and Sewer Dept.	Two (2) prints
Board of Education	One (1) print
Fire Department offering service to the proposed subdivision	One (1) print

## SECTION 5

### THE SUBDIVISION PLAT

#### 5.1 The Preliminary Plat.

- 5.1.1 Title Block. The title block shall show the name of the proposed subdivision, Town, County, State, name, address, and Georgia registration number of the engineer, surveyor, and/or architect.
- 5.1.2 North Point. The plat shall show the true north point, scale (minimum scale 1" equals 200 feet), total acreage of the site, and total number of residential lots created.
- 5.1.3 Topography. The plat shall show existing contour lines dashed and proposed contour lines solid and both shall be shown at ten (10) foot intervals of elevation, based upon M.S.L. datum. Accuracy shall be within ½ contour intervals.
- 5.1.4 Existing Features. The plat shall show the location and names of existing and platted property lines, streets, water courses, public and private rights-of-way, sewers/septic tanks and fields, bridges, culverts, drain pipes, water mains, public utility easement, parks and other public open spaces and names of adjoining property owners or subdivisions.
- 5.1.5 Dedications and Reservations. The plat shall show all parcels of land to be dedicated or reserved for public use including the names, locations and widths of all proposed streets, parks and other public spaces.
- 5.1.6 Lot Lines. The plat shall show all proposed lot lines, lot and block identifications, and building setback lines.
- 5.1.7 Vicinity Map. The plat shall show a vicinity map of such a scale that the subdivision may be readily identified.
- 5.1.8 Completeness. If any of the above facts are omitted or misrepresented on the plat, the Zoning Administrator may refuse to review the plat and shall return the plat to the subdivider to be completed or revised.

#### 5.2 The Final Plat.

- 5.2.1 Sheet Design. The final plat shall conform in general with the preliminary plat and requirements therefore, as set forth in these regulations and shall be drawn in permanent ink on one (1) or more sheets of linen tracing cloth or reproducible plastic measuring seventeen (17) inches by twenty-two (22) inches as per plat book. When two or more sheets are used, a key map shall be shown with each sheet. There shall be a two (2) inch margin on the left end of the plat and a one-half (1/2) inch margin on the remaining three sides.

A revision to a recorded plat shall be drawn in permanent ink on a sheet of linen tracing cloth or reproducible plastic measuring a minimum of ten (10) inches by fourteen (14) inches, and if necessary, a maximum of seventeen (17) by twenty-two (22) inches.

5.2.2 Engineer and Owner Certificate. The following certificate shall be entered on the face of the plat.

I certify that all measurements are correct and were prepared from an actual survey of the property made under my supervision; that monument locations are correctly shown; and, that the property will drain as shown.

Monuments are shown by \_\_\_\_\_ Signed \_\_\_\_\_ (Seal)

Date \_\_\_\_\_ ; \_\_\_\_\_ Engineer, (Surveyor), (Architect), GA

Regist. No. \_\_\_\_\_

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

Owner	Date	Mortgagee	Date
_____	_____	_____	_____
_____	_____	_____	_____

5.2.3 Approvals. The following spaces shall be provided (as shown in Figure 1) in the form listed below for approval by all agencies having jurisdiction:

Approved by Mayor and Town Council.

Date \_\_\_\_\_ Signed \_\_\_\_\_  
Mayor

Approved by Woolsey Zoning Administrator.

Date \_\_\_\_\_ Signed \_\_\_\_\_  
Zoning Administrator

Approved by Department of Public Health, Fayette County, Georgia.

Date \_\_\_\_\_ Signed \_\_\_\_\_  
Environmental Health Specialist

Final plat approved by County Engineer of Fayette County, Georgia. All as-built construction plans have been approved.

Date \_\_\_\_\_ Signed \_\_\_\_\_  
County Engineer

Approved by Fayette County Fire Marshal. All fire hydrant(s) located as shown.

Date \_\_\_\_\_ Signed \_\_\_\_\_  
Fire Marshal

- 5.2.4 Surveying. The final plat shall contain the location, bearing, and length of every street line, lot line, boundary line, and easement line, whether curved or straight. All dimensions shall be shown in feet and decimals to the nearest one-hundredth (1/100) of a foot, and all angles shall be shown to the nearest minute. The error of closure shall not exceed third order accuracy, one (1) in five thousand (5,000).
- 5.2.5 Monuments. The final plat shall show the accurate location, material, and description of all monuments. A permanent master bench mark shall be established within the site by transfer of levels, not less than third order accuracy, from the nearest approved bench mark of known elevation (M.S.L.) showing its location on the final plat, and recording its elevation on the final plat to the nearest one-hundredth (1/100) of a foot.
- 5.2.6 Easements. In addition to the requirements for the preliminary plat as set forth in Section 5.1.4 of these regulations, the final plat will show the location and width of all temporary construction easements (as required by standard engineering practice), public utility easements and drainage easements where required.
- 5.2.7 Final Plat Application/Checklist. The final plat shall contain items listed on the final plat checklist as amended by the presiding agencies/departments upon review of the preliminary plat application to those agencies/departments.

## SECTION 6

### MINIMUM DESIGN STANDARDS

#### 6.1 Blocks.

- 6.1.1 Non-residential. Blocks for other than residential use shall be of such length and width as may be suitable for their prospective use, including adequate provision for off-street parking and maneuvering space.
- 6.1.2 Residential. The length of residential blocks shall not exceed fifteen hundred (1500) feet nor be less than four hundred (400) feet. Blocks of more than fifteen hundred (1500) feet will be permitted if natural or man-made barriers require blocks of greater size. The depth of residential blocks shall be sufficient to allow two (2) tiers of lots, unless prohibited by natural or man-made barriers. In any block in a subdivision there shall be no more than one (1) discontinuous street (access roads for cul-de-sacs).
- 6.1.3 Crosswalks. Rights-of-way for pedestrian crosswalks shall be provided when in the opinion of the Zoning Administrator crosswalks are necessary for direct pedestrian access to schools, shopping centers, and parks. The crosswalk right-of-way shall not be less than four (4) feet wide.

#### 6.2 Open Space.

- 6.2.1 In all residential zones, excluding R-A, a minimum of ten (10%) percent of land area of all subdivisions of thirty (30) acres or more shall be public open space of one of the following types: recreational areas; greens; or open space. Floodways, wetlands and stormwater management facilities shall not be used to satisfy the requirement for open space.
- 6.2.2 Open space shall be either dedicated to the Town or reserved for the common use of all property owners in the subdivision by a deed covenant.

#### 6.3 Easements.

- 6.3.1 Utilities. All utilities shall be located underground. Where possible, waterlines shall be located outside the curb line on the west and south sides of streets; sewer and gas lines shall be on the east and north sides. Wherever public utility easements are planned adjacent to the subdivision tract boundary or phase, they shall be platted within said subdivision or phase thereof.

Water and sewer lines outside of street rights-of-way shall follow side and rear property lines where possible and shall have a minimum easement width of twenty (20) feet except that a greater width shall be provided where it is determined by the County Engineer that a greater width is necessary for maintenance or construction.

- 6.3.2 Drainage. Drainage easements shall be provided as required by the County Engineer after review of the construction plans.

#### 6.4 Lots.

- 6.4.1 Minimum Lot Size. Minimum lot size shall be as prescribed in the Zoning Regulations for the Town of Woolsey.
- 6.4.2 Minimum Lot Elevation. The lot area contained within and contiguous to the building walls and for a minimum distance of ten (10) feet measured from all sides of said building, shall have a minimum elevation of two (2) feet above the maximum flood stage of streams or canals in the particular area being developed based on acceptable engineering procedure and approved by the County Engineer, that said minimum elevation shall be subject to approval by the Commissioner of Health.

- 6.5 Building Lines.
- 6.5.1 All building setback lines shall be specified in the Zoning Regulations for the Town of Woolsey.
- 6.5.2 Corner Lots. Corner lots shall be of such size and dimension that will permit the location of buildings so as to conform with the building setback lines, as prescribed in the Zoning Regulations. Corner property lines at street intersections shall have a twenty (20) foot radius.
- 6.5.3 Double and Reverse Frontage. Lots having street frontage both to the front and rear shall be prohibited except where it is essential to provide separation of residential development from Major and Secondary Arterial rights-of-way. Where a Major Arterial abuts or runs through any portion of the subdivision, the subdivision plan shall provide that lots backing onto said arterial right-of-way shall have a minimum depth of one hundred seventy (170) feet which shall include a twenty (20) foot planting buffer strip separating the lots from the right-of-way.
- 6.5.4 Commercial Use Buffer Zone. When a portion of the subdivision is to be devoted to commercial purposes such as a shopping center, and when it adjoins residential lots, a buffer zone shall be provided as required in the Zoning Ordinance of the Town of Woolsey.
- 6.6 Streets. The street and road system of any subdivision shall give due consideration to the Major Thoroughfare Plan of Fayette County.
- 6.6.1 Access. Every lot of every subdivision shall have adequate access to and abut a public street which is or shall be maintained by the County. Alleys may be provided to afford access to off street parking and service delivery pick-ups.
- 6.6.2 Alignment and Continuation. Streets within the subdivision shall be so arranged as to provide for alignment and continuation of or projection of existing public streets.
- 6.6.3 Cul-de-sacs. A permanent cul-de-sac or single-access loop street shall not exceed 3,000 feet in length. A cul-de-sac or single-access loop street shall be measured from a street which has at least two (2) outlets onto another public street which is not a cul-de-sac or single-access loop street. A cul-de-sac shall be measured from its intersection with a street as described above to the center of its diameter. A single-access loop street shall be measured from its intersection with a street as described above to the furthestmost point from such intersection.
- a. A cul-de-sac permanently terminated will not be approved when a through street is practical.
- b. When a cul-de-sac is unavoidable because it is not feasible to connect with another street, the developer shall be required to provide footpaths or bikeway links with adjoining neighborhoods (existing or future).
- c. Only cul-de-sacs terminating with a turning loop shall be allowed. The turning loop shall contain a vegetated green space of not less than one-eighth acre.
- 6.6.4 Dead-End Streets. Permanent dead-end streets shall be prohibited.
- 6.6.5 Half Streets. Permanent half streets and half alleys shall be prohibited.
- 6.6.6 Intersections. The center lines of no more than two (2) streets shall intersect at any one point. Streets shall intersect as nearly as possible at right angles and no intersection shall have an angle of less than sixty (60) degrees. A tangent no less than one hundred (100) feet shall be placed between a curved street and the nearest right-of-way line of the street with which it intersects.
- 6.6.7 Streetlights shall be provided at each street intersection. A street light shall be mounted on a standard between fourteen (14) and twenty (20) feet in height, and be equipped with an incandescent, metal halide or other full spectrum bulb.
- 6.6.8 Curb Radius. The curb radius at street intersections shall be no less than twenty (20) feet except on major arterial streets where Georgia Highway Department Standards shall prevail.

- 6.6.9 Stub Street (Right-of-Way Extensions). Where the Zoning Administrator determines that it is essential to provide for the extension of a street to an adjacent property, such street right-of-way shall be extended by dedication and paved to the property line. Such a stub street shall be clearly labeled "Temporary Dead-End Street" on the plat.
- 6.6.10 Subdivision Names. A proposed subdivision name shall not duplicate the name of another subdivision unless such property is contiguous to the subdivision bearing the proposed name and with the same or more restrictive zoning, and covenants and restriction as the subdivision previously bearing such name. In addition to meeting the above criteria, the sharing of a subdivision name must be approved by the Zoning Administrator. Whenever a new subdivision is permitted by the Zoning Administrator to share the name of a previously approved subdivision, such name shall be followed by the Roman numerals II. Any subsequent subdivision approved by the Zoning Administrator under these provisions shall be numbered in sequence with Roman numerals.
- 6.6.11 Additional Right-of-Way. If the subdivision boundary lies adjacent to the right-of-way line of an existing platted street of less than minimum right-of-way width a minimum of one-half the required extra width shall be dedicated.
- 6.6.12 Provisions for Public Use. In subdividing land, due consideration shall be given to suitable sites for schools, parks, playgrounds, and other common areas for public use. Such land shall be located in accordance with the Comprehensive Plan. The acquisition of such land shall rest with the proper authority.
- 6.6.13 Testing. See Fayette County Development Regulations for tests required by County standards. Results of said tests must be submitted to and reviewed by the County Engineer prior to review of the final plat, subject to the provisions of Section 8 of these regulations.

## SECTION 7

### MINIMUM IMPROVEMENTS

- 7.1 General. The subdivider shall provide public improvements as required by these regulations and by applicable County specifications and requirements.
- 7.2 Site Preservation.
- 7.2.1 Existing features. Existing features which would add value to the subdivision, such as trees, watercourses, falls, brooks, historic spots, and similar irreplaceable assets, shall be preserved in the subdivision to the greatest extent possible.
- 7.2.2 Natural cover. Land shall be subdivided and improved in reasonable conformity to existing topography in order to minimize grading, cutting and filling, and in order to retain the natural contours, limit storm water run-off, and conserve the natural cover and soil. After a preliminary layout has been submitted to the Zoning Administrator, no topsoil, sand or gravel shall be removed from the subdivision for any other purpose than to meet construction needs for that particular subdivision or to meet any requirements of these regulations.
- 7.2.3 Erosion and sediment control. The smallest practical area of land should be exposed at any one time during development. When land is exposed during development, the exposure should be kept to the shortest practical period of time. Sediment basins shall be installed and maintained during development to remove sediment from run-off water and from land undergoing development. Where possible, natural drainage-ways should be utilized and left open to remove excess surface water. Permanent final vegetation and structures should be installed as soon as practical.
- 7.3 Curbs and Gutters. The subdivider shall install curb and gutter and proper drainage as required by County specifications.
- 7.4 Subdivision Markers. The subdivider shall provide and set reinforced concrete monuments four (4) inches in diameter of square, thirty (30) inches long with a flat top. The top of each monument shall be set flush to the ground. Said monuments shall be set at each street corner and at all points where the street lines intersect the exterior boundary of the subdivision, at points of curvature in each street and at every exterior corner or point of curvature of the exterior boundary, except where such corners lie with a stream meander in which case reference monuments shall be placed on the bank of the stream. The top of the monument shall contain a metal plate or metal rod which shall be scored in such a manner that will properly and accurately identify the location.
- 7.5 Water Supply and Sanitary Sewerage.
- 7.5.1 Every lot of a proposed subdivision shall be supplied with adequate water and waste water facilities which shall be approved by the Georgia Commissioner of Health. Septic tank, drain field approval shall be on an individual lot basis. Where public water or waste water facilities are available within the distance specified below, the subdivider shall assure that every lot of the subdivision shall be provided with public water.

NUMBER OF LOTS

MINIMUM DISTANCE FROM WATER LINE\*

6 or more

1,250'

For each additional lot after six, an additional fifty (50) feet shall be added per lot to the minimum distance from a water line requiring connection thereto.

\*Measured along public right-of-way to closest point on property.

Cost differentials based on line sizes and fire hydrants needed to serve a subdivision versus that needed as part of the overall system will be determined by the Water System.

- 7.5.2 Standard fire hydrants will be provided at the spacing specified by the County Fire Code, and of the type specified by the American Water Works Association.

- 7.6 Sidewalks. The subdivider shall provide for sidewalks along one side of all residential streets; as well as along all open space parcels and/or community uses. Sidewalks shall be at least four (4') feet in width and shall be located between the curb and the right-of-way with a four (4') foot wide planting strip between the sidewalk and the curb.
- 7.7 Streets. The subdivider shall adjust all streets to the contour of the land so as to produce usable building sites and streets of reasonable grade, alignment and surface drainage. The subdivider shall grade to the full width of the right-of-way and provide improved rights-of-way in accordance with these regulations and the Development Regulations, and applicable Georgia State Transportation Department specifications.
- 7.8 Street Trees. The subdivider shall plant deciduous street trees of not less than four (4) inch caliper trunk diameter and four (4) feet from the ground. One street tree shall be planted for every fifty (50) linear feet of residential street within a subdivision, including any street frontage perimeter of such subdivision. These trees shall be maintained by the developer for 18 months after planting, and ensured with an effective performance guarantee.
- 7.9 Storm Water Drainage. The subdivider shall provide adequate storm water drainage in accordance with these regulations and applicable County specifications. The subdivider shall also provide for adequate drainage from springs or other ground water drainage.
- 7.10 Installation of Improvements. No final grading, paving, construction of sidewalks or installation of any other utility shall be permitted until the final plat of the subdivision has been approved by the Zoning Administrator and said final plat has been recorded in the Office of the Clerk of Superior Court, Fayette County, Georgia.
- 7.11 Building Permit. No permit for the construction of any building on any lot of a proposed subdivision shall be issued unless the plat of the proposed subdivision has been recorded in the office of the Clerk of Superior Court of Fayette County, Georgia, and unless the minimum site improvements, as prescribed in this Ordinance, have been made and such improvements have been inspected and approved by the County Engineer.
  - 7.11.1 Building permits shall be issued for part of a subdivision prior to the completion of the improvements in the entire subdivision, provided that the County Engineer shall approve the improvements in said plat if it is determined that it will be completely served by the improvements as if it were a separate subdivision.

## SECTION 8

### PROVISIONS FOR RECORDING OF FINAL PLATS PRIOR TO COMPLETION OF MINIMUM IMPROVEMENTS

- 8.1 Requirements Therefor. Construction of all minimum improvements, except the asphalt pavement, must be completed in conformance with Fayette County specifications as determined through inspection by the County Engineer and the Road Superintendent before the final plat can be recorded and building permits issued. To assure the construction of the asphalt paving the subdivider shall deliver to the County the items listed in Section 4.2.5.
- 8.1.1 A performance bond or irrevocable letter of credit designated for the asphalt paving of a road must be filed with the Director of Public Works prior to the recording of the final plat. The bond or irrevocable letter of credit shall be equal to 110 percent of the amount determined by the County Engineer sufficient to reimburse the County for its expenses in completing the paving. The bond or irrevocable letter of credit shall be given for a period of one (1) year. However, if coring of the asphalt and base reveal that additional overlays are necessary in order to bring the road up to County standards, the application of which overlays would extend beyond the life of the bond letter of credit, the County Engineer and/or Director of Public Works may require the subdivider to provide for an extension of the life of the bond or letter of credit so that said overlays can be correctly applied.
- 8.1.2 If, in the opinion of the County Engineer, weather or other circumstances preclude the establishment of permanent ground cover on the shoulders of the road or roads to be covered by the bond or irrevocable letter of credit, an additional amount equal to 100 percent of the cost of establishing said ground cover may be included in the amount of the bond or letter of credit.
- 8.1.3 A one-year performance bond shall be required for all grassing and construction of shoulders along streets. The bond shall be in an amount equal to 100 percent of the cost of performance.
- 8.2 Conditions Thereof.
- 8.2.1 Bonds or irrevocable letters of credit delivered for the purpose of guaranteeing construction of minimum improvements pursuant to Section 8.1 shall run to the County and provide that the subdivider, their heirs, successors and assigns, and their agents and designees will comply with all applicable terms, conditions, provisions, and requirements of these regulations, will faithfully perform and complete the work of constructing and installing said facilities or improvements in accordance with these regulations and that the subdivider will save the County from any unnecessary expense incurred through the failure of the subdivider, their heirs, successors or assigns, or their agents or designees, to complete the work or said construction and installation as required by these regulations, and from any damage growing out of negligence in performing or failing to perform said construction and installation.
- 8.2.2 Before acceptance of any bond or irrevocable letter of credit, the Director of Public Works may at their direction have the Town and County attorney review said instrument. If a bond is offered, it shall be executed by a surety or guarantee company qualified to transact business in the State of Georgia and approved by the Zoning Administrator. If an irrevocable letter of credit is offered, it shall be written by a financial institution license to do business in the State of Georgia.
- 8.3 Duration and Release. Bonds and/or cash posted pursuant to the regulations shall be released or returned, as the case may be, at such time as the facilities guaranteed thereby have been installed and accepted.

8.4 Default. If the construction or installation of any improvements or facilities for which a bond or irrevocable letter of credit is posted is not completed within three (3) months after substantial completion of any building or structures which said improvements of facilities are designed to serve, or if said construction or installations not in accordance with the applicable specifications and requirements, the Town, working with the County, may proceed to construct, install, or modify said improvements of facilities in accordance with the applicable specifications and requirements. In either the case of a bond or a letter of credit, the Town, working with the County, shall make whatever claims and/or drafts are necessary in order to obtain the funds necessary to so construct or install said improvements of facilities. The default provision of this Section (8.4) shall not apply when the governing body acts to permit the subdivider to remove their subdivision from the land records of Fayette County in accordance with the provision of these regulations.

8.5 Miscellaneous.

8.5.1 One or more bonds or irrevocable letters of credit or any combination thereof shall be held to be in compliance with this Section (8) so long as the total is equal to the total required; provided, however, that no bond or irrevocable letter or credit shall be released for a lesser or smaller portion of the construction or installation work that is required by these regulations and/or other County specifications and requirements to be installed or constructed as a unit.

8.5.2 If subsequent to the posting of a bond or irrevocable letter of credit under these regulations, it can be established that the amount thereof is more than required because subsequent estimates by the County establish that the work can be constructed or installed for a lesser amount than the amount of the bond posted or deposited thereunder, the bond or irrevocable letter of credit so posted may be released proportionately.

## SECTION 9

### ACCEPTANCE AND GUARANTEE OF COMPLETED MINIMUM IMPROVEMENTS

- 9.1 Completion. At such time as any or all improvements are completed, the subdivider shall notify the Zoning Administrator and the applicable agencies/departments within Fayette County, in writing, accurately identifying the improvements covered and requesting a final inspection of the same. All testing, core sampling or other requirements for verifying that the work conforms to the standards shall be completed, submitted to and reviewed and approved by the Zoning Administrator and the applicable agencies/departments within Fayette County, and any work required to bring said improvements into compliance with said standards completed prior to this notification. Facilities will not be accepted unless they conform to the Town of Woolsey standards as well as Fayette County standards.
- 9.2 Maintenance Bond or Letter of Credit. Upon final approval of the minimum improvements by the County Engineer and the Director of Public Works, and upon the subdivision, or subject phase thereof, reaching the eighty (80) percent build-out stage as determined by the number of building permits issued relative to the number of buildable lots platted, the subdivider shall submit to the Director of Public Works a bond or irrevocable letter of credit for the purpose of guaranteeing the materials and workmanship of the minimum improvements for a period of twelve (12) months. Any performance bonds or letters of credit posted under the provisions of Section 8 will be returned upon receipt of said bond or letter of credit. If, during the twelve (12) month maintenance period, or need for repairs to the road shoulder and/or ground cover, the subdivider will be notified in writing by the Director of Public Works and informed of the measures to be taken to repair the facilities. If the subdivider has not taken action within thirty (30) days of said notification, the Public Works Director shall take such steps as are necessary to claim funds from the bond or letter of credit to adequately reimburse the County for its expenses associated with making the repairs itself.
- 9.2.1 Facilities shall not be accepted unless they conform to these regulations and applicable County specifications.
- 9.3 Acceptance. Upon receipt of the maintenance bond or letter of credit the Public Works Director shall within thirty (30) days request that the Town Council of Woolsey formally accept the roads into the Fayette County road system, subject only to the terms of the maintenance bond or letter or credit.

## SECTION 10

### VIOLATION AND PENALTIES

- 10.1 Violations
  - 10.1.1 It shall be unlawful to convey or improve property by the construction of buildings on lots of any land subdivision which has not been approved and recorded as provided in these regulations, except those parcels recorded prior to the effective date of these regulations.
  - 10.1.2 It shall be unlawful to record a subdivision plat, or once recorded, to make any changes thereon whatsoever which have not been approved by the Zoning Administrator and the Town Council in accordance with the provisions of these regulations.
  - 10.1.3 Each Day's Violation a Separate Offense. Each and every day's violation of any provisions of this Ordinance shall constitute a separate offense.
- 10.2 Penalties. Any person or persons, firm or corporation or association of persons who shall divide and offer for sale any real estate in violation of the terms or provisions of this Ordinance shall, upon conviction therefor in the Recorder's Court, be punished as provided by the County Code.

## SECTION 11

### LEGAL STATUS

- 11.1 Effect of Invalidity of Part of Ordinance. Should any section or provision of this Ordinance be decided by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole or any thereof other than the part so decided to be unconstitutional or invalid.
- 11.2 Conflict with Other Laws. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- 11.3 Amendment. The Town Council shall have the authority to amend these regulations after a public hearing thereon.
  - 11.3.1 Notice of the time and place of such public hearing shall be published in a newspaper of general circulation in the Town of Woolsey at least fifteen (15) days prior to such meeting.
  - 11.3.2 In cases of undue hardship under this Ordinance the property owner may petition the Zoning Administrator for relief and where the Zoning Administrator concurs it will prepare and send to the Town Council such amendment as is considered necessary and equitable. In the case the Zoning Administrator fails to concur, the property owner may then appeal to the Town Council for relief.