

Subdivision Regulations
of the City of
Chatsworth, Georgia

_____[Date]_____
Final Version

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Article 1
General Provisions And Enforcement

1.1 Short Title. All regulations contained in this Ordinance shall hereafter be known, cited and referred to as the Subdivision Regulations of the City of Chatsworth, Georgia.

1.2 Authority and Purpose.

a. Authority. This Ordinance is adopted pursuant to the authority delegated to the city of Chatsworth, Murray County under Article IX, Section II of the Georgia Constitution, as amended, the Georgia Coordinated Planning Act of 1989, as amended, home rule powers, and state administrative rules for the adoption and implementation of Comprehensive Plans.

b. Purpose. This Ordinance is enacted for the following purposes:

1. To encourage economically sound and stable land development and to further the orderly development of land;
2. To assure the provision of required streets, utilities, and other facilities and services to land developments;
3. To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian in land developments;
4. To assure the provision of needed public open space and building sites in land developments through the dedication or reservation of land for recreational, educational and other public purposes;
5. To prevent the pollution of air, land, streams, and ponds, as well as encourage the wise use and management of natural resources throughout the city, and preserve the topography and beauty of the community and the value of land;
6. To assist the general public, who generally lacks the specialized knowledge needed to evaluate subdivision improvements and design; and,
7. To promote the goals, objectives, policies, and the Future Land Use Map of the adopted comprehensive plan, entitled, *Murray County, Chatsworth, Eton Joint Comprehensive Plan: 2005-2025*, as amended.

1.3 Jurisdiction.

- a.** The provisions in this Ordinance shall be applicable in the incorporated areas of the City of Chatsworth, Georgia.
- b.** When necessary to further its purposes, this Ordinance may be amended by the Mayor and Council of Chatsworth. Amendment of this Ordinance shall follow the same procedure as followed by the city in amending or adopting other city ordinances.

- 1.4 Use of Plat.** After the adoption of this ordinance, the transfer of, sale of, agreement to sell, or negotiation to sell land by reference to or exhibition of, or other use of a plat of a subdivision that has not been given final approval by the Building Inspector and recorded in the office of the Clerk of the Superior Court of Murray County is prohibited; and the description by metes and bounds in the instrument of transfer or other document shall not exempt the transaction from such penalties. Valid pre-existing lots, described by deed or plat, or both, and being lots of record, and created prior to the adoption of this ordinance, shall not be affected by this ordinance unless said lot or lots are modified or further subdivided. [See the Chatsworth Zoning Ordinance Article III, General Provisions, Section L, Lots of Record for additional guidance. [Note: Need to amend Zoning Ordinance to add a Lot of Record section for guidance.]
- 1.5 Platting Authority.** By authority of the Mayor and Council of the City of Chatsworth, the Chatsworth Planning Commission does hereby exercise the power and authority to review, approve, conditionally approve, disapprove preliminary plats for major subdivisions of land, and to grant variances from the requirements of this Ordinance. The Building Inspector shall exercise the power and authority to review and approve final plats for both major and minor subdivisions as set forth in this Ordinance.
- 1.6 Fees.** Permit, application, and/or fees shall be adopted by resolution in a public meeting of the City Council, from time to time by the Mayor and Council of Chatsworth.
- 1.7 Enforcement and Penalties.** The Building Inspector shall be the general administrative and enforcement officer of this Ordinance. Pursuant to OCGA §36-1-20(b), any person, firm, or corporation violating any provision of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed one thousand dollars (\$1,000.00,) or by imprisonment in the county jail for not more than sixty (60) days, or both

Each day's continuance of a violation shall be considered a separate offense. The owner of any land or parts thereof, where anything in violation of this ordinance shall be placed, or shall exist, and any person who may have assisted the commission of any such violation, shall be guilty of a separate offense. The Municipal Court of the City of Chatsworth shall have jurisdiction on any offense charged under this paragraph unless removed to the Murray County Superior Court for a jury trial pursuant to OCGA §15-10-61.

In any case in which any lot or parcel is, or is proposed to be, used in violation of this adopted Ordinance or any amendment thereto, the Mayor and Council or any owner of adjacent real estate may, in addition to other remedies provided by law, institute injunction, abatement or any appropriate action or actions, or proceeding to prevent, to enjoin or abate such unlawful use.

Any subdivision of property in direct and/or deliberate violation of this ordinance could also result in penalties as follows:

- (a) A denial or withholding of water or sewer service in cooperation with the Chatsworth Water Works Commission, to any part or portion of the property in violation; and
- (b) A denial or a withholding of building permits from the city of Chatsworth to any part or portion of the property in violation.
- (c) **Issuance of Stop Work Orders.** The Building Inspector or his/her agent is authorized to issue stop work orders in any instance where a violation of this ordinance is found. The procedure for issuance stop work orders shall be the same as the notification procedure for violations as follows:

1) Violations. In cases where a violation of this ordinance has been determined by the Chatsworth Building Inspector, he/she shall notify the owner of the property on which such violation is found in person or by certified mail sent to the address of the property owner as it appears in tax information. The notice of violation shall clearly state the nature of the violation, including specific provision(s) of this Article which have not been complied with, and the date upon which said violation(s) will be remedied. Said date will be determined by the Building Inspector based on the nature and extent of the violation, but in no case shall exceed thirty (30) days from the date the certified mail was received. In cases where the notice of violation is hand-delivered, the date upon which said violation(s) is remedied shall not exceed thirty (30) days from the date of delivery.

1.8 Interpretation, Conflict and Severability.

- a. In their interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements. More stringent provisions may be required if it is demonstrated that different standards are necessary to promote the public health, safety and welfare.
- b. Where the conditions imposed by any provisions of this Ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this Ordinance or of any other applicable law, ordinance, resolution, rule or regulation of any kind, the regulations which are more restrictive and impose higher standards or requirements shall govern.
- c. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or void, the validity of the remaining portions of these regulations shall not be affected thereby. The intent of the Mayor and Council in adopting this Ordinance is that no portion hereof or provision of the regulations contained herein shall become inoperative or fail by reason of the unconstitutionality or invalidity of any section, subsection, sentence, clause, phrase of provisions of this Ordinance.

Article 2 Definitions

2.1 Purpose. For the purpose of this Ordinance and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tense; words used in the singular number include the plural, and words in the plural number include the singular; the word "person" includes a firm, partnership, or corporation as well as an individual; the term "shall" is always mandatory and not discretionary; the word "may" is permissive. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied". Words, terms and phrases not specifically defined herein, shall have their common meaning (in the context in which they are used) in accordance with the most recent edition of Webster's New World Dictionary.

Definitions. The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout this Ordinance. Terms not herein defined shall have the meaning customarily assigned to them as provided hereinabove:

Access. The right to cross between public and private property, thereby permitting pedestrians and vehicles to enter and leave property.

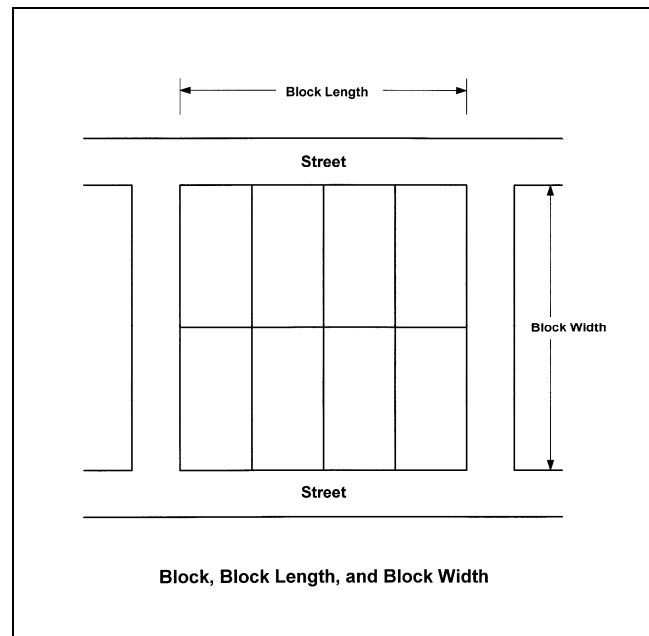
Block. An area of land within a subdivision that is entirely bounded by streets, or by streets and the exterior boundary or boundaries of the subdivision, or a combination of the above with a river or lake. (See Figure 2-1.)

Bond. A legal instrument with a clause which establishes a sum of money fixed as a penalty, binding the parties to pay the same; conditioned, however, that the payment of penalty may be avoided by the performance of certain acts.

Building. Any structure attached to the ground which has a roof and which is designed for the shelter, housing or enclosure of persons, animals or property of any kind.

Building Inspector. Appointee of the Mayor and Council of Chatsworth responsible for executing the administrative tasks identified in this Ordinance, and for the functions herein enumerated.

Figure 2-1



Common Elements. Any portion of a development, which is held in common by owners of the development.

Comprehensive Plan. Any plan adopted by the Mayor and City Council of the City of Chatsworth, or portion of such plan or plans. This definition shall be construed liberally to include the major thoroughfare plan, master parks and recreation plan, or any other study, document, or written recommendation pertaining to subjects normally within the subject matter of a Comprehensive Plan (if formally adopted by the local governing body) as provided by the Georgia Coordinated Planning Act of 1989.

Conservation Areas, Primary. Property qualifying as a conservation use property is located outside of building envelopes and lots established for building purposes and includes: 1) steep mountain slopes containing at least 5,000 square feet of contiguous area with twenty-five (25) percent slope or greater; 2) land within the 100-year floodplain; 3) wetlands; 4) water bodies larger than 5,000 square feet; 5) riparian zones at least seventy-five (75) feet wide along both sides of all perennial and intermittent streams; and 6) populations of endangered or threatened species or habitat for such species.

Conservation Areas, Secondary. Prime farmland, natural meadows, mature woodlands, farm fields, localized aquifer recharge areas, and land containing scenic views and sites, critical wildlife habitat, and sites of historic, cultural, or archaeological significance, located outside of building envelopes and lots established for building purposes.

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

Conservation Design Subdivision. A subdivision where open space is the central organizing element of the subdivision design, with all primary and all or some of the secondary conservation areas within the boundaries of the subdivision identified and permanently protected.

Crosswalk. A right-of-way within a block dedicated to public use, intended primarily for pedestrian use, and designed to provide access to adjacent roads and lots.

Cut. A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to excavated surface. Also known as excavation.

Design Standards. The design specifications for the preparation of plats, both preliminary and final, indicating, among other things, the optimum, minimum, or maximum dimensions of such items as right-of-way, blocks, easements, and lots.

Easements. A grant by a property owner for the use of a strip of land by an individual, company or agency for a specified purpose. (See Figure 2-2.)

Erosion and Sedimentation Control Plan. A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity. Such a plan is completed pursuant to the City of Chatsworth Soil Erosion and Sedimentation Control Ordinance.

Escrow. A legal agreement between the developer and the city of Chatsworth or the appropriate agency or utility in lieu of actual performance and intended to assure performance.

Filling. The placement of any soil or other solid material either organic or inorganic on a natural ground surface or an excavation.

Finished Grade. The final grade or elevation of the ground surface forming the proposed design.

Flood. An overflow of lands not normally covered by water that results in significant adverse effects in the vicinity.

Governing Authority. The Mayor and Council of the city of Chatsworth, Georgia.

Grading. Altering surfaces to specified elevations, dimensions, and/or slopes; this includes stripping, cutting, filling, and stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.

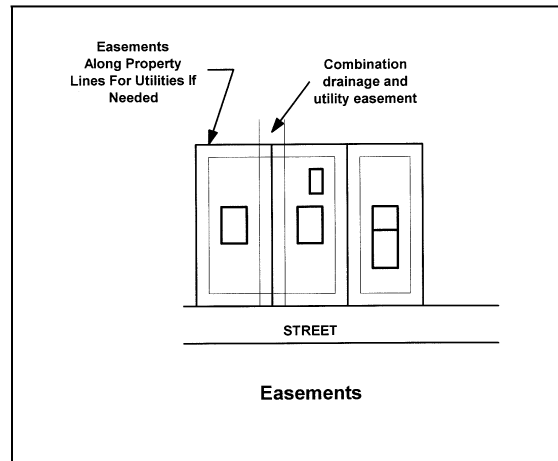
Health Inspector. The legally designated County Health Sanitarian of the Murray County Health Department, or his authorized representative.

Homeowner's Association. An organization formed for the maintenance and operation of the common areas of a development, where membership in the association is automatic with the purchase of a dwelling unit or lot within the development, with the ability to legally assess each owner of a dwelling unit or lot and which has authority to place a lien against all dwelling units and lots within the development.

Individual Sewage Disposal System. A septic tank, seepage tile sewage disposal system, or any other sewage treatment device, other than a public treatment system, approved by the Murray County Public Health Department.

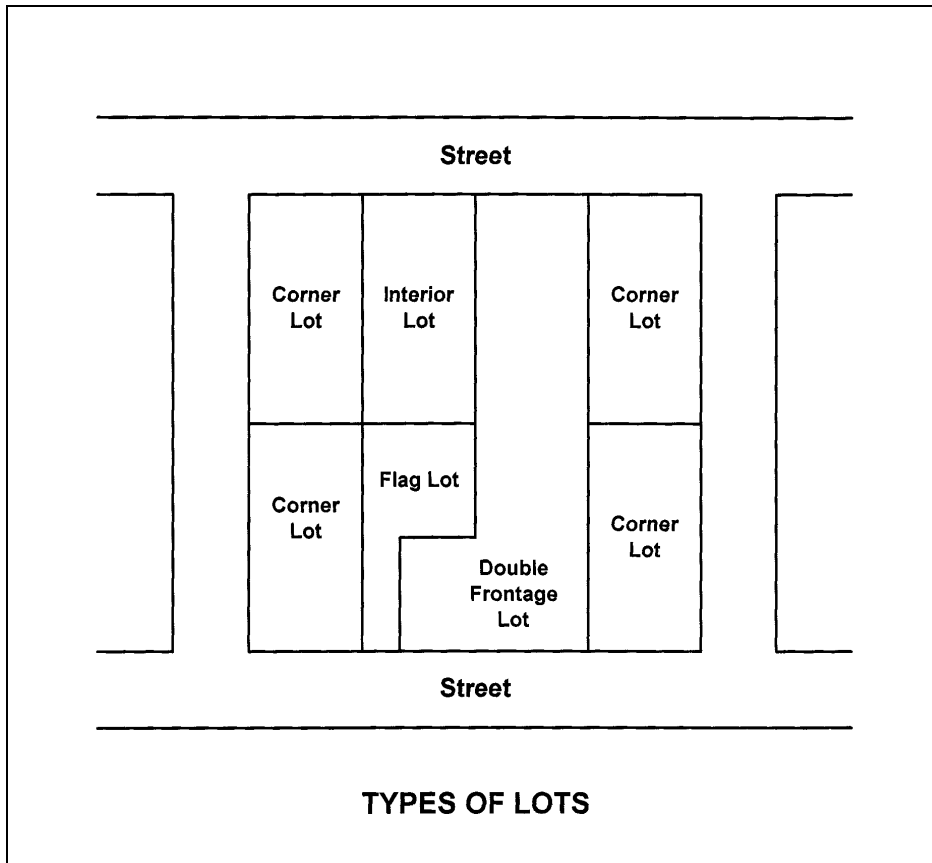
Issuing Authority. The governing authority of the city of Chatsworth which has been certified by the Director or the Environmental Protection Division of the Department of Natural Resources as an issuing authority, pursuant to the Erosion and Sedimentation Act of 1975, as amended.

Figure 2-2



Land-Disturbing Activity. Any activity which may result in soil erosion from water or wind and the movement of sediments into State water or onto lands within the State, including, but not limited to, clearing, dredging, grading, excavating, transporting and filling of land. [Notice: Call before you dig. Georgia Underground Protection Center (GA 1-Call)].

Figure 2-3



Lot. A developed or undeveloped tract of land in one ownership legally transferable as a single unit of land.

Lot Area. The total surface area of land included within lot lines.

Lot, Corner. A lot or parcel of land abutting upon two or more streets at their intersection.

Lot Depth. The mean horizontal distance between the front and rear lot lines measured within the lot boundaries. On corner lots, lot depth is measured from the street frontage with the shortest dimension.

Lot, Double Frontage. A lot other than a corner lot abutting two streets.

Lot, Flag. A tract or lot meeting minimum street frontage requirements, but shaped in such a manner that the portion of the lot closest to the street (the "pole") can only be used for access

purposes and not as a functional yard or buildable area. The buildable portion (the “flag”) of the lot is located some distance from the street R/W, behind other conventional lots that already front the street.

Lot Frontage. That dimension of a lot or portion of a lot abutting on a street.

Lot, Interior. A lot other than a corner lot.

Lot Lines. The boundary dividing a given lot from the street, an alley, or adjacent lots.

Lot of Record. A lot which is part of a subdivision recorded in the Murray County Superior Court Clerk's Office, or a lot described by metes and bounds, the description of which has been recorded in the Murray County Superior Court Clerk's Office prior to the date of passage of this Ordinance.

Lot, Through. A lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot.

Lot Width. The distance between the side lot lines measured at right angles to the lot depth at the established front building line.

Lot Width, curvilinear frontage. For a lot having the majority of its frontage on a circular turnaround or curved street, the lot width shall be the distance between the side lines of the lot, measured as if tangent at the midpoint of the arc of the front property line and parallel to the chord of the arc, where the minimum required distance is obtained. The lot width line is synonymous with the front building line in this example.

Natural Ground Surface. The ground surface in its original state before any grading, excavation or filling takes place.

Owner(s) of Record. The owner(s) of property as specified on the deed of the lot of record.

Percentage of Grade. On street center line, means the distance vertically (up and down) from the horizontal in feet and tenths of a foot for each one hundred (100) feet of horizontal distance.

Planning Commission. The Chatsworth Municipal Planning Commission.

Plat.

- 1. Preliminary.** A detailed drawing or map of a proposed subdivision submitted to the Planning Commission for review meeting requirements herein enumerated and showing the proposed layout in sufficient detail, although not completely computed, to indicate unquestionably its workability.
- 2. Final.** The final map or drawing and accompanying materials described in this ordinance on which the subdivider's plan of the subdivision is presented to the Building Inspector for approval and which, if approved, is recorded in the Office of the Murray County Clerk of Superior Court.

Pre-Submittal Conference. An initial and informal stage of subdivision review at which the developer may make known preliminary plan proposals and the Building Inspector may respond and/or advise the developer concerning the subdivision standards.

Protective Covenants. Contracts made between private parties or conditions recorded with an approved plat and running with the land, specifying the manner in which land may be used, developed, or improved with the view to protecting and preserving the physical and economic integrity of any given area.

Reserve Strip. A strip or parcel of land along, or around, or between properties, the purpose of which is to restrict access.

Re-Subdivision. A change in a map of any approved or recorded subdivision plat altering the lots incorporated within the confines of the original plat.

Right-Of-Way. A strip of land designated, reserved, dedicated, occupied, or purchased for the purpose of pedestrian or vehicular access, road, railroad, sanitary or storm water, water main, shade trees, or utility line installation, or other special use.

Roadway. The actual road surface including necessary road shoulders and drainage facilities including ditches and curbing and guttering, which is utilized to transport motor vehicles.

Roadway Drainage Structure. A device, such as a bridge, culvert, or ditch composed of a virtually non-erodible material such as concrete, steel, plastic, or other material that conveys water under a roadway by intercepting the flow on one side of a traveled way consisting of one or more defined lanes, with or without shoulder areas, and carry water to a release point on the other side.

Sanitary Sewer. A municipal or community sewerage collection, treatment, and disposal system.

Sediment. Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, ice, or gravity; the product of erosion.

Setback Line. The line that is the required minimum distance from the street right-of-way line or any other lot line that establishes the area within which the principal structure must be erected or placed.

Slope. Degree of deviation of a surface from the horizontal, usually expressed in percent or degree.

Stabilization. The process of establishing an enduring soil cover of vegetation and/or mulch or other ground cover and/or in combination with installing temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

State Waters. Any and all rivers, streams, creeks, branches, lakes reservoirs, ponds, drainage systems, springs, wells and other bodies of surface or subsurface water, natural or artificial, lying

within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership or corporation.

Stop Work Orders. A notice from the Chatsworth Building Inspector or Mayor and Council of Chatsworth or their representative that requires all work on a development to cease except corrective measures to the violation stated in the notice.

Street. A right-of-way for vehicular traffic, whether designated as street, highway, thoroughfare, parkway, road, avenue, drive, expressway, boulevard, lane, place, circle, or alley. (The following definitions are consistent with the Georgia Department of Transportation Functional Classification System, but in the event of a conflict, the definitions of this ordinance shall control.)

1. **Arterials.** Roads designed to carry rapid, continuous traffic to major magnets within the city; will usually pass through or near the heart of a municipality, connecting residential, commercial, industrial and public activity areas.
2. **By-Pass.** A highway designed for fast, continuous movement of all types of traffic between highways and widely separated parts of the urban area. By-passes generally have limited or controlled access and are usually grade-separated at railroads and major crossings.
3. **Collector Streets.** A street bringing traffic to arterials, or interconnecting arterials. A street that provides for relatively easy movement at moderate speeds from homes and businesses to arterials.
4. **Local Streets.** A street providing direct access to abutting properties.
5. **Alley or Service Drive.** A minor access way used for service access, or property access under specified circumstances, to the back or side of properties otherwise abutting on a street.
6. **Frontage Street.** A street parallel and adjacent to major thoroughfares or arterial streets which provides access to abutting properties with protection from through traffic.
7. **Cul-De-Sac.** A local street or road with only one outlet and having an appropriate terminus for the safe and convenient reversal of traffic movement.
8. **Half-Street.** A street or road adjacent to a subdivision tract boundary where only one-half the required right-of-way and road improvements are provided within the proposed subdivision and the responsibility for the other one-half is undecided or is left to the adjacent property owner.

Street (Private). A right-of-way serving two or more properties that is not dedicated to public use. Any such right-of-way shall be recorded on a plat or deed with a statement that the right-of-way will not be maintained by a government entity. [Note: These rules do not advocate or allow a subdivision where the lots created therein have principal frontage upon an access easement.]

Street (Public). A right-of-way arising by purchase, dedication, or public use which is maintained by a government entity or agency thereof; accessible to, supported and shared by all members of the public.

Street Line or Right-of-Way Line. A dividing line between a lot, tract, or parcel of land and a contiguous street.

Subdivider. Any person, as defined by this Ordinance, who undertakes the subdivision of land, and any person having such a proprietary interest in land to be subdivided as will authorize the maintenance of proceedings to subdivide such land under this Ordinance, or the authorized agent of such person.

Subdivision. The division of a tract or parcel of land into two (2) or more lots, building sites, or other divisions for the purpose, whether immediate or future, for sale, legacy, or building development, and includes re-subdivision and leaseholds of property, but not buildings and, when appropriate to the context, relates to the process of subdividing or to the land or area subdivided. With the exception of Conservation Design Subdivisions as addressed in Article 6 of this Ordinance, the resulting lot dimensions must conform to the minimum lot dimensions specified in the Chatsworth Zoning Ordinance and/or the regulations of the Murray County Board of Health for Individual On-Site Sewage Management Systems, if applicable. For the purpose of this Ordinance the definition of a subdivision is broken down into three subcategories as follows:

- 1. Exempt Subdivisions of Land.** Divisions of land that have the following characteristics are exempt from review and action by the Planning Commission or the Building Inspector under the subdivision regulations as set forth in this ordinance. Such exemption shall not require the City of Chatsworth to issue permits for construction if the resulting lots or parcels fail to meet any applicable regulations of the city concerning lot size, lot width, access, and other dimensional requirements. (Note: If the subject lot is within 200 feet of public sewer, then the connection to public sewer is mandatory. If the subject subdivision is within 500 feet of public sewer, then the connection to public sewer is mandatory.)
 - a. the sale of entire lots consistent with a previously approved and recorded plat or deeds;
 - b. the sale of the total area of an existing lot(s) or parcel(s) or a portion(s) of any lots to one (1) or more adjoining landowners(s) for recombination into one (1) or more adjacent lots or parcel so that the total number of lots is not increased and all resulting lots meet or exceed the requirements of this ordinance;
 - c. the acquisition of right-of-way by any county, city, governmental unit, or the Georgia Department of Transportation (GDOT).
- 2. Minor Subdivisions of Land.** All subdivisions of land, which front on an existing public or private street, as defined by this ordinance (see definition for “Street” in this Article above); do not require any new or improved street; do not require a request for variance from any of the provisions of this Ordinance; do not require the extension of

public utilities on public rights-of-way [does not mean individual stub-outs]; and, are not in conflict with any of the provisions of this Ordinance.

Lots, eligible for approval as a minor subdivision, are often created from larger tracts of land. In such cases, a deed description or the use of break lines (not to scale) to show the relationship of the larger tract to the smaller lots is acceptable. In such cases, the smaller lots must still meet the submittal requirements for a minor subdivision in Section 4.5. The following specific examples are included as minor subdivisions:

- a. the division of land between or among heirs or beneficiaries in accordance with the Georgia Probate Code and approved by the Murray County Probate Judge. (Divisions by Probate processes are encouraged to comply with prevailing subdivision regulations because in the future such lots may not be owned or occupied by heirs.);
- b. the division of a portion of a lot or parcel by the owner thereof solely for the purpose of placing said divided portion as collateral for a security instrument.
- c. the division of land between immediate family members provided that such divisions meet all requirements of this ordinance in the creation of lots or building sites as outlined in Section 4-5.

3. **Major Subdivisions of Land.** All subdivisions not classified as exempt or minor subdivisions. (Note: New street construction or extensions of public water, sewer service, or other utility service are required in a major subdivision.)

Townhouse. One single-family dwelling unit connected in a row of at least two (2) such units in which each unit has its own lot with a front and rear yard, and no unit is located over another unit, and each unit is separated from any other unit by one (1) or more common fire resistant walls.

Variance. A minimal relaxation or modification of the strict terms of this Ordinance granted by the Planning Commission where such modification will not be contrary to the public interest, and where, owing to conditions peculiar to the property such as irregular lot size, topography, or other characteristics of the land, and not as the result of any action on the part of the property owner, a literal enforcement of this Ordinance would result in unnecessary and undue hardship. Such modification may not authorize, however, the creation of a lot(s) that contain less square footage than the minimum standard established by this Ordinance or the Chatsworth Zoning Ordinance.

Water Course. Any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

Water System.

- 1. Public Water System** - a system for the provision to the public of piped water for human consumption, if such system has at least fifteen service connections, or regularly serves an average of at least twenty-five (25) individuals daily, at least sixty (60) days out of the year in accordance with the Rules of Georgia Department of Natural Resources, Environmental Protection Division, Chapter 391-3-5, "Rules for Safe Drinking Water" as amended.
 - a. Governmental Public Water System** - a public water system, which is owned and operated by a governmental entity, or a legislatively-created authority. Such connections must also be consistent with the terms of the local Service Delivery Agreement, as amended.
 - b. Non-Governmental Public Water System** - a public water system, which is owned and operated by any non-governmental entity.
- 2. Community Water System** - a system serving more than one single-family dwelling but fewer than the required connections and/or persons to be considered a public water system.
- 3. Individual Water Supply System** - means a system of piping, pumps, tanks, or other facilities, which utilizes groundwater to supply a single-family dwelling.

Article 3
Administration

- 3.1 Administration.** This Ordinance shall be administered by the Chatsworth Planning Commission and the Building Inspector designated by the Mayor and Council of Chatsworth.
- 3.2 Fees.** The city of Chatsworth is authorized to collect fees for the administration of the subdivision process based upon a fee amount that is assessed per lot in any proposed subdivision. In the case of a major subdivision, the fee shall be based upon those lots first presented upon a preliminary plat. For a minor subdivision, the fee shall be based upon those lots shown on the final plat. Such fee amount per lot may periodically be adjusted at the discretion of the Mayor and Council and shall be displayed in Appendix A of this Ordinance.
- 3.3 Variance/Conditions.** When there is a request from a subdivider, it must be in written form, and where the Planning Commission finds that extraordinary or unnecessary hardships may result from strict compliance with these regulations, and that the subdivider meets the conditions of a variance as defined, and as provided by the term “Variance” as defined in Article 2 above, the Planning Commission may vary the regulations so that substantial justice may be done and the public interest secured. Provided, however, that such variation will not have the effect of nullifying the intent and purpose of other plans and policies of the Governing Authority and such authority shall not include approval of a density variance (ie. cannot reduce the size of lots as established by the Zoning Ordinance of Chatsworth, unless a conservation design subdivision is subject to approval.)
- In granting variances and modifications, the Planning Commission shall require such conditions as will, in its judgment, secure substantially the objectives or standards or requirements so varied or modified.
- 3.4 Waiver.** When there is a request from a subdivider, in written form, and where the Planning Commission finds that, due to the special circumstances of a particular Plat, the provision of certain required improvements is not requisite in the interest of the public health, safety, and general welfare or is inappropriate to the proposed subdivision, the Planning Commission may waive such requirements subject to appropriate conditions.
- 3.5 Recording of Plats.** No plat of a subdivision of land within the city of Chatsworth shall be entitled to be recorded in the Office of the Clerk of Superior Court of Murray County, and it shall be unlawful to record such plat of land subdivision, unless and until the plat has received approval as a major or minor subdivision or is an exempt subdivision of land as defined in this Ordinance. The land developer owning the property represented on an approved minor or major subdivision plat shall be responsible for the timely recording of such plats in the Office of the Murray County Clerk of Superior Court.
- 3.6 Road Access Required.** Effective as of the adoption date of this ordinance, no building permit shall be issued for and no structure or accessory structure shall be erected upon any lot or parcel within the City of Chatsworth unless the road giving access thereto has

been either accepted or secured for acceptance into the Murray County road system as a public road or unless the road is fully constructed and designated as a private road meeting the requirements of Section 5.3-6. Any new development must meet all regulations set forth herein. [Note: These rules do not advocate or allow a subdivision where the lots created therein have principal frontage upon an access easement.]

3.7 Issuance of Building Permits. No building permit shall be issued for any proposed structure or building upon any lot or parcel within any proposed subdivision, when such lot or parcel has not been recorded in the Office of the Murray County Superior Court Clerk by a description of metes and bounds in an instrument of transfer (deed). Such lots must meet in every respect, the regulations set forth herein.

Article 4
Subdivision Submittal, Review and Approval Procedure

4.1 Purpose. The purpose of this article is to establish the procedure for review and action on submittals for subdivisions of land. The procedure is intended to provide for the orderly and expeditious processing of such submittals.

4.2 Conformance to Applicable Rules and Regulations. In addition to the requirements established in this Ordinance, all subdivision plats shall comply with all applicable laws, resolutions, rules, or regulations, including, but not limited to:

1. all applicable provisions of Georgia law, regulations, or policy (example: Georgia Utility Facility Protection Act);
2. the goals, objectives, and policies within, and Future Land Use Map of the adopted comprehensive plan, but subdivisions consistent with the zoning of the property shall be controlled by zoning;
3. the rules of the Murray County Public Health Department as applicable;
4. the rules, as applicable, of the Federal Highway Administration or Georgia Department of Transportation, if the subdivision or any lot contained therein abuts a State or Federally designated highway;
5. the standards and regulations, as applicable, adopted by all other boards, commissions, and agencies having jurisdiction; and,
6. any provisions that may apply as a result of any proposed development being located in an area designated by the Federal Emergency Management Agency (FEMA) as a potential flood hazard prone area.

Plat approval may be withheld if a subdivision is not in conformity with the above rules or with the provisions set forth in this Ordinance.

4.3 Pre-Submittal Conference. The pre-submittal conference will serve as an informal plan review involving the developer and Building Inspector. The Building Inspector and his designees, hereinafter referred to as “staff”, at that time shall determine if the submittal constitutes either an exempt, major, or minor subdivision. The purpose is to permit the subdivider to discuss his concept and proposed design. Further, staff can point out any factors that may have an impact on the proposed development and advise the subdivider of various possibilities before substantial amounts of time and money have been invested in a very detailed proposal that may contain elements contrary to this Ordinance. During the pre-submittal conference regulations may be distributed, the schedule of Planning Commission meetings noted, and department approvals and agency contacts identified. The pre-submittal conference is highly recommended for new developers. While such conference is optional, those developers that are familiar with the process of plat approval in Chatsworth are still encouraged to participate.

4.4 Determination of Subdivision Type. Upon receipt of any subdivision plats, planning staff shall determine whether the proposed subdivision is an exempt, minor, or major subdivision of land as the term "subdivision" is defined in Article 2. No subdivision shall be considered exempt, unless so designated by the City of Chatsworth, through the Building Inspector, the Chatsworth Planning Commission, or other proper agent of the City of Chatsworth.

4.5 Submittal, Review, and Approval Procedure for a Minor Subdivision. Subdividers requesting review and action on a minor subdivision plat shall follow the procedure described below.

4.5-1 Submittal Requirements.

- a. A final plat that has been prepared in accordance with Section 4.6-2(d) shall be submitted to the Building Inspector for action, together with the prescribed fee and evidence that no taxes or assessments are outstanding against the property.
- b. Where the subdivision involves a townhouse development, a plat including additional site plan specifications shall be required [Section 4.6-2(e)]. A plat including these additional specifications may be presented in addition to or in lieu of a plat not containing these additional features.

4.5-2 Review Procedures.

- a. The Building Inspector will review the plat for compliance with minimum plat specifications [Section 4.6-2(d)], design standards (Article 5) and conformance with all other applicable rules and regulations (Section 4.2).

4.5-3 Approval Procedures.

- a. Upon presenting the proposed final plat and site plan, if applicable, to the Building Inspector, all applicable "Certificates of Approval" shall already be endorsed except for the "Certificate for Approval of Recording."

The Building Inspector shall approve or deny the final plat and/or site plan within fifteen (15) working days of its submittal. However, the developer may waive this requirement and consent to an extension of this period.

- b. Where a minor subdivision proposes access to a State Highway, the Georgia Department of Transportation shall determine the feasibility of such access (Georgia Code of Public Transportation, Section 32-6-151). The Building Inspector shall include the requirements of the Department of Transportation in any action taken upon a proposed minor plat.
- c. If plat and/or site plan approval is denied by Building Inspector, the subdivider may request that the Planning Commission review the plat and/or site plan, pursuant to the submittal and approval procedure contained in Section 4.6-2, in which case the action of the Planning Commission shall be final.

4.6 Submittal, Review and Approval Procedure for a Major Subdivision. Any applicant requesting approval of a proposed major subdivision shall follow the procedure described below in order to secure approval. Subdividers wishing review and action on a major subdivision shall follow the procedure described below.

4.6-1 Preliminary Plat. Subsequent to an optional pre-submittal conference with the Building Inspector and before any grading, site development, or construction begins, the subdivider shall submit a preliminary plat pursuant to the following sequence of submittal, review and approval procedures.

- a. Submittal Requirements.** The subdivider shall submit a preliminary plat that has been prepared in accordance with Section 4.6-1(d), together with prescribed fee, to the Building Inspector, who will coordinate with the Planning Commission and other interested parties the activities of the review and approval process.

When the subdivision involves a townhouse development or is considered a conservation design subdivision, a plat, including additional site plan specifications, shall be required [Section 4.6-2(e)]. Preliminary plats including all site plan specifications may be presented, or the plats and site plans may be submitted separately.

A minimum of five (5) copies of the preliminary plat (seven (7) copies where subdivision proposes access to a State Highway) and supporting documentation shall be submitted to the Building Inspector. The submission shall occur a minimum of fifteen (15) working days prior to the meeting date of the Planning Commission at which the subdivider desires the Planning Commission to take official action. At the discretion of the Building Inspector, this time limit may be waived.

If a subdivision proposes access to a State Highway, then the Department of Transportation shall receive two (2) copies of the proposed plat to determine the feasibility of such access (Georgia Code of Public Transportation, Section 32-6-151). The Planning Commission shall include the requirements of the Department of Transportation in any action taken upon a proposed plat.

In the event that the subdivider plans to secure approval of his subdivision layout by the Federal Housing Administration or other Federal or State Agency, it is suggested that such approval be secured prior to the submission of a Preliminary Plat to the Planning Commission.

- b. Review Procedures.** Review of the preliminary plat is the most important step in any development review in order to identify problems or obstacles that will inhibit the proposed development. The Building Inspector will review the plat for compliance with minimum plat specifications [Section 4.6-1(d)], design standards (Article 5) and conformance with all other applicable rules and regulations (Section 4.2). The Building Inspector will coordinate and forward copies of the plat such that all affected parties, including but not limited to those responsible for

streets, drainage, provisions for fire, water, sewer, and other infrastructure may conduct individual reviews of the plat.

- c. Approval Procedures.** The Building Inspector will direct the preliminary plat to the Planning Commission for review and action. Within ninety (90) days after the date of review by the Planning Commission, the Planning Commission shall approve, or approve with condition, or disapprove the preliminary plat.

Failure of the Planning Commission to act within ninety (90) days shall be deemed approval of the plat and a certificate to that effect shall be issued by the Planning Commission on demand; provided, however, that the applicant for the Planning Commission's approval may waive this requirement and consent in writing to the extension of the period. The grounds for disapproval of any plat shall be stated in writing upon the records of the Planning Commission and a copy of the grounds provided to the subdivider. After official action by the Planning Commission, a letter to the subdivider shall be issued by the Building Inspector notifying the subdivider of the official action. Any conditions attached to the official action shall be stated and if the preliminary plat is denied the reasons for denial shall also be stated.

Planning Commission approval of a preliminary plat shall be considered valid for a period of two (2) years from the date of plat approval.

- d. Preliminary Plat Specifications.** The preliminary plat shall be prepared by a Georgia Registered Land Surveyor; if a landscape architect or civil engineer contributed to the plat, then so indicate. The plat shall be drawn at a scale no smaller than one hundred (100) feet to an inch. The plat shall be drawn in permanent ink on reproducible material not exceeding 20 x 24 inches and shall include:

- (1) Proposed name of subdivision; with R/Ws and names of new streets and existing streets;
- (2) Name, address, and telephone number of person to be notified of action;
- (3) Name, address, and license number of the Register Land Surveyor responsible for the preparation of the plat;
- (4) Graphic scale, north arrow and date of plat preparation;
- (5) Total acreage in single parcel ownership by the subdivider; the total number of acres being subdivided; the total number of lots created; and the total linear length of streets.
- (6) A general location map showing the proposed development in relation to other adjacent properties and existing streets in the Chatsworth area;

- (7) The location and dimensions of all boundary lines of the property to the nearest hundredth of a foot and the deed record names of adjacent owners or subdivisions shall be identified;
- (8) The location and dimensions of existing rights-of-ways, streams (showing stream buffers, as amended), drainage structures, or utilities, buildings, lakes, and lands subject to flooding; if applicable, the 100-year flood plain should be shown and referenced appropriately;
- (9) Topography by contours at vertical intervals of not more than five (5) feet based upon Mean Sea Level (M.S.L.); the contour requirement may be waived or the interval adjusted up or down based on the need as determined by the Building Inspector;
- (10) The layout and scaled dimensions of all lots and streets; the location, purpose, and dimensions of all existing and future drainage ways and easements; the size of the drainage area in acres must be provided and the size and location of all existing and proposed drainage tiles shall be shown;
- (11) The location and dimension of all property proposed to be set aside for recreation use or other public use, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation;
- (12) Centerline profile of all proposed streets showing natural and finished grades and proposed street names; and a cross-section of the proposed street design.
- (13) Front setback lines;
- (14) Statements on the plat to indicate the applicable service to the proposed development:
 - water = public water or individual well
 - sewage disposal = public sewer or individual septic tanks

If a public water system is proposed using a well supply, then the proposed location of the well shall be shown. All existing wells shall be shown; rock outcrops, marshes, springs, and other outstanding topographic features shall be designated.

If individual septic tanks are proposed then soil types shall be shown upon the plat in compliance with the requirements of the Murray County Health Department.
- (15) Draft of proposed restrictive covenants, if any, to be imposed and designation of areas subject to special restrictions;
- (16) Environmentally sensitive areas: location of major river corridors, water supply watersheds, groundwater recharge areas, wetlands, the boundary and

elevation of the 100-year flood plain as determined by the past history of flooding or best available data;

- (17) A Soil Erosion and Sediment Control Plan as required by the City of Chatsworth Soil Erosion and Sedimentation Ordinance; [Such plan approval should parallel the subdivision plat approval process in order to avoid inconvenient delays in on-site work. Also, compliance with National Pollution Discharge Elimination System (NPDES) requirements administered by the Georgia Environmental Protection Division shall apply.]

4.6-2 Final Plat. Subsequent to approval of the preliminary plat, the developer shall submit a final plat pursuant to the following sequence of submittal, review, and approval procedures.

- a. Submittal Requirements.** Before a final plat is submitted to the Building Inspector for review and action, one of three criteria must have been met. These criteria are: (1) No public utilities extensions or public or private streets are necessary on the part of the developer; (2) The proposed public improvements which were approved in the Preliminary Plat have been completed in accordance with approved standards, and certificates of satisfactory completion have been obtained from the appropriate authority(ies); or (3) the developer/subdivider may submit an appropriate bond, irrevocable letter of credit, or funds in escrow in an amount not less than one hundred ten percent (110 %) of the estimated expenses of construction to proper standards and shall complete construction within one (1) year of the issuance of the first building permit for a lot along such road. Under such circumstances the security shall be posted with the applicable department or agency that will bear the responsibility of completing the public improvement(s) should the developer default.

Further, the developer/subdivider shall indemnify the city of Chatsworth, including, but not limited to all elected officials, employees, agents, attorneys, and anyone acting on behalf of the city of Chatsworth from any and all liability associated with any failure of the developer/subdivider in connection with his/her status as a National Pollution Discharge Elimination System (NPDES) permit holder, or any failure of the developer/subdivider to construct any public improvements to the standards required by the City of Chatsworth.

The developer shall submit the final plat to the Building Inspector, prepared in accordance with Section 4.6-2(d). When the subdivision involves a townhouse development or is considered a conservation design subdivision, a plat, including additional site plan specifications, shall be required [See Section 4.6-2(e)].

A minimum of five (5) copies of the final plat and site plan, if applicable, and all supporting documentation shall be submitted to the Building Inspector within two (2) years from the date the Preliminary Plat was approved; if not, such preliminary plat approval shall lapse.

If the developer places restrictions on any of the land contained in the subdivision greater than those required by this Ordinance, such restrictions or reference thereto shall be identified on the plat by the following statement: *Restrictive covenants apply to the subdivision of lots shown hereon.* Also, both the plat and covenants shall be recorded referencing each other. Conservation design subdivisions (Article 6, Sections 6.4-5 through 6.4-7) specifically require mechanisms for securing the ownership, maintenance, and perpetuity of open space established through the subdivision review process.

- b. Review Procedures.** The Building Inspector will review the plat for compliance with minimum plat specifications (Section 4.6-2(d)), design standards (Article 5) and conformance with all other applicable rules and regulations (Section 4.2).
- c. Approval Procedures.** From the date of plat submission, including all required supporting data and certifications, the Building Inspector shall approve or disapprove the final plat and/or site plan within thirty (30) days.

Failure of the Building Inspector to act within thirty (30) days after the date of submission shall be deemed approval of the plat and/or site plan and a certificate to that effect shall be issued by the Building Inspector on demand; provided, however, that the applicant for the Building Inspector's approval may waive this requirement and consent to the extension of the period. The grounds for disapproval of any plat and/or site plan shall be stated in writing and a copy of the grounds provided to the subdivider.

Approval of the final plat and/or site plan, if applicable, by the Building Inspector shall not be deemed an acceptance by the city or the public of any street or other ground shown upon the plat or site plan. The subdivider must prepare deeds of conveyance for each right-of-way or other public space and separate action is required before the Governing Authority.

- d. Final Plat Specifications.** The final plat shall be prepared by Georgia Registered Land Surveyor. If a landscape architect or civil engineer, licensed to practice in Georgia, contributes to the plat then appropriate seals, preferably at one hundred (100) feet to an inch, but in no case smaller than two hundred (200) feet to an inch shall be shown. The plat shall be drawn in permanent ink on reproducible material on sheet or sheets not exceeding 17 x 22 inches, and shall include:

- (1) Name of subdivision and street names;
- (2) Name, address, and telephone number of person to be notified of action;
- (3) Name, address, seal and license number of the Registered Land Surveyor; the signature of the surveyor shall be across the seal in black ink for the plat to be valid; also, seals of landscape architects or civil engineers, if appropriate;

- (4) Date of plat drawing, graphic scale, north point, notation as to the reference of bearings to magnetic, true north, or grid north and indication whether bearings shown are calculated from angles turned or taken from compass readings;
- (5) Location of tract (Land District and Land Lot) giving total acreage being subdivided; total number of lots created; and total length of new streets within the development;
- (6) Location sketch map showing the relationship of the plat to other existing streets and properties in Murray County;
- (7) Index map where more than one sheet is required to present plat; [Note: multiple sheets shall each be named to conform with the title sheet and designated for example: 1 of 3, 2 of 3, and 3 of 3];
- (8) Identify the point of beginning (P.O. B.) tied to the nearest existing street intersection or nearest land lot line or district line;
- (9) Exact boundary lines of the tract, to be indicated by a heavy line giving distances to the nearest one-hundredth (1/100) foot and angles to the nearest minute, which shall be balanced and closed with an error of closure to be one (1) foot in eighty-five hundred (8,500) feet or better. The error of closure shall be stated on the plat;
- (10) City, County or land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse the subdivision;
- (11) Street center lines showing angles of deflection and standard curve data of intersection, radii, length of tangents and arcs, and degree of curvature;
- (12) Lot lines with dimensions to the nearest one-hundredth (1/100) foot, necessary internal angles, arcs, and chords and tangent or radii of rounded corners;
- (13) Front setback lines;
- (14) Lots or sites numbered in numerical order or numbered in relationship to each phase of development;
- (15) Location, dimensions and purpose of all drainage structures and of any easements; including slope easements, and public service utility right-of-way boundaries, and any areas to be reserved, donated, or dedicated to public use or sites for other than residential use with notes stating their purpose and limitations; and of any areas to be reserved by deed covenant for common uses of all property owners;
- (16) Final plan of sanitary sewers (if applicable) with grade, pipe size and man-hole locations;

- (17) Final plan of water supply system (if applicable) with pipe sizes and location of valves, pipe and fire hydrants;
 - (18) Final plan of electrical, telephone, television cable, and gas (if applicable) service with locations shown, pipe and valves sized and located (as applicable);
 - (19) Accurate location of monuments and markers;
 - (20) The boundary and elevation of the 100-year flood plain as determined by the past history of flooding or best available data;
 - (21) Certificates and statements as specified in Section 4.6-2(f);
 - (22) If a Declaration of Covenants and Restrictions apply to the subdivision, then such covenants and restrictions shall be presented before the final plat is approved; the plat shall contain a statement: *Restrictive covenants apply to the subdivision of lots shown hereon.*
- e. Site Plan Specification Requirements.** In addition to the required specifications for a major subdivision plat, the site plan shall include:
- (1) location of parking spaces showing, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions;
 - (2) location of open space areas or recreational facilities;
 - (3) location of buffers and / or vegetation where required; and
 - (4) building locations.
- f. Final Plat Certificates of Approval.** Each final plat submitted shall carry "Certificates of Approval" appropriate to the particular development and signed by the appropriate departmental authorities. At least seven (7) certificates shall be required. Examples of these certificates follow. Certificates on the final plat must reflect the content of these model certificates, but the language of the certificates may be changed at the discretion of the Building Inspector to reflect special circumstances.
- (1) A certificate of ownership shall be affixed to the Final Plat. Two examples follow. The first example should be used in the case of the dedication of infrastructure and public grounds to the city. The second example should be used in the establishment of a property owner's association for the purpose of the maintenance of infrastructure and public grounds.

Certificate of Ownership

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision [and restrictive covenants thereto]. I (we) further certify that it is our intent to dedicate to the City of Chatsworth at the appropriate time all streets, drains, and public grounds shown hereon.

Owner

Owner

Date

Certificate of Ownership

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision [adopt restrictive covenants applicable thereto], and establish a property owner's association, (name of association) to retain and maintain for private use all streets, parks, drains, easements, and common grounds, shown hereon.

Owner

Owner

Date

- 2) A Registered Georgia Land Surveyor shall certify accuracy of the Final Plat. The following example should be used.

Final Accuracy and Design Certificate

I hereby certified that this plat is true and correct and was prepared from an actual survey of the property made by me or under my supervision: that all monuments shown hereon actually exist and their location, size, type, and material are correctly shown; and that all requirements of the City of Chatsworth Subdivision Regulations have been fully complied with, and approval of this subdivision plat does not relieve me of any liability associated with inaccuracies or improper design.

Registered Georgia Land Surveyor No. _____
(and Seal)

By _____

Date _____

- 3) A Certificate of Approval for Fire Protection shall be affixed to the Final Plat. The following example should be used.

Certificate of Approval for Fire Protection

I hereby certify that the location of the fire hydrants in this subdivision are installed (planned for installation) in conformance with recommendations of the City of Chatsworth.

Chatsworth Building Inspector

Date

- 4) The Final Plat shall bear certification of approval of a public water system and public sanitary system or public water and individual sewage disposal systems. If the subdivision is served by a public water system and public sanitary system that is installed in an acceptable manner, the first example certificate should be affixed to the Final Plat. If the subdivision is served by a public water system that is installed in an acceptable manner, then the second example certificate should be affixed to the Final Plat. If the subdivision is served by a individual sewage disposal system, then the third example certificate should be affixed to the Final Plat.

Certificate of Approval of a Public Water System and Public Sanitary System

I hereby certify that the public water system and the public sanitary system serving the lots on this Final Subdivision Plat have either been installed in accordance with the requirements of the city of Chatsworth, or that a bond or other surety has been filed to guarantee said installation in an acceptable manner according to the specifications of the city of Chatsworth.

Superintendent, Chatsworth Waterworks Commission

Date

(or)

Certificate of Approval of a Public Water System

I hereby certify that the water system outlined on this Final Subdivision Plat has either been installed in accordance with the requirements of the city of Chatsworth or a sufficient bond or surety has been posted to guarantee said installation in an acceptable manner

Superintendent, Chatsworth Waterworks Commission

Date

(or)

Certificate of Approval For On-Site Sewage Management System

The Murray County Health Department of Murray County, Georgia approves this Final Subdivision Plat for septic tank and drainage field disposal subject to any and all information as may be required by the Murray County Health Department.

Murray County Health Officer

Date

- 5) The Final Plat shall bear certification of approval for the proper construction and installation of public or private streets and the necessary drainage mechanisms for storm water conveyance.

Certificate of Approval For Streets and Drainage

I hereby certify that the new public or private streets and drainage structures serving the lots shown on this Final Subdivision Plat have either been installed in accordance with the requirements of the city of Chatsworth, or a bond or surety has been filed to guarantee said installation in an acceptable manner and according to the specifications of the City of Chatsworth.

Superintendent, Chatsworth Street Department

Date

- 6) In the interest of public safety, the Final Plat shall bear a certification of approving the names of subdivisions and new streets.

Certificate of Approval of Public Safety

I hereby certify that the subdivision name hereon and the names of the new streets hereon, public or private, are have been reviewed and found to comply with the requirements of the Chatsworth Subdivision Regulations.

Director, Murray County 911

Date

- 7) A Certificate of Approval for Recording shall be affixed to the Final Plat. Two examples follow. If the subdivision is a minor subdivision, the following example Certificate of Approval for Recording (Minor Subdivision) should be affixed to the Final Plat; if the subdivision is a major subdivision, the following example Certificate of Approval for Recording (Major Subdivision) should be affixed to a Final Plat.

Certificate of Approval for Recording (Minor Subdivisions)

The City of Chatsworth certifies that this plat complies with the Minor Subdivision provisions of the City of Chatsworth Subdivision Regulations, [with the exception of such variances, if any, as are noted on the plat and in the minutes of the Planning Commission], and that it has been approved for recording in the Office of the Clerk of the Superior Court of Murray County, Georgia.

Chatsworth Building Inspector

Date

Certificate of Approval for Recording (Major Subdivisions)

I hereby certify that the final subdivision plat shown hereon has been reviewed and found to comply with the City of Chatsworth Subdivision Regulations, [with the exception of such variances, if any, as are noted on the plat and in the minutes of the Planning Commission], and that it has been approved for recording in the Office of the Clerk of the Superior Court of Murray County, Georgia.

Chatsworth Building Inspector

Date

Article 5

Design and Improvement Standards

5.1 Purpose. The purpose of good subdivision and site design is to create a functional and attractive development, to minimize adverse impacts, and to ensure that projects will be designed to result in a well-planned community without adding unnecessarily to development costs.

5.2 General Principles of Design.

5.2-1 Site Analysis. An analysis shall be made of characteristics of the development site, such as site context, geology and soil, topography, climate, ecology, existing vegetation, structures, and road networks, visual features, and past and present use of the site. Development of the site shall be based on the site analysis. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alteration of natural features.

5.2-2 Suitability of the Land. Land which the Planning Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements or other features which would be harmful to the safety, health, and general welfare of inhabitants of the land and surrounding areas shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the Planning Commission to solve the problems created by the unstable land conditions.

5.3 General Subdivision Design Standards.

5.3-1 Monuments. The subdivider shall place permanent reference monuments in the subdivision as required herein and as approved by a registered surveyor. Monuments shall be located and set as follows:

- a.** Monuments shall be located on street right-of-way lines, at street intersections and at the beginning and ending points of curves.

- b. All lot corners shall be marked by iron rods, pipe, or pins at least eighteen (18) inches long and five-eighths inch in diameter.
- c. The lines of lots that extend to rivers or streams shall be monumented in the field by iron pins at least eighteen (18) inches long and five eighths inch in diameter or by round or square iron bars at least eighteen (18) inches long. Such pins shall be placed at the point of intersection of the river or stream and lot line, with a meander line established not less than twenty (20) feet back from the bank of the river or stream.
- d. All monuments and pins shall be properly set in the ground and approved by a Registered Surveyor prior to the time the Building Inspector recommends approval of the final plat or release of the bond where bond is made in lieu of improvements.

5.3-2 Name of Subdivision. The name of the subdivision must have approval of the Planning Commission or Building Inspector. The name shall not duplicate nor closely approximate the name of an existing subdivision within the city of Chatsworth or in any other Murray County jurisdiction.

5.3-3 Residential Development Design.

- a. The Planning Commission or Building Inspector may require alternative lot area and dimensions provided that lots conform to the minimum requirements of the Chatsworth Zoning Ordinance and provided that such standards shall be appropriate to the type of development permitted. The Planning Commission may also review and approve alternative lot area, frontage, setbacks, and /or heights as allowed by Article 6 Conservation Design Subdivisions, provided that such standards shall be appropriate to the type of development permitted and is used to protect natural resources. Deviation from the typical lot-by-lot requirements of the Blue Ridge Zoning Ordinance is applicable only to Conservation Design Subdivisions and the approval of the required subdivision plats and site plans.
- b. Every lot shall have sufficient access to it for emergency vehicles as well as for those needing access to the property for its intended use.
- c. The placement of lots in residential developments shall take into consideration topography, privacy, orientation, drainage, and aesthetics to enhance the benefit and enjoyment of residential occupancy into the future.

5.3-4 Industrial and Commercial Development Design. Commercial and industrial development shall be designed according to the same principles governing the design of residential developments; namely, buildings shall be located according to topography with environmentally sensitive areas avoided to the maximum extent practicable. Factors such as drainage, noise, odor, surrounding land uses and sufficient access shall be considered.

5.3-5 Circulation System Design. The road system shall be designed to permit the safe, efficient and orderly movement of traffic; to meet, but not exceed the needs of the present and future population served; to have a simple and logical pattern; to respect natural features and topography; and to present an attractive streetscape.

5.3-6 Access by Private Streets. Private streets may be permitted by the Planning Commission in subdivision developments where controlled access or privacy is desired by the developer provided such streets meet the following conditions. All private streets shall be constructed to the specifications of the city of Chatsworth, however, private streets within Conservation Design Subdivisions are provided additional flexibility as addressed in Article 6 and in Appendix B-II. The developer or developer's successor must provide access for emergency vehicles of the City of Chatsworth or any other governmental entity. [Note: These rules do not advocate or allow a subdivision where the lots created therein have principal frontage upon an access easement.]

- a. The preliminary and final plats of a development proposing private streets shall show a statement indicating: *The street system is private and will not be maintained or improved by the city of Chatsworth.*
- b. The plat review before the Planning Commission shall also include evidence of the legal formation of a property owners association to be charged with the minimum responsibility for maintenance of the private street. Such legal documentation shall be recorded and referenced as an attachment to the Final Plat.
- c. The deed for each lot or parcel sold from the plat shall also contain the statement: *The maintenance and improvement of the private street providing access to the described lot is the responsibility of the property owner(s) association and not the city of Chatsworth.*
- d. **Waiver of Liability:** Land developments, like condominiums, that are accessed by private internal streets or sharing commonly-owned parking areas may receive some city services, like solid waste service, only after the authorized officer(s) of the valid and functional homeowner's association executes a waiver of liability form that is available in the Office of the City Clerk. The completed form shall acknowledge that the city of Chatsworth is held harmless for damages to paved surfaces or landscaping while providing requested services to the private property.

5.3-7 Access by Easements. All lots created in the city of Chatsworth shall front upon a public or private street, meeting specific design standards. Access by easement [minimum width of twenty (20) feet] shall only be allowed as a secondary residential access or as a complementary cross-access between commercial or industrial lots already having the required minimum frontage on a public or private street.

5.4 Special Provisions Governing Unit Ownership (Townhouse Subdivisions)

5.4-1 General Provisions. Whenever a developer, the sole owner, or the co-owners of a building or buildings expressly declare through the submission of a master deed,

lease, or plat their desire to submit their property to a regime wherein there is established a horizontal property regime, each such townhouse or property regime created for the purpose of sale or transfer of real property is subject to the provisions of these standards.

5.4-2 Submission of Plat Required. Prior to the sale or transfer of any property incorporated in the property regime, the developer, sole owner, or co-owners of such property shall submit to the Planning Commission and obtain their approval of the subdivision plat of such property in the manner prescribed in this ordinance.

5.5 Lot Design Standards. All lots hereafter established in connection with the development of a subdivision shall comply with the following design standards.

- a. **Lot Lines** - Insofar as practical, side lot lines shall be perpendicular or radial to street lines.
- b. **Jurisdictional Limits and Lot Lines** - Lots shall not be divided by city or county boundary lines.
- c. **Lot Frontage** - Each lot created shall have direct abutting frontage to an approved public or private street. Each lot must front for at least fifty (50) feet upon an approved street. Construction and/or maintenance of driveways connecting to the public street R/W or to the private road shall be the sole responsibility of the lot or parcel owner. Lots, however, within a Conservation Design Subdivision are exempt from such frontage requirements as provided in the Chatsworth Zoning Ordinance and Article 6 of this Ordinance.
- d. **Setback Lines** - Setback lines per lot shall be as required by the Chatsworth Zoning Ordinance, however, lots within a Conservation Design Subdivision are exempt from such requirements in lieu of flexibility provided by the Chatsworth Zoning Ordinance and Article 6 of this Ordinance.
- e. **Adequate Building Sites** - Each lot shall contain an adequate building site not subject to flooding and outside the limits of any existing easements or building setback lines required by this Ordinance and any other applicable Ordinance.
- f. **Panhandle or Flag Lots** - "Panhandle" or "Flag" lots are generally to be considered an unacceptable design technique, but may occur after a finding and approval has occurred before the Chatsworth Planning Commission that unique physical or environmental characteristics of a parent tract preclude efficient and logical subdivision in accordance with standard design. The required width and area will be allowed where terrain makes standard design or frontage impossible or impractical. Where such lots are allowed, the street frontage of each panhandle access shall not be less than fifty (50) feet wide and the panhandle access shall not be more than two hundred (200) feet long. Not more than two (2) such panhandle access points shall abut each other.

- g. Double or Reverse Frontage Lots** - Double and reverse frontage, unless required or approved by the Planning Commission or Building Inspector, shall be prohibited except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography, orientation, and property size. A planted screen reservation of at least five (5) feet, across which there shall be no right of access, may be required along the line of lots abutting such a traffic arterials or other disadvantageous use.
- h. Lot Grade to Street Grade** – Guidelines are set forth in the Murray County Road Design and Specification Requirements. Any lot whose natural grade at the building line is twelve (12) feet or more above the finished grade of the street on which it fronts may be required to provide an access to the lot from other than the street upon which it fronts. Such provision would allow residential lot(s) an access easement with a minimum width of twenty (20) feet.
- i. Corner Lots** - Corner lots shall be sufficiently large to permit the location of buildings so as to conform to the minimum front building setback requirement on both streets. The remaining lot lines shall meet side building setback requirements. Corner lot lines at road intersections shall have minimum radii of twenty (20) feet.
- j. Lot Remnants** - Lot remnants shall be prohibited. Such remnant areas shall be added to adjacent lots, rather than remain as unbuildable parcels.
- k. Easements** - Easements, with designated widths and purposes shown on the plat, shall be provided in subdivisions for the following purposes:
 - (i) Utility Easements** - When it is found to be necessary and desirable to locate public utility lines in other than street rights-of-way, easements shall be shown on the plat for such purposes. Such easements shall not be less than twenty (20) feet in width or in concurrence with the width required by the utility provider. Where possible, such easements shall be centered on rear or side lot lines.
 - (ii) Water Course and Drainage Easements** - Where a proposed subdivision is traversed by a watercourse, drainageway, or stream, appropriate provisions shall be made to accommodate stormwater and drainage through and from the proposed subdivision. Such easement shall conform substantially with the lines of said water course and be of sufficient width or construction, or both, as to be adequate for the purpose.

Where appropriate, the utility provider or applicable Department of the city, at their request, shall be provided with the written legal mechanism necessary to document the location, width, and purpose of such perpetual easement.
 - (iii) Access Easements.** Allowed only as described by Section 5.3-7 and Section 5.5 (h).
- l. Residential Lot Depth.** Residential lot depth shall generally not be more than four (4) times the lot width at the building line.

- m. Commercial and Industrial Lots.** Commercial and industrial subdivisions of land shall also be subject to the approval of the Planning Commission or Building Inspector and shall comply with the requirements of the Chatsworth Zoning Ordinance.
- n. Minimum Lot Dimensions and Area.** Except for lots within a Conservation Design Subdivision (See Article 6), the minimum lot area, the minimum lot width at the front building line, and the setback lines shall be as required in the Chatsworth Zoning Ordinance.

5.6 Street Design Standards. All streets, whether public or private, which shall hereafter be established in connection with the development of a Major Subdivision shall comply with any construction specifications of the city of Chatsworth.

5.6-1 Access to Arterials and Collectors. Where a subdivision borders on or contains an existing or proposed arterial or collector route, as defined by this ordinance, the Planning Commission may require that access to such street be limited by:

- a.** the subdivision of lots so as to back on to the arterial or collector street and front on a parallel local street;
- b.** a series of cul-de-sac, "U" shaped streets, or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the arterial or collector street; or
- c.** a frontage street.

5.6-2 Reserve Strips. The creation of reserve strips adjacent to a proposed street in such a manner as to deny access from adjacent property to such street shall generally not be permitted. However, in extraordinary circumstances the Planning Commission may allow creation of a reserve strip to enable a more appropriate pattern of lots or streets. Where such is created, the Planning Commission must agree to any and all future dispositions of same. A notation to this effect shall be entered on the final plat or approved as an auxiliary instrument attached thereto.

5.6-3 Arrangement of Continuing and Dead-end Streets. Where a subdivision will contain temporary or permanent dead-end streets they shall be designed as follows:

- a. Arrangement of Continuing Streets -** The arrangement of streets shall provide for the continuation of major streets between adjacent properties when in the opinion of the Planning Commission such continuation is necessary for convenient movements of traffic, effective fire protection, efficient provision of utilities, and when such continuation is in accordance with the major street or road plan. If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of-way shall be extended to the property line. A temporary cul-de-sac, temporary "T", or "Y"-shaped turnabout shall be provided on all temporary dead-end streets as required in the following

turnabout standards, with a notation on the subdivision plat that land outside the normal street right-of-way shall revert to abutting property owners whenever the street is continued.

- b. Dead-end Streets** - Where a street does not extend beyond the boundary of the subdivision and its continuation is not required by the Planning Commission for access to adjoining property, its terminus shall normally not be nearer to such boundary than fifty (50) feet. However, the Planning Commission may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic, or utilities. A cul-de-sac turnabout shall be provided at the end of a dead-end street in accordance with the requirements of the City of Chatsworth.

5.6-4 Intersections. Intersections of new streets in a subdivision shall comply with the following standards:

- a.** Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) streets at an angle of less than seventy-five (75) degrees shall not be permitted. The angle of intersection is to be measured at the intersection of the street center lines. An oblique street should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet therefrom. Not more than two (2) streets shall intersect at any one point unless approved by the Planning Commission.
- b.** Proposed new intersections along one side of an existing street shall coincide, wherever practicable, with any existing intersections on the opposite side of such street. Jogs for opposing streets having centerline offsets of less than one hundred and fifty (150) feet shall not be permitted, except where the intersected streets are separated from each other by an unbroken median at either intersection. Where streets intersect arterial or collector routes, their alignment shall be continuous (no jog). Intersections of arterial or collector streets shall be at least eight hundred (800) feet apart.
- c.** Minimum curve radius at the intersection of two (2) local streets shall be twenty five (25) feet, and minimum curve radius at an intersection involving a collector street shall be thirty (30) feet. Alley intersections and abrupt changes in alignment within a block shall have the corners cut off in accordance with standard engineering practice to permit safe vehicular movement.
- d.** Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a two (2) percent grade for a distance of sixty (60) feet, measured from the nearest right of way line of the intersecting street.

5.6-5 Additional Width on Existing Streets. In subdivisions that adjoin existing streets, the subdivider shall dedicate additional right-of-way to meet the minimum street width requirements as follows:

- a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the street.
- b. When the subdivision is located on one side of an existing street, one-half of the required right-of-way measured from the centerline of the existing roadway, shall be provided.

5.6-6 Street Names. Streets or roads that are extensions of or obviously in alignment with existing named streets shall bear that name. The names of new streets and roads shall be subject to the approval of the Planning Commission/911 Director and shall not duplicate or be similar in sound to existing names of streets in the City of Chatsworth or in any other Murray County jurisdiction irrespective of the use of the suffix street, avenue, circle, way, boulevard, drive, place, lane, or court, etc.

5.6-7 Railroads and Limited Access Highways. Railroad rights-of-way and limited access highways, where so located as to affect the subdivision of adjoining lands, shall be treated as follows:

- a. In residential areas, a buffer strip at least twenty-five (25) feet in depth in addition to the normally required depth of the lot may be required adjacent to the railroad right-of-way or limited access highway. This strip shall be part of the platted lots and shall be designated on the plat: "*This strip is reserved for screening; the placement of structures hereon is prohibited*".
- b. In commercial or industrial areas, the nearest street extending parallel or approximately parallel to the railroad or limited access highway shall, wherever practical, be at a sufficient distance therefrom to ensure suitable depth of commercial or industrial sites.
- c. Streets parallel to a railroad or limited access highway, when intersecting a street that crosses the railroad at grade, shall, to the extent practical, be at a distance of at least one hundred fifty (150) feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

5.6-8 Bridges. Bridges of primary benefit to the subdivider, as determined by the city of Chatsworth shall be constructed at the full expense of the subdivider without reimbursement from the city of Chatsworth. The sharing of expenses for the construction of bridges not of primary benefit to the subdivider, as determined by the city of Chatsworth, may be fixed by special agreement between the city of Chatsworth and the subdivider. The cost shall be pro-rated to the subdivider as to the percentage of his development so served. The engineering design of all bridges shall be reviewed and approved by the city of Chatsworth. Any preliminary plat identifying the construction of a bridge must bear the seal of a Georgia Certified Civil Engineer.

5.6-9 Special Purpose Streets.

- a. **Half Streets** - Half Streets are prohibited. Whenever a street is planned adjacent to the proposed tract boundary, the entire street right-of-way shall be platted within the proposed subdivision.
- b. **Split Level Streets** - Streets, which are constructed so as to have two traffic ways, each at a different level within the same right-of-way, shall provide a minimum right-of-way of twenty five (25) feet per traffic way and such additional right-of-way as necessary to meet the requirements of 5.6-5 and a minimum paved traffic surface of fifteen (15) feet. The slope between the two traffic ways would not be less than 2 to 1.
- c. **One-Way Streets** - If permitted by the Planning Commission, one-way streets shall meet a minimum right-of-way of twenty five (25) feet and a pavement width of fifteen (15) feet.
- c. **Alleys** - Alleys or service drives may be required at the rear of all lots used for multi-family, commercial, or industrial developments but shall not be provided in one and two family residential developments unless the alley or services drive is to provide secondary access to a lot (lots) whose natural grade is (are) more than twelve (12) feet above the finished street grade, or unless the subdivider produces evidence satisfactory to the Planning Commission of the need for an alley or service drive; pavement width is fifteen (15) feet with or without curbs; right-of way, twenty (20) feet.

5.6-10 Geometric Design Standards for Streets. The criteria in the following table are applicable.

Table 5-1: Geometric Design Standards for Streets			
Design Item	Street Class		
	Major	Collector	Local
Maximum Horizontal Curvature (degrees)	12	23	33
Maximum Percent Grade (percent)	7	12	18
Minimum Vertical Site Distance (feet)	275	200	200
Minimum Distance Between Reverse Curves (feet)	100	100	100

5.6-11 General Street Specifications. The criteria in the following table are applicable. All streets must be curbed, guttered, and constructed meeting any construction specifications of the city of Chatsworth.

Table 5-2 General Street Specifications					
Design Criteria ¹	Major Street Classifications			Minor Street Classifications	
	Principal Arterial	Minor Arterial	Collector	Local Residential Streets	Comm./ Industrial ²
Right-of-way ³	Variable	Variable	60 feet	50 feet	50 feet
Construction width ⁴	Variable	Variable	36 feet	28 feet	30 feet
Cul-de-sac turnaround r/w pavement	n.a.	n.a.	n.a.	100 feet 80 feet	120 feet 100 feet
Max. Grade	8 percent	10 percent	15 percent	18 percent	18 percent
Min. Vertical Sight Dist. ⁵	500 feet	300 feet	300 feet	200 feet	500 feet
Min. Horizontal Sight Dist. ⁶	400 feet	300 feet	300 feet	100 feet	400 feet

5.6-12 Stormwater Infrastructure. All subdivision developments, whether residential, commercial, or industrial, shall comply with the construction specifications of the city of Chatsworth relative to stormwater infrastructure. [Land developers/subdividers are further advised that common construction activities disturbing 1.0 acres or greater shall require compliance with National Pollution Elimination Discharge System (NPDES) requirements administered by the Georgia Environmental Protection Division.]

- a. The subdivider/developer shall also provide for adequate drainage for springs and/or other ground water drainage.
- b. The drainage system for a subdivision—residential, commercial, or industrial—shall be designed in accordance with sound engineering principles and procedures such that all salable lots or parcels upon the plat are positively drained.
- c. The drainage system shall be designed to accommodate drainage from adjacent lots or parcels, which naturally drain to or through the lands being subdivided. The drainage

¹ All streets must be curbed, guttered, and constructed meeting any construction specifications of the city of Chatsworth; curb and gutter requirement are optional if the proposed subdivision is proposed as a Conservation Design Subdivision, approved under Article 6 and the applicable appendices.

² In cases where the street is a cul-de-sac intended to serve primarily commercial office uses, the residential street requirements shall apply.

³ A utility/road maintenance easement ten (10) feet wide on each side of the constructed street width may be substituted for right-of-way on local streets only. In such cases, the right-of-way is equal to the construction width from back-of-curb to back-of-curb, and setback distances are measured from the easement line. Such easements must meet the requirements of the Building Inspector. Required off-street parking is allowed within such easements.

⁴ Defines the pavement width. Curb and gutter shall be required on both sides of the pavement width.

⁵ Measured distance is between points four (4) feet above the centerline of the street.

⁶ Measured distance is the centerline radius of curvature.

system shall be designed such that it does not affect the natural drainage onto adjacent parcels unless an agreement is obtained by the developer/subdivider from the owner of such adjacent parcels. A copy of the any such agreement shall be submitted to the Chatsworth Zoning Administrator.

- d. Drainage facilities, which are designed to accommodate flowing water, shall be hydraulically designed to function when subjected to the maximum flow rate, which may be expected to occur for a ten (10) year storm.
- e. Drainage facilities, which are designed to handle water accumulations, shall be designed to accommodate the maximum water levels, which may be expected to occur for a twenty-five (25) year storm. Necessary drainage facilities including, but not limited to culverts, rights-of-way, and easements, shall be offered for dedication to the City.
- f. All drainage systems discharging into any State waters, including but not limited to wetlands, as determined by the U. S. Army Corps of Engineers, shall pass through an approved best management practices erosion control measures (example: sedimentation and detention ponds) prior to such discharge.
- g. A Master Drainage Plan shall be submitted to the Chatsworth Zoning Administrator simultaneously with the submittal of construction drawings, and compliance with the above minimum requirements shall be affirmed or rejected.

5.7 Street Features.

5.7-1 Signs. The developer shall install street name signs, traffic control signs and any other signs as specified by the city of Chatsworth.

Signs for street names, directions of travel, traffic control, and hazards shall be provided as directed by the Building Inspector. Street signs on exterior or boundary streets shall be installed by the City with the developer paying a proportionate share determined by the City. Street signs for interior streets of a subdivision or land development shall be installed at the subdivider or developer's expense by the subdivider or developer, subject to the approval of the Building Inspector.

5.7-2 Mailboxes. The developer shall coordinate the lot addressing system with the Murray County Building Inspector.

5.7-3 Sidewalks. All residential subdivisions shall be developed with sidewalks. Sidewalks within commercial subdivisions may be required at the discretion of the Planning Commission, which shall be influenced by reasonable proximity to existing or proposed residential developments that can benefit from the connectivity.

- a. Location.** Sidewalks shall be included within the dedicated non-pavement right-of-way of roads and shall parallel the street pavement as much as possible; however, the City of Chatsworth may permit sidewalks to be designed and

constructed so that they meander around permanent obstructions or deviate from a linear pattern for design purposes.

- b. Specifications.** Sidewalks shall be a minimum of four (4) feet wide. A strip of grassed or landscaped areas at least two (2) feet wide shall separate all sidewalks from the back of curbs in residential areas.

5.7-4 Street Lights. All residential subdivision street lighting shall be installed meeting specifications adopted by the city of Chatsworth relative to height, spacing, and intensity of lights.

- a. Type.** The light source shall be metal halide. Equivalent substitution may be allowed at the discretion of the Building Inspector.
- b. Height/Spacing.** Collector roads shall have light poles at thirty (30) foot maximum to the top of the light fixture/post assembly. Local roads shall have light poles at eighteen (18) foot maximum height to the top of the fixture/post assembly. Spacing distances shall be determined in consultation with the power company providing service to the subdivision.
- c. Intensity.** The following table 5-3 sets forth minimum illumination intensity requirements by street type:

Table 5-3 Street Illumination Requirements (in footcandles)		
Facility Type	Residential	Commercial/Industrial
Arterial/Major Collector Road	0.9	1.6
Minor Collector Street	0.6	1.2
Local Street	0.4	0.9
Sidewalks/Bikeways	0.2	1.0

5.8 Utilities.

5.8-1 Water Supply and Sanitary Sewer. The water system and sanitary sewer design, materials and construction methods shall be approved the city of Chatsworth. Where a public-governmental water supply and/or sanitary sewer system is available within the distance specified by the regulations of the Georgia Department of Natural Resources, developments shall connect to such systems. Extensions shall be made at the developer’s expense.

In all cases where the developer may and intends to install an individual water supply system and/or a community sewage disposal system (a system permitted by Georgia DNR, but not including individual sewage disposal systems), the developer shall present adequate justification as to why they shall not provide a connection to the existing public-governmental water and/or sanitary sewer system. The water supply and sewer system strategy shall be determined by the Planning Commission/

Chatsworth Waterworks Commission on a case-by-case basis taking into consideration the following factors:

- a. developer costs of installing individual water supply system and/or community sewage disposal system relative to costs of connecting to existing public system;
- b. ground water availability, quality, and pollution susceptibility;
- c. the extent to which additional costs imposed upon the developer for a required connection to existing public system is necessary to promote the health, safety, or general welfare of the general public.

When a water main is to be located in a street right-of-way and it will be necessary to cut into the street surface to serve the abutting lots, a connection shall be stubbed out to the property line to serve each lot before the street base is applied.

5.8-2 Electrical, Telephone, and Cable Service. All electrical, telephone, and cable service to subdivisions developed after the adoption of these regulations shall be required to be placed underground. All electrical, telephone, and cable service shall be installed meeting any construction specifications of the city of Chatsworth relative to said utilities.

5.9 Surety in Lieu of Completion of Improvements.

5.9-1 Purpose. In lieu of the completion of the required improvements necessary for final plat approval, the city of Chatsworth may accept security in an amount and form satisfactory to him, providing for the actual construction and installation of the improvements. A separate security in an amount and form satisfactory to city of Chatsworth will be required for the actual construction and installation of infrastructure improvements that they regulate.

5.9-2 Form of Security. The developer shall provide adequate and acceptable security from a bank or other reputable institution, which certifies the following:

- a. That the creditor does guarantee funds in an amount equal to 110 percent of the cost of completing all required improvements, as estimated by the developer and approved by the city of Chatsworth as appropriate.
- b. That, in the case of failure on the part of the developer to complete the specified improvements within the required time period, the creditor shall immediately pay to the City of Chatsworth, and without further action, such funds as are necessary to finance the completion of those improvements up to the limit of credit stated in the applicable letter or up to the principal amount of the bond.
- c. That the security may not be withdrawn, or reduced in amount, until released by the City of Chatsworth.

5.9-3 Time Limits. Prior to the granting of final plat approval, the developer and the city of Chatsworth, shall agree upon a deadline for the completion of all required improvements. Such deadline per phase shall not exceed one (1) year from the date of final approval.

5.9-4 Release of Security. When the required improvements have been completed by the developer to the satisfaction of the City of Chatsworth as applicable, then each entity shall release the security.

5.10 Improvement Maintenance Security.

5.10-1 Maintenance Required. The developer shall be required to maintain all public improvements in a development for a period of one (1) year. The one (1) year maintenance period shall commence with the date of the city of Chatsworth accepting the deed or, if secured by a surety for completion of improvements, as provided for in Section 5.9-2, then the one (1) year period shall be measured from the date the security is released.

5.10-2 Maintenance Security - Form and Amount. The developer shall post with the Clerk of the city of Chatsworth an acceptable form of security payable to the City of Chatsworth in an amount equal to ten (10) percent of the total cost of the public improvements. The purpose of the security is to insure faithful maintenance of said installations and improvements by the developer.

5.10-3 Call for Security. If, upon being notified by the city of Chatsworth of failure of required installations or improvements, the subdivider does not correct the deficiency or commence work within ten (10) days of notice, it shall be deemed to be a failure on the posted security, and the city of Chatsworth shall have the right to make the necessary repairs, either by public work or by private contract, and the surety, cash deposit and/or escrow account aforesaid shall be liable for the full amount of the cost of said repairs. The ten (10) percent security does not indemnify the developer from those costs exceeding the ten (10) percent security during the one (1) year maintenance period.

5.10-4 Release of Security. At the end of the one (1) year period of time, the developer may formally petition the Governing Authority to release the maintenance security. If the improvements are acceptable to the city of Chatsworth, at that time, dedication will be accepted and the maintenance security will be released.

Article 6 Conservation Design Subdivisions

6.1 Purpose. It is the purpose of this Article to provide flexibility in ensuring preservation of open space within a master-planned residential development. A conservation subdivision design preserves open space while maintaining the pro-rated density of residential units for the overall site area. Neutral density is achieved by allowing smaller individually-owned residential lots in neighborhoods that are surrounded by aesthetically and ecologically important areas. The goal of the design process is to identify and set aside conservation open space areas prior to the delineation of transportation and residential pod layouts. Open space areas may include wetlands, river buffer zones, woodlands, playing fields, steep slopes, and meadows, depending on the resources of the land.

6.1-1 The intent of the conservation design subdivision regulations is to:

- (a) Preserve significant areas of land for ecological, recreational, and agricultural purposes in perpetuity;
- (b) Encourage more efficient development of land consistent with public health, safety, and general welfare;
- (c) Afford greater flexibility of design and placement of buildings and structures;
- (d) Preserve and protect exceptional terrain, natural beauty, or sites of historic interest from inconsequential placement of homes, roadways, utilities and appurtenances;
- (e) Preserve all the streams and tributaries in the city of Chatsworth as natural resources;
- (f) Minimize flooding, erosion, and water pollution, and protect the quality and quantity of drinking water;
- (g) Preserve wetlands, aquifers, topographical or soil features, wildlife habitat; and other features having conservation values, including views, vistas, and indigenous vegetation and wildlife; and
- (h) Promote a less sprawling form of development.

6.2 Procedure. Conservation design subdivisions are allowed as a permitted right in accordance with the requirements set forth in Article 6 of the Subdivision Regulations of the City of Chatsworth, Georgia. Also, conservation design subdivisions are allowed as an option in all residential zoning districts, except R-3 and O-R, subject to modification of the standing residential zoning requirements of that zone district and the approval of site

plans/plats complying with the intent of conservation design subdivisions and the platting requirements.

6.3 Housing Density Determination. The number of applicable lots or dwelling units created shall be density neutral. Density neutral is defined as maintaining the number of lots or dwelling units so as not to exceed the number that can be created with the conventional minimum area and width as established in the Subdivision Regulations of the City of Chatsworth, Georgia and the Chatsworth Zoning Ordinance.

6.3-1 Number of Lots. The maximum number of lots in the Conservation Design Subdivision shall be determined by either of the following two methods, at the discretion of the applicant:

- (a) **Calculation:** The maximum number of lots or dwelling units, as applicable, is determined by dividing the area of the tract of land by the minimum lot size as determined by the minimum lot size allowed in the residential zone district where such subdivision is proposed. In making this calculation, the following shall not be included in the total area of the parcel:
 - (1) Slopes twenty-five (25) percent or greater with at least 5,000 square feet of contiguous area.
 - (2) The 100-year floodplain.
 - (3) Bodies of open water with over 5,000 square feet of contiguous area.
 - (4) Wetlands that meet the definition of the Army Corps of Engineers pursuant to the Clean Water Act.
- (b) **Yield Plan:** The maximum number of lots is based on a conventional subdivision design plan, prepared by the applicant, in which the tract of land is subdivided in a manner intended to yield the highest number of functional lots possible. The plan or plat does not have to meet formal requirements for a site design plan or plat, but the design must be capable of being constructed given site features and all applicable regulations for streets (ie. grade) and service to lots.

6.4 OPEN SPACE.

6.4-1 Definition. Open space is the portion of the conservation subdivision that is set aside for permanent protection. Activities within the open space are restricted in perpetuity through the use of an approved legal instrument (see Sections 6.4-6 and 6.4-7).

6.4-2 Standards to Determine Open Space.

- (a) The minimum restricted open space shall comprise at least forty (40) percent of the gross tract area.

- (b) The following are considered Primary Conservation Areas and are required for inclusion 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:
 - (1) The 100-year floodplain;
 - (2) Riparian zones at least seventy-five (75) feet wide, along all perennial and intermittent streams;
 - (3) Slopes twenty-five (25) percent or greater with at least 5,000 square feet of contiguous area;
 - (4) Wetlands that meet the definition used by the Army Corps of Engineers pursuant to the Clean Water Act;
 - (5) Populations of endangered or threatened species, or habitat for such species; and
 - (6) 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 with a contiguous area of at least one (1) acre;
 - (3) Individual existing healthy trees greater than eight (8) inches caliper, as measured five (5) feet high from ground level on the bole of the tree (diameter breast high);
 - (4) Other significant natural features and scenic view sheds such as ridgelines, peaks and rock outcroppings, particularly those that can be seen from public roads;
 - (5) Prime agricultural lands with at least five (5) acres of contiguous area; and
 - (6) Existing trails that connect the tract to neighboring areas.
- (d) Above-ground utility rights-of-way and small areas of impervious surface may be included within the protected open space, but cannot be counted towards the forty (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 twenty-five (25) percent of the open space shall consist of land that is suitable for building.

- (f) At least seventy-five (75) percent of the open space shall be in a contiguous tract. The open space shall adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space.
- (g) The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the open space.

6.4-3 Permitted Uses of Open Space. Uses of open space may include the following.

- (a) Conservation of natural, archeological or historical resources;
- (b) Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;
- (c) Walking or bicycle trails, provided they are constructed of porous paving materials;
- (d) Passive recreation areas, such as open fields;
- (e) Active recreation areas, provided that they are limited to no more than ten (10) 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;
- (f) 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;
- (g) Landscaped storm water management facilities, and community wastewater disposal systems located on soils particularly suited to such uses. Such facilities shall be located outside of Primary Conservation Areas;
- (h) Easements for drainage, access, and underground utility lines; or
- (i) Other conservation-oriented uses compatible with the purposes of this ordinance.
- (j) A community building/swimming pool only if the planned open space totals fifty (50) percent or more of the gross tract area.

6.4-4 Prohibited uses of Open Space.

- (a) Golf courses;
- (b) Roads, parking lots and impervious surfaces, except as specifically authorized in the previous sections;
- (c) Agricultural and forestry activities not conducted according to accepted Best Management Practices;
- (d) Impoundments; or

- (e) Other activities as determined by the applicant and recorded on the legal instrument providing for permanent protection.

6.4-5 Disposition and Preservation of Open Space. Open space land shall be preserved and maintained solely for the purposes specified in Section 6.1. The method for effectuating such preservation and maintenance may be one or more of the following:

- (a) Establishment of a mandatory Home Owners Association (HOA) to own and maintain the land in common for the open space purposes intended according to the following provisions (See suggestions for the HOA in Appendix B-I):
 - (1) Prior to Final Plat approval, developers desiring to build a conservation design subdivision will create and submit minimum requirements and structure for the HOA before the first lot is sold;
 - (2) The HOA will maintain, pay taxes, and own the open space. [In some communities the local government may agree to maintain the open space; see item (b) below.];
 - (3) Membership in the HOA is mandatory for all homeowners, and dues are uniform; and
 - (4) The HOA, by law, will stipulate that a third party, such as the local government, may enforce the maintenance of the open space through legally enforceable liens.
- (b) Dedication of legally described and platted “open space” to the city of Chatsworth or the Chatsworth/Murray County Recreation Department.
- (c) Dedication of legally described and platted “open space” to a Land Trust established in compliance with the requirements of Georgia law and shall be for conservation purposes. [In lieu of ownership, a binding conservation easement to the applicable Land Trust can also be declared across the conservation lands.]

6.4-6 Open Space Ownership and Maintenance. The approval of such subdivision shall require the owner or owners of open space land to execute, acknowledge, and file in the land records of Murray County, including documents and maps which effectively create a conservation easement or other legal conveyance approved by the city of Chatsworth or Murray County or their designee. These records (see legal considerations in Section 6.4-7 and suggestions for open space in Appendix B-I):

- (a) Will be binding on all future owners of the open space land;

- (b) May be enforced by the adjoining property owners, the City of Chatsworth, Murray County, or a land trust by appropriate court action for equitable relief in the form of an injunction;
- (c) Will assure appropriate maintenance, by the homeowners' association or as otherwise herein provided, of open space land to the satisfaction of the City of Chatsworth;
- (d) Will provide that if maintenance, preservation, and/or use of the open space land no longer complies with the provisions of the easement, the City of Chatsworth may take all necessary action to effect compliance and assess the costs against the owners in default; and
- (e) Will provide that such easement may not be modified, altered, or amended.

6.4-7 Legal Instrument for Permanent Protection.

- (a) 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:
 - (1) A permanent conservation easement in favor of either:
 - (i) A land trust or similar conservation-oriented non-profit 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
 - (ii) A governmental entity with an interest in pursuing goals compatible with the purposes of this ordinance.
 - (2) If the entity accepting the easement is not the City of Chatsworth, then a third right of enforcement favoring the City of Chatsworth shall be included in the easement.
 - (3) A permanent restrictive covenant for conservation purposes in favor of a governmental entity.
 - (4) An equivalent legal tool that provides permanent protection, if approved by the City of Chatsworth.
- (b) The instrument for permanent protection shall include clear restrictions on the use of the open space. These restrictions shall include all restrictions and permitted uses contained in Sections 6.4-3 and 6.4-4, as well as any further restrictions the applicant chooses to place on the use of the open space.

6.4-8 Septic Systems, Wells, and Storm Water Management Systems. Easements will allow designated open space to be used for community sewer system drip lines or

wells, and storm water management structures designed to promote on-site infiltration and/or treatment of runoff.

6.4-9 Significant Structures. Structures of historic, architectural, or cultural significance existing prior to development of the subdivision may be retained within the open space.

6.5 Road Specifications. Design standards for road construction in a Conservation Design Subdivision shall be generally consistent with those set forth in the Chatsworth Infrastructure Specifications, however, the flexible standards list in Appendix B-II shall also be available as options if the street system is to remain private. (Even as private streets, the requirements for street base and all storm water drainage mechanisms shall comply with the requirements of Chatsworth, and public safety and emergency access issues remain valid.)

Private streets, constructed using the flexible standards addressed in Appendix B-II, are not eligible for future dedication to the city of Chatsworth unless such roads are improved to comply with all specifications of the city of Chatsworth.

6.5-1 Road Locations.

- (a) Roads should be located in a way that minimizes adverse impacts to Primary and Secondary Conservation Areas.
- (b) To the greatest extent practicable, wetland crossings and streets traversing existing slopes over fifteen (15) percent shall be strongly discouraged.
- (c) Permanent turnarounds employing a “T,” “Y,” or half-circle designs are available alternatives if deemed necessary to minimize effects on terrain.
- (d) Alleys, otherwise available only as a secondary access to one or two-family residential developments [Section 5.6-9 (d)], are available for primary access in a Conservation Design Subdivision due to terrain or overall design considerations.

6.6 Locations of Building Sites. As long as the number of buildings meet the density neutral criterion set in Section 6.3 it is intended that developers are given flexibility on building locations based on environmental factors and the types of developments the market will bear.

6.6-1 Building location considerations. The Chatsworth Planning Commission shall evaluate the appropriateness of proposed building locations on conceptual Preliminary Site Plans and Plats to determine whether the proposed locations satisfy considerations listed in Appendix B-III.

6.6-2 Generally, a minimum distance of one-hundred (100) feet shall separate building sites from Primary Conservation Areas.

6.6-3 Building sites can be located within fifty (50) feet of Secondary Conversation Areas in order to take advantage of views without negatively impacting Primary Conservation Areas.

6.6-4 Building “footprint” locations may not be changed more than fifty (50) feet from Preliminary Plat to Final Plat without the approval of the Chatsworth Planning Officer.

So Adopted, this ___th day of, January 2007.

CHATSWORTH CITY COUNCIL

By: _____
Mayor

Councilperson

Councilperson

Councilperson

Councilperson

Attest:

Wilma Nolan
City Clerk

--APPENDIX--

APPENDIX A

FEE SCHEDULE

Major Subdivision (includes preliminary and final plat)	\$100 + \$2.00 per lot
Minor Subdivision (final plat only)	\$ 30 + \$1.00 per lot

(Note: the above fees include the amount necessary to record the plat in the Office of the Superior Court Clerk of Murray County.)

APPENDIX B-I

Suggestions for the Home Owners Association (HOA)

- At least one member of the HOA should receive training in wildlife habitat conservation, enhancement, and maintenance.
- Each homeowner should be given site-specific information about indigenous habitat and diversity of species.
- The HOA should develop a long-term conservation plan for maintenance of common areas. This plan should include examples of environmentally friendly landscaping techniques for homeowners.

APPENDIX B-II

Suggestions for Open Space:

- A minimum of ten (10) percent should be used for active recreation, such as playing fields or community buildings/amenity centers (swim/tennis). [Note: the community buildings/amenity centers require planned open space to equal fifty (50) percent or more of the gross tract area.]
- Open space in one development should be linked to open space in adjoining developments to create the largest, continuous area of open space possible.

Suggestions for Streets:

- Minimize the number of cul-de-sac streets by providing more than one entrance to the development and interconnect streets as much as possible; the importance of environmental areas and the connections between them are important in conservation design subdivisions, and shall be considered in determining whether street interconnections are possible.
- For cul-de-sac streets, minimize the amount of impervious surface by limiting the internal turning radius to twenty (20) feet and the width of the paved lane to sixteen (16) feet. Use grass and vegetation for the inner circle of turnarounds, rather than paving the entire area. In the neighborhood Bylaws, declare the HOA responsible for the maintenance of the grassy area.
 - Vegetated swales are encouraged in a conservation subdivision plan as an alternative to curb and gutter. Omit curbs wherever possible. This allows runoff from roofs and pavements to pass immediately through grass swales or infiltration basins. Use plant material that will absorb rainwater and act as a natural filter for oil and pollution.

- Use permeable pavement for street surfaces, driveways, sidewalks, and pedestrian and bike paths, except where steep slopes, swelling soils, and other site-specific constraints make it unfeasible. Examples of permeable pavement used in neighborhood developments include permeable crushed stone aggregate, open-celled pavers, porous asphalt, and porous concrete. Wooden decks, paving stones, and wood mulch are recommended for pedestrian areas.
- Provide marked, paved paths for non-vehicular traffic within the development and connecting to neighboring residential and commercial areas.

APPENDIX B-III

Evaluation Criteria for Building Site Locations

In evaluating the layout of lots and open space, the following criteria will be considered by the Chatsworth Planning Commission as indicating design appropriate to the site's natural, historic, and cultural features, and meeting the purposes of this ordinance. Diversity and originality in lot layout shall be encouraged to achieve the best possible relationship between development and conservation areas. Accordingly, the Chatsworth Planning Commission shall evaluate proposals to determine whether the proposed conceptual Preliminary Plan:

1. Protects and preserves all floodplains, wetlands, and steep slopes from clearing, grading, filling, or construction (except as may be approved by the City for essential infrastructure or active or passive recreation amenities).

Preserves and maintain mature woodlands, existing fields, pastures, meadows, and orchards, and creates sufficient buffer areas to minimize conflicts between residential and agricultural uses. For example, locating house lots and driveways within wooded areas is generally recommended, with two exceptions. The first involves significant wildlife habitat or mature woodlands, which raise an equal or greater preservation concern, as described in #5 and #8 below. The second involves predominantly agricultural areas, where remnant trees groups provide the only natural areas for wildlife habitat.
3. If development must be located on open fields or pastures because of greater constraints in all other parts of the site, dwellings should be sited on the least prime agricultural soils, or in locations at the far edge of a field, as seen from existing public roads. Other considerations include whether the development is visually buffered from existing public roads, such as by a planting screen consisting of a variety of indigenous native trees, shrubs and wildflowers (specifications for which should be based upon a close examination of the distribution and frequency of those species found in a typical nearby roadside verge or hedgerow).
4. Maintains or creates an upland buffer of natural native species vegetation of at least one-hundred (100) feet in depth adjacent to wetlands and surface waters, including creeks, streams, springs, lakes and ponds.

5. Designs around existing hedgerows and tree lines between fields or meadows, minimizing impacts on large woodlands (greater than five acres), especially those containing many mature trees or a significant wildlife habitat, or those not degraded by invasive vines. Also, woodlands of any size on highly erodible soils, with slopes greater than ten (10) percent, should be avoided, where possible. However, woodlands in poor condition with limited management potential can provide suitable locations for residential development. When any woodland is developed, great care shall be taken to design all disturbed areas (for buildings, roads, yards, septic disposal fields, etc.) in locations where there are no large trees or obvious wildlife areas, to the fullest extent that is practicable.
6. Leaves scenic views and vistas unblocked or uninterrupted, particularly as seen from public roadways. (For example, in open agrarian landscapes, a deep “no-build, no-plant” buffer is recommended along the public roadway where those views or vistas are prominent or locally significant. In wooded areas where the sense of enclosure is a feature that should be maintained, a deep “no-build, no-cut” buffer should be respected, to preserve existing vegetation.
7. Avoids siting new construction on prominent hilltops or ridges, by taking advantage of lower topographic features.
8. Protects wildlife habitat areas of species listed as endangered, threatened, or of special concern by the U.S. Environmental Protection Agency and/or by the Georgia Department of Natural Resources, Georgia Protected Species Updated List.
9. Designs around and preserves sites of historic, archaeological or cultural value, and their environs, insofar as needed to safeguard the character of the feature, including stone walls, spring houses, barn foundations, cellar holes, earthworks, burial grounds, etc.
10. Protects rural roadside character and improves public safety and vehicular carrying capacity by avoiding development fronting onto existing public roads. Establishes buffer zones along the scenic corridor of rural roads with historic buildings, stonewalls, hedgerows, etc.
11. Landscapes common areas (such as community greens), cul-de-sac islands, and both sides of new streets with native specie shade trees and flowering shrubs with high wildlife conservation value. Planted trees along roadways shall be spaced at intervals so that the neighborhood will have a stately and traditional appearance when they grow and mature. Such trees shall generally be located between the sidewalk or footpath and the edge of the street, within a planting strip not less than five (5) feet in width.
12. Provides active recreational areas in suitable locations offering convenient access by residents, and adequately screened from nearby house lots.
13. Includes a pedestrian circulation system designed to assure that pedestrians can walk safely and easily on the site, between properties and activities or special features within the neighborhood open space system. All roadside footpaths should connect with off-road trails, which in turn should link with potential open space on adjoining undeveloped parcels (or with existing open space on adjoining developed parcels, where applicable).

14. Provides open space that is reasonably contiguous, and whose configuration is in accordance with the guidelines contained in the Design and Management Handbook for Preservation Areas, produced by the Natural Lands Trust. For example, fragmentation of open space should be minimized so that these resource areas are not divided into numerous small parcels located in various parts of the development. To the greatest extent practicable, this land shall be designed as a single block with logical, straightforward boundaries. Long thin strips of conservation land shall be avoided, unless the conservation feature is linear or unless such configuration is necessary to connect with other streams or trails. The open space shall generally abut existing or potential open space land on adjacent parcels, and shall be designed as part of larger contiguous and integrated greenway systems, as per the policies in the Murray County, Chatsworth, and Eton Joint Comprehensive Plan, 2005-2025, or equivalent.

APPENDIX C

DEVELOPER'S QUICK CHECKLIST

[This checklist only applies the development of
Major Subdivisions.]

I. Pre-Submittal Conference (optional)

A. Opportunity to meet with the Building Inspector or other Department heads to discuss initial questions about the proposed subdivision and to explain the process for approval.

B. Intent to subdivide land means that before any grading, site development, or construction begins on-site, a preliminary plat must be approved.

C. A Soil Erosion and Sediment Control Plan should parallel the subdivision plat approval process in order to avoid inconvenient delays in on-site work.

D. The National Pollution Discharge Elimination System (NPDES) permit should also parallel the plat approval process.

II. Preliminary Plat Submission

A. Five (5) copies of the preliminary plat (seven (7) copies where subdivision proposes access to a State Highway) and supporting documentation shall be submitted to the Building Inspector.

B. Submission shall occur fifteen (15) working days prior to the meeting date of the Planning Commission at which the subdivider desires the Planning Commission to take official action.

C. Building Inspector forwards copies of the plat to city departments for individual review by those responsible for streets, drainage, provisions for fire, water, sewer, and other infrastructure.

D. Ninety (90) days after the date of review by the Planning Commission, the Planning Commission shall approve, or approve with condition, or disapprove the preliminary plat.

E. Planning Commission approval of a preliminary plat shall be considered valid for a period of two (2) years from the date of plat approval.

F. Preliminary Plat Specifications. Shall be prepared by a Georgia Registered Land Surveyor. The plat shall be drawn at a scale no smaller than one hundred (100) feet to an inch. The plat shall be drawn in permanent ink on reproducible material not exceeding 20 x 24 inches and shall include:

- (1) Proposed name of subdivision; with R/Ws and names of new streets and existing streets;
- (2) Name, address, and telephone number of person to be notified of action;
- (3) Name, address, and license number of the Register Land Surveyor responsible for the preparation of the plat;
- (4) Graphic scale, north arrow and date of plat preparation;
- (5) Total acreage in single parcel ownership by the subdivider; the total number of acres being subdivided; the total number of lots created; and the total linear length of streets.
- (6) A general location map showing the proposed development in relation to other adjacent properties and existing streets in the Chatsworth area;
- (7) The location and dimensions of all boundary lines of the property to the nearest hundredth of a foot and the deed record names of adjacent owners or subdivisions;
- (8) The location and dimensions of existing rights-of-ways, streams (showing stream buffers, as amended), drainage structures, or utilities, buildings, lakes, and lands subject to flooding; if applicable, the 100-year flood plain should be shown;
- (9) Topography by contours at vertical intervals of not more than five (5) feet based upon Mean Sea Level (M.S.L.); the contour requirement may be waived or the interval adjusted up or down as determined by the Building Inspector;
- (10) The layout and scaled dimensions of all lots and streets; the location, purpose, and dimensions of all existing and future drainage ways and easements; the size of the drainage area in acres must be provided; the size and location of all existing and proposed drainage tiles shall be shown;
- (11) The location and dimension of all property proposed to be set aside for recreation use or other public use, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation;
- (12) Centerline profile of all proposed streets showing natural and finished grades and proposed street names; and a cross-section of the proposed street design.
- (13) Front setback lines;
- (14) Statements on the plat to indicate the applicable service to the proposed development:

water = public water or individual well

sewage disposal = public sewer or individual septic tanks

(15) Draft of proposed restrictive covenants, if any, to be imposed and designation of areas subject to special restrictions;

(16) Environmentally sensitive areas: location of major river corridors, water supply watersheds, groundwater recharge areas, wetlands, the boundary and elevation of the 100-year flood plain as determined by the past history of flooding or best available data;

III. Final Plat Submission

A. The final plat shall be prepared by a Georgia Registered Land Surveyor preferably at one hundred (100) feet to an inch, but in no case smaller than two hundred (200) feet to an inch. The plat shall be drawn in permanent ink on reproducible material on sheet or sheets not exceeding 17 x 22 inches.

B. From the date of final plat submission, including all required supporting data and certifications, the Building Inspector shall approve or disapprove the final plat and/or site plan within thirty (30) days.

C. The Final plat shall substantially represent the as-built development approved via the preliminary plat process. Such improvements shall have been completed in accordance with approved standards, and certificates of satisfactory completion have been obtained from the appropriate authority(ies); or the developer/subdivider may submit an appropriate bond, irrevocable letter of credit, or funds in escrow in an amount not less than one hundred ten percent (110 %) of the estimated expenses of construction to proper standards and shall complete construction within one (1) year of the issuance of the first building permit for a lot along such road.

D. A minimum of five (5) copies of the final plat shall be submitted and shall show the following:

(1) Name of subdivision and street names;

(2) Name, address, and telephone number of person to be notified of action;

(3) Name, address, seal and license number of the Registered Land Surveyor; the signature of the surveyor shall be across the seal in black ink for the plat to be valid; also, seals of landscape architects or civil engineers, if appropriate;

(4) Date of plat drawing, graphic scale, north point, notation as to the reference of bearings to magnetic, true north, or grid north and indication whether bearings shown are calculated from angles turned or taken from compass readings;

(5) Location of tract (Land District and Land Lot) giving total acreage being subdivided; total number of lots created; and total length of new streets within the development;

(6) Location sketch map showing the relationship of the plat to other existing streets and properties in Murray County;

(7) Index map where more than one sheet is required to present plat; [Note: multiple sheets shall each be named to conform with the title sheet and designated for example: 1 of 3, 2 of 3, and 3 of 3];

(8) Identify the point of beginning (P.O. B.) tied to the nearest existing street intersection or nearest land lot line or district line;

(9) Exact boundary lines of the tract, to be indicated by a heavy line giving distances to the nearest one-hundredth (1/100) foot and angles to the nearest minute, which shall be balanced and closed with an error of closure to be one (1) foot in eighty-five hundred (8,500) feet or better. The error of closure shall be stated on the plat;

(10) City, County or land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse the Subdivision;

(11) Street center lines showing angles of deflection and standard curve data of intersection, radii, length of tangents and arcs, and degree of curvature;

(12) Lot lines with dimensions to the nearest one-hundredth (1/100) foot, necessary internal angles, arcs, and chords and tangent or radii of rounded corners;

(13) Front setback lines;

(14) Lots or sites numbered in numerical order or numbered in relationship to each phase of development;

(15) Location, dimensions and purpose of all drainage structures and of any easements; including slope easements, and public service utility right of-way boundaries, and any areas to be reserved, donated, or dedicated to public use or sites for other than residential use with notes stating their purpose and limitations; and of any areas to be reserved by deed covenant for common uses of all property owners;

(16) Final plan of sanitary sewers (if applicable) with grade, pipe size and man-hole locations;

(17) Final plan of water supply system (if applicable) with pipe sizes and location of valves, pipe and fire hydrants;

(18) Final plan of electrical, telephone, television cable, and gas (if applicable) service with locations shown, pipe and valves sized and located (as applicable);

(19) Accurate location of monuments and markers;

(20) The boundary and elevation of the 100-year flood plain as determined by the past history of flooding or best available data;

(21) All certification statements on the final plat shall be signed and dated by the responsible city official per Section 4.6-2(f) of the Subdivision Regulations;

(22) If a Declaration of Covenants and Restrictions apply to the subdivision, then such covenants and restrictions shall be presented before the final plat is approved; the plat shall contain a statement: *Restrictive covenants apply to the subdivision of lots shown hereon.*

APPENDIX D

[Insert Construction Standards here]