

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CAVE SPRING, GEORGIA TO ADD DEVELOPMENT REQUIREMENTS ADOPTING NEW SECTIONS 8-130 THROUGH 8-133; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Cave Spring, Georgia, has the authority to regulate the development of land within the jurisdiction of the City to protect the public health, welfare, and safety of its citizens, and currently provides such regulations throughout the Code of the City of Cave Spring, including Chapter 8, “Buildings and Buildings Regulations”; and

WHEREAS, the City desires to receive a comprehensive development plan for any commercial development within the City; and

WHEREAS the City desires to amend its ordinances to require the submittal of such plans before construction may begin.

NOW, THEREFORE, these premises considered, the Cave Spring City Council hereby adopts this ordinance as follows:

Section 1:

The Code of Ordinances of the City of Cave Spring, Georgia, shall stand amended by creating Article IV to Chapter 8 and Sections 8-130, 8-131, 8-132 and 8-133, which shall read as follows:

Article IV: Development Requirements

Section 8-130: Commercial Development Requirements.

1. The owner or developer of any Commercial Development within the City of Cave Spring must submit a comprehensive development plan and receive approval by the City Manager prior to breaking ground. This plan should detail the project’s scope, including site layout, infrastructure, and environmental impact assessments.
2. Definitions:
 - a) Commercial Development means any new building, or addition to a building, that is not a Residential building. A Subdivision, as defined in Section 32-4 of the Code of Ordinance of the City of Cave Spring, is a Commercial Development.
 - b) Residential means any building intended to be solely used for occupancy as a dwelling place but shall not include hotels, motels, or buildings that contain more than two separate dwelling units.
3. The development plans for a project shall contain each of the plans in this section as appropriate to the project, including:
 - a) Erosion and Sediment Control Plan

- b) Grading Plan
 - c) Stormwater Management Plan
 - d) Street Improvement Plan
 - e) Buffer/Landscaping/Tree Conservation Plan
 - f) Public Utility Plan
4. All development plans and supporting studies shall be prepared by or under the supervision of a professional engineer registered in Georgia.

Section 8-131: Erosion and Sediment Control Plan:

1. A specialized plan must be included to address erosion and sediment control, particularly focusing on preserving the natural landscape and water resources of Cave Spring.
2. Conformance with the minimum requirements may be attained through the use of design criteria in the current issue of the Manual for Erosion and Sediment Control in Georgia; or through the use of alternate design criteria that conform to sound conservation and engineering practices. The erosion and sediment control plan shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures including roadways, constructed water ways, sediment control and storm water management facilities, local ordinances, and state laws.
3. Data required for Erosion and Sediment Control Plan:
 - a) Narrative or notes, and other information: Notes for narrative to be located on the site plan in general notes or in erosion and sediment control notes.
 - b) Description of existing land use at project site and description of proposed project.
 - c) Name, address, and phone number of the property owner and the developer.
 - d) Name and phone number of 24-hour local contact who is responsible for erosion and sediment controls.
 - e) Size of project, or phase under construction, in acres.
 - f) Activity schedule showing anticipated starting and completion dates for the project. Include the statement in bold letters that “the installation of erosion and sediment control measures shall occur prior to or concurrent with land-disturbing activities.”
 - g) Storm water and sedimentation management systems storage capacity, hydrologic study, and calculations, including off-site drainage areas.
 - h) Vegetative plan for all temporary and permanent vegetative practices, including species, planting dates, and seeding, fertilizer, lime, and mulching rates. The vegetative plan should show options for year-round seeding.

- (i) Detail drawings for all structural practices. Specifications may follow guidelines set forth in the Manual for Erosion and Sediment Control in Georgia.
 - (ii) Maintenance statement: “Erosion and sediment control measures will be maintained at all times. Additional erosion and sediment control measures will be installed if deemed necessary by on-site inspection.”
4. Maps, drawings, and supportive computations shall bear the signature/seal of a registered or certified professional in engineering, architecture, landscape architecture, land surveying, or erosion and sediment control. The certified plans shall contain:
- a) Graphic scale and north point or arrow indicating magnetic north.
 - b) Vicinity map showing location of project and existing streets.
 - c) Boundary line survey.
 - d) Delineation of disturbed areas within project boundary.
 - e) Existing and planned contours, with contour lines drawn with an interval in accordance with the following:

Map Scale	Ground Slope	Contour Interval
1 inch – 50 ft. or larger scale	Flat: 0-2%	Every 2 feet
	Rolling: >2-8%	Every 5 feet
	Steep: >8%	Every 10 feet

- f) Spot elevations:
 - (i) For sites smaller than 1 acre in size, show the direction of drainage and spot elevations at all breaks in grade and along drainage channels or swales at selected points not more than 100 feet apart.
 - (ii) For sites of 1 acre or larger with slopes of less than 2 percent, show contours at intervals of not more than 2 feet and spot elevations at all breaks in grade along drainage channels and swales at selected points not more than 100 feet apart.
- g) Adjacent areas and features such as streams, lakes, residential areas, etc. which might be affected should be indicated on the plan.
- h) The limits of the 100-year flood plain and the flood way.
- i) Proposed structures or additions to existing structures and paved areas.
- j) The limits of any required greenway adjacent to state waters.
- k) Delineated 100-foot horizontal greenway along designated trout streams, where applicable.

- l) Location of erosion and sediment control measures using coding symbols from the Manual for Erosion and Sediment Control in Georgia.
5. Maintenance of all soil erosion and sediment control measures, whether temporary or permanent, shall be at all times the responsibility of the property owner.

Section 8-132: Grading Plan:

1. Developers are required to submit a grading plan, outlining the proposed changes to the natural terrain and measures to minimize topographical disturbances.
 - a) Grading plans shall identify existing and proposed topographic contour lines at the interval required for erosion and sediment control plans, above.
 - b) Grading plans shall outline any area that is required to remain undisturbed, such as a natural buffer or greenways, as found in The Georgia Erosion and Sedimentation Control Act, and shall identify and describe the protective fencing or staking to be placed surrounding such area.
 - c) If the property contains any area of special flood hazard (the 100-year flood plain), grading plans in and around the flood plain shall be designed in conformance to all requirements relating to Flood Damage Prevention under The National Flood Insurance Program (NFIP).

Section 8-133: Buffer Plan:

1. A buffer plan is necessary for projects adjacent to residential areas or natural resources, specifying the creation of buffer zones to minimize environmental and visual impacts.
 - a) All grading and construction details for earthen berms, walls, and fences that are proposed as part of the visual screen.
 - b) A planting plan showing the location and type of proposed plant materials.
 - c) Typical cross-sections of the buffer illustrating the improvements proposed and typical location of vegetation. At least one cross-section shall be provided for each.

Section 2:

All laws and parts of laws in conflict herewith are specifically repealed.

Section 3:

This ordinance shall become effective once it is properly approved.

Section 4:

It is hereby declared to be the intention of the Cave Spring City Council that the sections, paragraphs, sentences, clauses, and phrases of this enactment are severable, and if any phrase, clause, sentence, paragraph or section hereof shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such

unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this enactment, since the same would have been enacted by the Cave Spring City Council without the incorporation herein of any such unconstitutional phrase, clause, sentence, paragraph, or section.

Section 5:

The City Clerk, in consultation with the City Attorney, shall have the power to correct any scrivener's errors within this Ordinance.

This ordinance shall be effective on the 10th day of January 2024.

First Reading the 12th day of December 2023.

ADOPTED this 9th day of January 2024.

CITY OF CAVE SPRING, GEORGIA

Charles Jackson, Chairman

ATTEST:

Judy Dickinson, Clerk