

- **APPENDIX B - SUBDIVISIONS**

modified

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FOOTNOTE(S):

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Editor's note— Appendix B contains the text of the subdivision regulations as enacted by Ord. No. 0-99-03, adopted March 16, 1999. Obvious misspellings have been corrected without notation and material in brackets [] has been added for clarity. Amendments to the original regulations are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision derives unchanged from the original regulations. The city's former subdivision regulations derived Ord. No. 0-88-7, adopted Aug. 16, 1988; Ord. No. 0-91-17, §§ 1,2, adopted May 21, 1991; Ord. No. 0-94-10, §§ 1—3, adopted July 19, 1994.

Cross reference— Planning commission, § 2-191 et seq.; buildings and building regulations, Ch. 5; flood damage prevention, Ch. 10; soil erosion and sedimentation control, Ch. 13; streets and sidewalks, Ch. 15; utilities, Ch. 18; zoning, App. A.

State Law reference— Georgia Land Sales Act of 1982, O.C.G.A. § 44-3-1 et seq.

- **ARTICLE I. - INTRODUCTION**

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- **Section 100. - Title.**

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AN ORDINANCE OF THE CITY OF CORDELE, GEORGIA, ESTABLISHING RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND INTO STREETS, BLOCKS AND LOTS, REQUIRING STREET IMPROVEMENTS AND THE INSTALLATION OF UTILITIES AS CONDITION OF PLAT APPROVAL, DEFINING TERMS, ESTABLISHING PROCEDURES, PROVIDING PENALTIES FOR VIOLATION, REPEALING CONFLICTING ORDINANCES, AND FOR OTHER PURPOSES.

- **Section 110. - Authority and enactment clause.**

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Pursuant to the authority conferred by the Georgia General Planning Enabling Act of 1957 (Act No. 358, as amended) and for the purpose of promoting the health, safety, and general welfare of the community; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements and in accordance with the Comprehensive Plan; the City Commission of the City of Cordele, Georgia, does hereby ordain and enact into law the following Articles and Sections.

- **Section 120. - Short title.**

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This ordinance shall be known and may be cited as "THE 1999 SUBDIVISION REGULATIONS" of the City of Cordele, Georgia.

- **Section 130. - Jurisdiction.**

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This Ordinance shall govern all subdivision of land within the City of Cordele as now or hereafter established.

- **Section 140. - Purpose.**

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These regulations are enacted for the following purposes; to protect and promote the public health, safety, and general welfare of the people of the incorporated areas of Cordele; to encourage economically sound and stable land development; to assure the provision of required streets, utilities and other facilities and services to new land developments; to assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in new land developments; to assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational and other public purposes; and to assure that land is developed in conformity with the comprehensive plan of the City of Cordele.

- **ARTICLE II. - DEFINITIONS**

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- **Section 200. - General definitions.**

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Except as specifically defined herein, all words used in this Ordinance have their customary dictionary definition. Words in the present tense include the future; words in the singular include

the plural number; and words in the plural include the singular; the word "building" includes the word "structure"; the word "shall" is mandatory and not directory; the word "may" is permissive.

- **Section 210. - Specific definitions.**

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When used in this Ordinance, the following words and phrases, whether capitalized or not, shall have the meaning indicated in this section:

(a)
Applicant: The owner of land proposed to be subdivided, or his agent.

(b)
As-built plans: Plans indicating any changes to subdivision improvements made in the field while under construction that were not indicated on the Construction Plans as approved.

(c)
Block: A piece or parcel of land bounded entirely by public rights-of-way, other than alleys.

(d)
Bond: Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in any amount and form satisfactory to the City of Cordele. All bonds shall be approved by the Cordele City Commission whenever a bond is required by these regulations.

(e)
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.

(f)
City: The City of Cordele.

(g)
City Attorney: The attorney so designated by the City of Cordele.

(h)
City Commission: The legally constituted and elected governing body of the City of Cordele.

(i)
City Engineer: The individual who is designated by the City of Cordele as the City Engineer of record.

(j)
Comprehensive Plan: The long-range plan, which may consist of maps, data, and other descriptive matter, for the physical development of Cordele, Georgia.

(k)
Construction Plans: The maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in subdivision in accordance with the requirements of this Ordinance as a condition of the approval of the plat.

(l)

County: Crisp County, Georgia.

(m)

Cul-de-sac: A minor street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

(n)

Director of Community Development: The individual who is appointed by the City of Cordele as the Director of Community Development and includes individuals designated by the Director of Community Development to act on his or her behalf.

(o)

Double frontage lot: A lot having frontage on two (2) streets as distinguished from a corner lot.

(p)

Easement: A grant by a property owner for the use of land for a specified purpose by the general public, a corporation, or a certain person or persons.

(q)

Erosion and Sedimentation Plan: A plan approved by the City Commission March 15, 1977, as amended, for the Control of Soil Erosion and Sediment resulting from a land disturbing activity.

(r)

Floodplain: Areas as shown on the latest Federal Insurance Rate Map (FIRM) in compliance with the Cordele Flood Damage Prevention Ordinance, as amended, and local, state and federal statutes as may be in force from time to time.

(s)

Improvements: Physical changes to the land that are necessary to create building lots including, but not limited to, grading and paving streets, sewer and water facilities, hydrants, sidewalks, monuments, changes to existing utilities, and storm drainage systems.

(t)

Lot: A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.

(u)

Owner: Any individual, firm, association, syndicate, partnership, corporation, trust, or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the said land under this Ordinance. Synonymous with "subdivider," "developer," and/or "agent."

(v)

Planned development: A tract of land developed under single ownership or control based on a plan that allows for flexibility of design not available under normal zoning restrictions.

(w)

Planning Commission: The City of Cordele Planning Commission, known as the Planning Commission. Planning Commission members are appointed by the Cordele City Commission, serve for five (5) years, and must be a property owner in the City of Cordele. The City Manager and Assistant City Manager are nonvoting, ex-officio members and shall attend meetings to provide information to the Planning Commission.

(x)

Plat: A map representing a subdivider's plan for the subdivision of land submitted to the Planning Commission for approval.

(y)

Plat, Final: A finished drawing of a subdivision or a phase of its development showing completely and accurately all legal and boundary information and certification necessary for recording and that complies with these regulations.

(z)

Plat, Preliminary: A drawing that shows the particular boundary, topography, lot arrangements, street layout and other features of a proposed subdivision as specified in this Ordinance.

(aa)

Platting Authority: The City of Cordele Planning Commission called the "Planning Commission".

(bb)

Resubdivision: A change in the map of a recorded subdivision plat if such change effects any street layout, area reserved for public use, or any lot line, and includes the further division of platted subdivision lots.

(cc)

Right-of-way: Access over or across a particularly described property for a specific purpose.

(dd)

Secretary: The person appointed by the Planning Commission as Secretary.

(ee)

Street: A right-of-way for vehicular traffic whether designated as street, highway, thoroughfare, parkway, road, avenue, drive, expressway, freeway, boulevard, lane, place, circle, alley, or otherwise. Various types of streets may be defined as follows:

(1)

Alley: A publicly owned secondary way which affords only secondary access to the side or rear of abutting property.

(2)

Arterial: A public way which is used primarily for fast and heavy traffic flow; is of considerable continuity; and is used as a traffic artery for interconnection between major areas of the city.

(3)

Collector: A street intended to move traffic from activity centers and local streets to arterial streets and highways.

(4)

Local: A street used primarily in residential subdivision for access to abutting properties as opposed to the collection and dispersion of traffic.

(ff)

Subdivider: Any individual, firm, association, syndicate, partnership, corporation, trust, or any other legal entity commencing or required by law to commence proceedings under these Regulations to effect a subdivision of land hereunder for himself or for another.

(gg)

Subdivision: The division or redivision of land into two more lots, tracts, sites, or parcels for the purpose of transfer of ownership or for development, or the dedication or vacation of a public or private right-of-way or easement by an owner. The division of land into parcels of five acres or more where no new street is involved shall not be considered a subdivision under this definition.

(hh)

Zoning ordinance: The zoning ordinance of the City of Cordele.

- **ARTICLE III. - PLATTING JURISDICTION AND ENFORCEMENT**

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- **Section 300. - Platting Authority.**

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From and after the passage of this Ordinance, the City of Cordele Planning Commission shall be the Platting Authority.

- **Section 310. - General application.**

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After the effective date of this Ordinance, no person shall subdivide land within the City of Cordele except in accordance with this Ordinance. Any person proposing to subdivide land within the City of Cordele shall submit to the City of Cordele Planning Commission plats of the proposed subdivision which shall conform to all applicable codes and ordinances of the City of Cordele.

- **Section 320. - Preliminary Plat approval required prior to land disturbance.**

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No clearing or grading of any proposed streets shall begin prior to approval of the Preliminary Plat by the Planning Commission. This prohibition shall extend to any other improvements related to the development of the proposed subdivision.

- **Section 330. - Construction Plan approval required prior to construction of improvements.**

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No subdivision improvements shall begin prior to the approval of Construction Plans in accordance with this Ordinance by the Director of Community Development.

- **Section 340. - Recording of Final Plat required prior to sale of lot or issuance of building permits.**

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The transfer of, sale, 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 Planning Commission and recorded in the office of the Clerk of the Superior Court of Crisp 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. Nor shall any building permit be issued until the Final Plat is approved by the Planning Commission and recorded in the office of the Clerk of Superior Court of Crisp County.

- **Section 350. - Land subdivision plat recording.**

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No plat of a land subdivision shall be accepted for recording in the office of the Clerk of the Superior Court of Crisp County except a Final Plat on which is inscribed the approval of the Planning Commission.

- **Section 360. - Erection of buildings.**

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No building permit shall be issued and no building shall be erected on any lot in the subdivision unless the provisions contained herein are complied with and the street giving access thereto been accepted as a public street in accordance with this Ordinance, or unless such street has attained status of a public street prior to the effective date of this Ordinance or has been accepted as a public street by the City Commission.

- **Section 370. - Acceptance of and improvements in unapproved streets.**

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The Commission of the City of Cordele or other public authority shall not accept as a public street or shall not itself under take or authorize the layout, opening, improving, grading, paving, lighting or the installation of water mains, sewers, connections or other facilities or utilities in any street unless such street is shown on a Final Plat approved by the Planning Commission or it has attained the legal status of a public street prior to the effective date of this Ordinance provided, however, that the City Commission may locate, construct or accept any other street if the ordinance for such a street is first submitted to the Planning Commission for its review and approval.

- **Section 380. - Fees.**

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All plats submitted for approval shall be accompanied by a fee as established by the City Commission.

- **ARTICLE IV. - PROCEDURES FOR SUBDIVISION PLAT APPROVAL**

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- **Section 400. - Discretionary pre-application review.**

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Before proceeding with a proposed land subdivision within the City of Cordele, owners are invited and encouraged to discuss their proposed development with the Director of Community Development. A very preliminary sketch of the proposed subdivision together with a map of the area showing its principal features will be helpful in this discussion. The discussion will enable the owner to insure that the proposed subdivision is in compliance with the regulations contained herein. This should prevent undue expense to the owner in the preparation of plats that must later be altered or changed. The Director of Community Development may also be able to provide technical assistance to the owner in the most economical layout of streets and utilities required in the subdivision. No fee shall be charged for the pre-application review and no formal application shall be required.

- **Section 405. - Procedure for Preliminary Plat approval.**

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405.1 *Preliminary Plat application.* Prior to the cutting or grading of any street improvements or installation of utilities, and at least twenty-five (25) days prior to the next meeting of the Planning Commission, the subdivider shall submit to the Secretary of the Planning Commission the following:

(a)

A letter requesting review and approval of a Preliminary Plat by the Planning Commission. Said letter shall include the name and address of the person(s) to whom the notice of the hearing by the Planning Commission on the Preliminary Plan shall be sent;

(b)

Five (5) copies of the Preliminary Plat and other documents complying with Section 410 (Preliminary Plat Specifications) below;

(c)

The Preliminary Plat filing fee as established by the City Commission:

(d)

A certified copy of the deed(s) for the property proposed to be subdivided.

405.2 *Review of Preliminary Plat.* Upon receipt of a Preliminary Plat and its attachments, the Secretary shall forward to the Director of Community Development a copy of these documents.

The Director of Community Development shall check the plat for conformance with these regulations and other applicable ordinances, regulations and statutes. All findings and recommendations shall be reported in writing to the Planning Commission.

405.3 *Notice of Public Hearing.* Before the Planning Commission either approves or denies a Preliminary Plat, the Planning Commission shall hold a public hearing thereon. Notice of the date, time and place of the hearing shall be published in a newspaper of general circulation in the City not less than fifteen (15) days prior to the hearing. Notice of the date, time and place of the hearing shall also be posted on signs on each contiguous right-of-way.

(a)

Notice Mailed to Owner/Subdivider. The Director of Community Development shall forward a copy of the legal ad by Certified Mail to the owner and subdivider not less than five (5) days prior to the date of the public hearing.

405.4 *Public hearing.* The Planning Commission shall hold a public hearing regarding the proposed subdivision. At the close of the public hearing, the Planning Commission shall approve or deny the Preliminary Plat. A notation of the action taken by the Planning Commission shall be made on three copies of the Preliminary Plat, including a statement of the reasons for denial if the Preliminary Plat is disapproved, and including any conditions of approval. One copy shall be retained by the Planning Commission, one copy returned to the subdivider, one copy forwarded to the Director of Community Development, City of Cordele.

405.5 *Effect of approval and expiration time.* Approval of a Preliminary Plat does not constitute approval of a Final Plat, nor does it constitute approval of any required improvements, or development plans. It indicates only approval of the layout as a guide to the preparation of the Final Plat. Preliminary Plat approval shall expire and be null and void after a period of one year (1) unless an extension of time up to an additional one (1) year is approved by the Planning Commission.

405.6 *Time limit for action on Preliminary Plat.* If action on a Preliminary Plat is not taken by the Planning Commission within thirty (30) days after the date of submittal of the Preliminary Plat application, the Preliminary Plat shall be deemed approved and a certificate of approval shall be issued on demand. However, the applicant may waive this requirement and consent to an extension of time.

- **Section 410. - Preliminary Plat specifications.**

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410.1 *Preparation and specifications.* The Preliminary Plat shall be prepared by either a registered Georgia professional engineer, registered Georgia professional land surveyor, or a registered Georgia landscape architect, and all of the following specifications shall be shown. Plats that do not meet the minimum specifications contained in this Ordinance shall not be filed or accepted for review.

410.2 *Scale.* The Preliminary Plat shall be clearly and legibly drawn at a scale that is clear and legible.

410.3 *Sheet size.* The Preliminary Plat shall be provided on permanent reproducible material. Sheet size shall be no larger than the size required by the Clerk of Superior Court for recordation. If the complete plat cannot be shown on one sheet of this size, it may be shown on

more than one sheet of this size with an index map on a separate sheet of the same size. In addition, computer files depicting the plat shall be provided in CAD or other digital format as specified by the Director of Community Development.

410.4 *Existing conditions to be provided on the preliminary plat.*

The following information shall be provided on the Preliminary Plat:

- (a) Name and address of the owner(s) of record and of the subdivider;
- (b) Proposed name of subdivision and its acreage;
- (c) Title ("Preliminary Plat"), north arrow indicating both true and magnetic north, graphic scale, date, inscription stating "Not For Final Recording";
- (d) Vicinity map showing location of the proposed subdivision and other developments in the vicinity;
- (e) Title under which proposed subdivision is to be recorded with names and addresses of owners of the property to be subdivided, name and address of the subdivision designer, certification of registered Georgia professional engineer, registered Georgia landscape architect or registered Georgia professional land surveyor, date of survey;
- (f) Zoning district classification(s) of the proposed subdivision and of adjoining properties;
- (g) Names of owners of record of adjoining property and an indication of whether property is within City's corporate boundaries;
- (h) Exact boundary lines of the tract by bearings and distances;
- (i) Existing streets on, abutting, and adjacent to the tract, including street name, right-of-way width, roadway width, surface type and existence of curb and gutter;
- (j) Existing utilities and easements on the parcel and the land adjacent to the tract, indicating location, width, and purpose;
- (k) Existing topographic contours at elevation intervals of not more than five (5) feet;
- (l) Boundaries of the one hundred (100) year flood plain and floodway as mapped by the National Flood Insurance Program, and any other known past history of flooding, and other significant environmental features;

Community Development is substantial must be approved through submission of a new Preliminary Plat for Approval by the Planning Commission.

415.1 *Application for Construction Plan approval.* Application for Construction Plan approval must be submitted within twelve (12) months of Preliminary Plat approval. Four (4) copies of the Construction Plans shall be submitted along with any other documents required in Section 420 below. The Director of Community Development will distribute the Construction Plans to the fire chief, county health department, City Engineer and any other city or county departments, or other agencies as necessary.

415.2 *Review of Construction Plans.* The Director of Community Development shall check the Construction Plans for compliance with the rules and regulations set forth in this Ordinance and insure that the findings of the reviewing departments are noted within thirty (30) days after the plans are submitted.

415.3 *Construction Plan approval.* Following the city's review of the Construction Plans, the Director of Community Development may issue a certificate of Construction Plan approval noting the conditions of such approval on the Construction Plans. One (1) copy of the Construction Plans shall be returned to the subdivider, one (1) copy to the county health department, one (1) copy to the fire chief, and one (1) copy retained by the Director of Community Development and by any other city, county or other agencies as necessary.

415.4 *Construction Plan disapproval.* Following the City's review of the Construction Plans, the Director of Community Development may disapprove the Construction Plans based on findings that the plans as submitted are at substantial variance with the approved Preliminary Plat, or are detrimental to the public safety, health, and general welfare, or in conflict with adopted plans and policies of the City Commission. A statement of the reasons for disapproval shall be made on all copies of the Construction Plans, with one (1) copy being returned to the subdivider, one (1) copy to the county health department, one (1) copy to the fire chief, and one (1) copy kept by the Director of Community Development and by any other city, county or other agencies as necessary. The applicant may reapply for Construction Plan approval in accordance with Section 415.

415.5 *Improvements authorized.* Approval of the Construction Plans does not constitute approval of the Final Plat. Such approval authorizes work to begin on the construction and installation of all improvements for the proposed layout shown on the Preliminary Plat in accordance with this Ordinance and subject to the inspection of the City.

415.6 *Bond required prior to initiation of construction of improvements.* No improvements shall be made or commenced in accordance with the Construction Plans until the subdivider has complied with one of the following alternatives:

(a)

The subdivider has filed a performance bond with the Director of Community Development, which bond shall:

(1)

Be conditioned upon the faithful performance by the subdivider or developer of all incomplete work required to complete all improvements and installations for the subdivision, or unit division thereof, in compliance with these rules and regulations within a specified time;

(2)
Be payable to, and for the indemnification of the City of Cordele;

(3)
Be in an amount equal to the cost of construction of the required improvements not yet completed plus an additional ten (10) percent as calculated by the Director of Community Development;

(4)
Be with surety by a company entered and licensed to do business in the State of Georgia;

(5)
Be approved by the Director of Community Development and the City Attorney;

(6)
Contain a provision for the maintenance by the subdivider of all installations and improvements required by these regulations in the subdivision for a period of one year following the date of acceptance of the streets and other public lands by the City Commission; or

(b)
The subdivider has established a cash deposit or escrow account, with an agent approved by the City Attorney, in an amount established by the standards of the City Engineer. Such cash deposit or escrow account shall:

(1)
Be accompanied by an agreement in writing directed to the City of Cordele, containing in substance the same terms and conditions as prescribed above for performance bonds;

(2)
Be withdrawable by the subdivider in direct proportion to the amount of improvements completed, as approved by the Director of Community Development; provided, however, that sufficient funds shall be retained in said cash deposit or escrow account to fulfill the requirement that the subdivider maintain all required improvements for a period of one (1) year following the date of acceptance of the streets and other public lands by the City Commission; OR

(c)
The subdivider has entered into a contract with the City of Cordele for the installation, by the city, of all improvements required by these regulations.

415.7 *Indemnification agreement.* Prior to the commencement of any work or site disturbance, the subdivider shall file with the Director of Community Development an indemnification agreement, in a form approved by the Cordele City Attorney, indemnifying the City against claims and liability arising out of water drainage problems resulting from the subdivision.

415.8 *Expiration time.* Construction Plan approval shall expire and be of no further effect after the Preliminary Plat expires according to section 405.4 above unless the applicant submits a written request for a time extension to the Director of Community Development clearly stating the need for the extension. Upon such a request, the Director of Community Development may extend the Construction Plan approval for one additional twelve (12) month period.

- **Section 420. - Construction Plan specifications.**

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The following information regarding subdivision improvements shall be on the Construction Plans:

(a)
A Construction Plan, drawn to the Preliminary Plat specifications set forth in sections 410.1 through 410.3, entitled "Construction Plans," showing the following information:

(1)
The information required under Section 410.4 (Existing Conditions to be Provided on the Preliminary Plat) above;

(2)
Layout of all lots, including minimum building setback lines, approximate lot dimensions, utility easements with width and use on all lots, lot numbers and block numbers, and a listing of lot areas (which may be submitted as a separate document);

(3)
Plans of any sanitary sewers with grades, service, pipe sizes, and point of discharge, together with certified copy of all load design factors and computations;

(4)
Plans for the storm drainage system with grade, pipe size, and location of outlet, together with certified copy of all drainage areas, design factors, and computations;

(5)
Plans for the water supply system with pipe sizes and location of hydrants, valves, and all appurtenances;

(6)
Existing and finished grades including the clear identification of areas in which substantial grade changes and filling will occur.

(b)
Additional engineering data as set forth below:

(1)
Three (3) line profile of proposed streets, showing centerline elevations and elevations along right-of-way lines on either side of street, exposed rock to be indicated, drawn on standard plan and profile sheet with plan section showing street layout, width, curvature, and drainage required;

(2)
Where sanitary or storm sewers are to be installed, the grate, size of pipe, and location of manholes shall be indicated on the three (3)-line street profile;

(3)
Profiles covering roadways that are extensions of existing roadways shall include; elevations at fifty (5)-foot intervals for a minimum distance of three hundred (300) feet back of beginning point and forward of ending point, or such additional distance as may be required by the Director of Community Development; and

(4)

All elevations shall be coordinated and tied into U. S. Coast and Geodetic Survey benchmarks, where feasible.

(c)

Copies of all necessary deeds and easements for the streets and other public lands and ways indicated on the plat, properly executed in such form as shall be approved by the City Attorney.

(d)

A listing of all deviations from the previously approved Preliminary Plat.

• **Section 425. - Certificate of Construction Plan approval.**

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A certificate of approval of the Construction Plans by the Director of Community Development shall be inscribed on the Construction Plans as follows:

In that all requirements of Construction Plans have been fulfilled (and with consideration to any conditions noted below), these Construction Plans were given approval by the Director of Community Development on _____, _____. This approval does not constitute approval of the Final Plat or acceptance of improvements. This Certificate of Approval shall expire in twelve (12) months and be null and void on _____, _____.

_____/_____/_____ _____
Date Director of Community Development

_____/_____/_____ _____
Date Crisp County Health Official

_____/_____/_____ _____
Date Fire Chief

NOT FOR FINAL RECORDING

• **Section 430. - Procedure for Final Plat approval.**

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430.1 *Application for Final Plat approval.* After the Preliminary Plat of a proposed land subdivision has been approved by the Planning Commission, and while the certificate of Preliminary Plat approval is in effect, the subdivider may submit an application for Final Plat approval to the Secretary of the Planning Commission. Said application shall consist of the following:

(a)

A letter requesting review and approval of a Final Plat;

(b)

Six (6) copies of the Final Plat and other documents, as specified in section 435 below, the original of which shall be drawn in permanent ink on cloth or film;

(c)

A Final Plat filing fee as established by the City Commission;

(d)

A certified copy of the deed for the property.

430.2 *Review of Final Plat.* Upon receipt of a Final Plat and its attachments, the Secretary of the Planning Commission shall forward to the Director of Community Development a copy of these documents. The Director of Community Development shall check the Plat for conformance with these Regulations and other applicable ordinances, rules, and statutes. All findings and recommendations shall be reported in writing to the Planning Commission.

430.3 *Notice of public hearing.* Before the Planning Commission either approves or denies the Final Plat, the Planning Commission shall hold a public hearing thereon. Notice of the date, time and place of the hearing shall be published in a newspaper of general circulation in the city not less than fifteen (15) days prior to the hearing. Notice of the date, time, and place of the hearing shall also be posted on signs on the subject property on each contiguous right-of-way.

(a)

Notice Mailed to Owner/Subdivider. The Director of Community Development shall forward a copy of the legal ad by certified mail to the owner and subdivider not less than five (5) days prior to the date of the public hearing.

430.4 *Final Plat approval.* The Planning Commission shall not approve a Final Plat until all the requirements of these regulations have been met, and the Director of Community Development has certified in writing to the Planning Commission that:

(a)

All improvements to the subdivision required under these regulations have been completed in accordance with city specifications; or

(b)

For all required improvements, a performance bond, or cash deposit or escrow account, or an improvement contract with the City, has been provided by the subdivider as set forth in section 415.6 above.

430.5 *Public hearing.* The Planning Commission shall hold a public hearing regarding the proposed subdivision. At the close of the public hearing, the Planning Commission shall approve or deny the Final Plat. A notation of the action shall be made on the original tracing and two prints of the Final Plat, including a statement of the reasons for denial if the Final Plat is disapproved.

430.6 *Time limit for action on the Final Plat.* If action on a Final Plat is not taken by the Planning Commission within thirty (30) days after the date of submittal of the Final Plat application, the Final Plat shall be deemed approved and a certificate of approval shall be issued on demand. However, the applicant may waive this requirement and may consent to an extension of time.

430.7 *Recording of the Final Plat.* Upon approval of the Final Plat, the Director of Community Development shall have the Final Plat recorded in the Office of the Clerk of the Superior Court of Crisp County prior to the sale of any lot or the issuance of any building permit. The owner shall be responsible for the payment of the recording fee at the time of submitting the Final Plat for consideration.

430.8 *Filing of the Final Plat with the city.* Subsequent to the recording of the Final Plat, one copy of cloth or film and one additional copy with all certificates endorsed thereon shall be filed

with the records of the Director of Community Development for the city's permanent records, and one (1) copy each shall be filed with the Planning Commission, and to the owner. The book and page number(s) where the plat is recorded shall also be indicated on the copies.

- **Section 435. - Final Plat specifications.**

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435.1 *Conformance with Preliminary Plat and Construction Plans.* The Final Plat shall conform to and meet the conditions of the approved Preliminary Plat and Construction Plans.

435.2 *Final Plat specifications.* The Final Plat shall be drawn at a scale that is clear and legible. The Final Plat shall be provided on permanent reproducible material. Sheet size shall be no larger than the size required by the Crisp County Clerk of Superior Court for recordation. If the complete plat cannot be shown on one sheet of this size, it may be shown on more than one sheet of this size with an index map on a separate sheet of the same size. In addition, computer files depicting the plat shall be provided in CAD or other digital format as specified by the Director of Community Development.

435.3 *Additional specifications.* The Final Plat shall show the following items:

- (a) Bearings and distances of the subdivision boundaries to the nearest existing street lines or benchmarks or other permanent monuments (not less than three) accurately described on the plat;
- (b) Municipal, county, and land-lot lines accurately tied to the boundary lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision;
- (c) Exact boundary lines of the tract, determined by a field survey, giving distances to the nearest one-hundredth foot and angles to the nearest minute, which shall be balanced and closed with an error of closure not to exceed one to ten thousand;
- (d) The name of the subdivision, exact locations, widths, and names of all streets and alleys within and immediately adjoining the plat;
- (e) Street center-lines showing angles of deflection, angles of intersection, curve radii, and lengths of tangents;
- (f) Lot lines with dimensions to the nearest one-hundredth foot;
- (g) Lots numbered in numerical order and blocks lettered alphabetically;
- (h) Location, dimensions, and purposes of any easements and any areas to be reserved or dedicated for public use;

(i)
Accurate location, material, and description of monuments and markers;

(j)
A statement, either directly on the plat or in an identified attached document, of any private covenants.

435.4 *Required certifications.* The following certifications are required on the Final Plat:

(a)
Surveyor's certification. A signed certification by a registered Georgia land surveyor, landscape architect or engineer certifying to the accuracy of the survey and the plat shall be placed on the Final Plat as follows:

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision; that all monuments shown thereon actually exist or are marked as "future," and their location, size, type and material are correctly shown; and that all engineering requirements of "The Land Subdivision Regulations of Cordele, Georgia," have been fully complied with.

BY: _____ Registered C. E. No. _____

OR

BY: _____ Registered Georgia Land Surveyor No. _____

(b)
Owner's certification. A signed certification of ownership shall be placed directly on the Final Plat as follows:

Owner's Certificate
State of Georgia, County of Crisp

The owner of the land shown on this plat and whose name is subscribed hereto, certifies that this plat was made from an actual survey, that all state and county taxes and/or other assessments now due on this land have been paid.

Agent _____ Owner _____

Date _____ Date _____

(c)
Certificate of dedication. A certificate by the owner setting forth the description of the areas and improvements the owner dedicates to the public and the extent of the title which he is dedicating should be attached to the Final Plat. Said certificate shall be approved as to form by the City Attorney.

(d)
Certificate of approval. A signed certificate of approval of the Final Plat by the Planning Commission shall be placed directly on the plat, as follows:

Pursuant to the "The Land Subdivision Regulations of Cordele, Georgia," all the requirements of approval having been fulfilled, this Final Plat was

approved the Cordele Planning Commission on _____,
_____/_____/_____.
_____/_____/_____
(date) Chairman
Cordele Planning Commission

- **Section 440. - "As Built" plans and certification of improvements.**

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440.1 *Requirement of "As built" plans.* Upon completion of improvements required under these rules and regulations, and before any improvements are accepted for maintenance by the City of Cordele, and before the subdivider or his agent are released from any bond requirement specified herein, the subdivider shall provide to the City formal written notice that all improvements have been installed as approved and in conformity with the approved plats and Construction Plans. Where said improvements have been installed in a manner that substantially varies from the approved Construction Plans, the subdivider shall submit to the Director of Community Development two complete sets of "As-Built" Construction Plans complying with the specifications set forth in section 540.2 below.

440.2 *Specifications for "As built" plans.* "As built" plans shall meet the following specifications:

(a)
Scale. "As built" Plans shall be clearly and legibly drawn at a scale of one hundred (100) feet to one (1) inch, or the same scale as the Final Plat.

(b)
Sheet size. The "As built" plans shall be drawn in ink on suitable permanent reproducible material, on sheets thirty-six (36) inches by twenty-four (24) inches. If the complete plans cannot be shown on one sheet, it may be shown in sections on more than one sheet with an index map drawn at a reduced scale.

(c)
Existing Conditions To Be Shown on "As built" Plans. "As built" plans shall include the following, as applicable, and any additional necessary information requested by the Director of Community Development:

(1)
The center-line profiles of all streets, as built;

(2)
Plans of all streets and alleys, showing the planned and actual location of all utility lines;

(3)
Profiles and invert elevations of all storm water and sanitary sewer lines as such improvements have been actually installed by the subdivider;

(4)
Final plan of water supply system with pipe sizes, location of hydrants, and valves, as built;

(5)

A letter submitted by a registered professional engineer certifying that all sewers, storm drains, curbing and paving have been placed according to grade stakes set by such engineer, or such engineer's representatives, in accordance with plans submitted to and approved by the Director of Community Development;

(6)

A complete listing of the deviations from the approved Construction Plans made by the subdivider;

(7)

Any additional information required by the Development Regulations of Cordele.

440.3 *Certification of improvements.* Prior to acceptance of improvements by the City Commission, the Director of Community Development shall certify that the improvements have been installed in accordance with approved Construction Plans or approved "As Built" plans.

- **Section 445. - Abbreviated procedure for lot splits.**

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445.1 *Projects eligible for abbreviated procedure.* A single tract proposed to be subdivided into three or fewer parcels or a previously subdivided parcel under single ownership that is to be resubdivided into three or fewer lots constitutes a "lot split" under these regulations. Such a subdivision is not required to submit a Preliminary Plat, Construction Plans, and Final Plat; said subdivisions may be approved through a shortened approval process as set forth in this section.

445.2 *Design requirements.* Subdivisions subject to the shortened review process shall be subject to the design standards and required improvements established in Article VI and Article VII of this Ordinance.

445.3 *Review procedure.* Subdivisions eligible for abbreviated review under this section shall adhere to the following procedures:

(a)

Survey required. An accurate survey of the tract of the proposed lot split or of the previously subdivided parcels and the re-subdivision thereof shall be prepared by a land surveyor registered in the State of Georgia, and shall be submitted to the City Engineer, or his designated representative.

(b)

Review by city staff. The Director of Community Development shall review the proposed lot split to insure compliance with all design and improvement requirements of these regulations and shall prepare a written report thereon, which shall be forwarded to the Planning Commission not more than seven (7) days after receipt of the application for a lot split for consideration at the next regular meeting of the Planning Commission.

(c)

Planning commission review. If the application is approved at the next regular meeting of the Planning Commission, it shall be certified by the signature of the Chairman of the Planning Commission and attested by the Secretary of the Planning Commission. If the application is denied, the reasons for denial shall be stated in writing, with reference made to the express

provision(s) of these regulations to which the proposed lot split does not conform, and shall be transmitted to the applicant.

(d)

Lot splits proposing deviation from ordinance or dedications. Whenever a deviation is required from the improvement requirements set forth in these regulations, or a street or other element is to be dedicated, the action of the Planning Commission shall be forwarded to the City Commission for its approval and acceptance of dedications. For all other types of lot splits, the action of the Planning Commission shall be final.

- **ARTICLE V. - GENERAL PRINCIPALS OF SUBDIVISION DESIGN**

[SHARE LINK TO SECTIONPRINT SECTIONEMAIL SECTIONCOMPARE VERSIONS](#)

- **Section 500. - Suitability of land.**

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Land subject to flooding, improper drainage or erosion or land that is for topographical or other reasons unsuitable for residential or other use shall not be platted for residential use nor for any other use that will continue or increase the danger to health, safety or property destruction, unless the hazards can be and are corrected. The Planning Commission shall seek advice on the suitability of land for all uses from whatever source, including the City's Floodplain Map and Ordinance.

- **Section 510. - Land in special flood hazard districts.**

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The subdivider of any land located within a special flood hazard district shall comply with all the requirements set out in the Flood Hazard Ordinance for such districts. In addition, the following requirements shall be followed:

(a)

All subdivision proposals shall be designed to minimize flood damage.

(b)

All proposed subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood hazards.

(c)

All proposed subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

(d)

Base flood elevation data shall be provided for all proposed subdivisions that include portions of the 100 - year floodplain.

- **Section 520. - Access.**

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520.1 *Access required.* Every subdivision shall be served by a dedicated public street.

520.2 *Access to adjoining parcels.* No subdivision shall be designed so as to completely eliminate street access to adjoining parcels of land.

- **Section 530. - Name of subdivision.**

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The name of the subdivision shall not duplicate nor closely approximate the name of any existing subdivision within the City of Cordele, except that when the subdivision is a section or part of a larger subdivision being developed by the same subdivider in phases, sections or stages. In this case, the name of the overall subdivision may be used for each phase, stage, or section, but the phase or section number must also be included as part of the same.

- **Section 540. - Conformance to adopted Major Thoroughfare and Comprehensive Plans and other regulations.**

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540.1 *Conformance with the comprehensive plan.* All proposed subdivisions shall conform to the City's Comprehensive Plan, zoning and subdivision regulations, and other development policies in effect at the time of the plat submission to the City. When features of the Comprehensive Plan or other plans adopted by the Planning Commission (such as schools or other public-building sites, parks, or other land for public uses) are located in whole or in part in a land subdivision, such features shall be either dedicated or reserved by the owner for acquisition within a reasonable time by the appropriate public agency.

540.2 *Conformance with the major thoroughfare plan.* All streets and other features of the Major Thoroughfare Plan of Cordele, Georgia, shall be platted by the owner in the location and to the dimension indicated on the Major Thoroughfare Plan adopted by the Planning Commission.

540.3 *Land proposed to be dedicated.* Whenever a plat proposes the dedication of land to public use and the Planning Commission finds that such land is not required or suitable for such public use, the Planning Commission shall refuse to approve the plat, and shall notify the owner and the governing body of the reasons for such action.

- **Section 550. - Large-scale developments.**

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The requirements of this Ordinance may be modified in the case of a large-scale community or Planned Developments such as a housing project and/or shopping center which may or may not be subdivided into customary lots, blocks, and streets, if the development meets the requirements

of the "Zoning Ordinance of Cordele, Georgia," is approved by the Planning Commission and the City Commission, and if it is in conformity with the purpose and intent of this Ordinance. The requirements concerning Planned Developments are contained in Article VI, [Section 675](#) "Planned Developments" of the "Zoning Ordinance of Cordele, Georgia."

- **ARTICLE VI. - DESIGN STANDARDS**

[SHARE LINK TO SECTION](#)[PRINT SECTION](#)[EMAIL SECTION](#)[COMPARE VERSIONS](#)

- **Section 600. - Required design standards.**

[SHARE LINK TO SECTION](#)[PRINT SECTION](#)[EMAIL SECTION](#)[COMPARE VERSIONS](#)

All improvements within subdivisions within the City of Cordele shall be made in accordance with "The Development Regulations of the City of Cordele, Georgia." Whenever there is a discrepancy between minimum standards of dimensions noted herein and those contained in other official regulations or resolutions, the most restrictive as determined by the Director of Community Development.

- **Section 610. - General requirements for streets and other rights-of-way.**

[SHARE LINK TO SECTION](#)[PRINT SECTION](#)[EMAIL SECTION](#)[COMPARE VERSIONS](#)

610.1 *Continuation of existing streets.* Existing streets shall be continued at the same or greater width, but in no case less than the width in these regulations.

610.2 *Street names.* Streets that are obviously in alignment with streets existing and named shall be given the name of the existing street. Names of new streets shall not duplicate nor closely approximate those of existing streets in the City of Cordele or in Crisp County.

610.3 *Street Jogs.* Street jogs with center-line offsets of less than 125 feet shall not be permitted. Street jogs remain at the present 125 feet except that when wetlands, flood plains, and/or topographic conditions are present, the Cordele Planning Commission may reduce a street jog to no less than 50 feet.

610.4 *Cul-de-sacs.* Except where topographic or other conditions make a greater length unavoidable, cul-de-sacs, or dead-end streets, shall be not greater in length than 600 feet. Residential cul-de-sacs shall be provided at the closed end with a turn around having a property line radius of at least 60 feet with an outside pavement radius of at least 50 feet. Commercial and industrial cul-de-sacs shall be provided at the closed end with a turn around having a property line radius of at least 75 feet with and outside pavement radius of at least 60 feet.

610.5 *Development along major thoroughfare, limited-access highway or railroad right-of-way.* Where a subdivision abuts or contains a major thoroughfare, a limited-access highway or railroad right-of-way, the Planning Commission may require a street approximately parallel to and on each side of such right-of-way either as a marginal access street or, at a distance suitable for the appropriate use of the intervening land, with a non-access reservation suitably planted. Such distances shall also be determined with due regard for the requirements of approach grades and

future grade separations. Lots shall have no direct access to major thoroughfares, or limited-access highway; such access shall be only to access streets.

(a)

State Permits. Where a subdivision is related to or affects any state or federally numbered highway, the approval of the Georgia Department of Transportation shall be required by the City.

610.6 *Alleys.* Alleys are required at the rear of all lots, whether they are used for one family, multi-family, commercial, institutional, or industrial purposes, except that the Planning Commission may partially or totally relieve the developer of this requirement for a Planned Development where floodplains, wetlands, or other topographical features prohibit the inclusion of alleys.

610.7 *Reserve strips.* Reserve strips controlling access to streets, alleys and public grounds shall not be permitted unless their control is placed in the hands of the city government, under conditions approved by the city government.

610.8 *Easements.* Easements having a minimum width of ten (10) feet, or as required by [Section 5.2](#) of the City of Cordele's Development Regulations, shall be located along the side or rear lot lines, as required, for utilities. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a storm-water or drainage right-of-way of adequate width. Parallel streets may be required by the Planning Commission in connection therewith.

- **Section 620. - Street design standards.**

[SHARE LINK TO SECTION](#)[PRINT SECTION](#)[EMAIL SECTION](#)[COMPARE VERSIONS](#)

620.1 *General.* The arrangement, character, extent, width, grade and location of all streets shall conform to the Major Thoroughfare Plan for the city and shall be considered in their relation to existing and planned streets, topographic conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. Where such is not shown in the city's Major Thoroughfare Plan, the arrangement of streets in the subdivision shall provide for the continuation or appropriate projection of existing streets in surrounding areas at the same or greater width, but in no case less than the required minimum width.

620.2 *Compliance with development regulations.* All streets shall comply with the "Development Regulations of the City of Cordele, Georgia."

620.3 *Street right-of-way widths.* Street right-of-way widths shall be the distance across a street from property line to property line. Minimum street right-of-way widths shall be as follows:

(a)

Major thoroughfare widths shall be 80 to 100 feet, depending on the existence and size of a median strip, determination of which shall be made by the Planning Commission;

(b)

Collector streets, 60 feet;

(c)

Local streets and dead-end streets, 60 feet;

Interior streets, 38 feet; (d)

Alleys, 20 feet. (e)

620.4 *Street grades.* Maximum and minimum grades of all streets shall not be in excess of 10 percent and not less than one percent.

620.5 *Horizontal curvature.* The minimum radii of centerline curvature shall be as follows:

Major thoroughfares, 1260 feet; (a)

Collector streets, 500 feet; (b)

Local streets, interior streets and dead-end streets and alleys, 200 feet. (c)

620.6 *Street intersections.* Street intersections shall be as nearly at right angles as possible. No street intersections shall be at an angle of less than 60 degrees, unless required by unusual circumstances.

620.7 *Curb-line radius.* The curb-line radius at street intersections shall be at least 15 feet. Where the angle of street intersection is less than 90 degrees, a longer radius may be required.

620.8 *Street paving widths.* Street paving widths shall be no less than the following, measured from back of curb:

Major thoroughfares with median (100 ft. R-O-W) 2 at 28 feet each; (a)

Major thoroughfares (80 ft. R-O-W), 52 feet; (b)

Collector Streets (60 ft. R-O-W), 32 feet; (c)

Local Streets (60 ft. R-O-W), 26 feet; (d)

Interior Streets (38 ft. R-O-W), 26 feet. (e)

620.8 *Street improvement specifications.* All major thoroughfares, collector, interior and local streets within a subdivision shall be improved in accordance with City standards as contained in Article VII, (Required Improvements) and shall comply with the standards adopted in "The Development Regulations of the City of Cordele, Georgia."

- **Section 630. - Ddesign standards for blocks and lots.**

[SHARE LINK TO SECTION](#)[PRINT SECTION](#)[EMAIL SECTION](#)[COMPARE VERSIONS](#)

630.1 *General considerations.* The lengths, widths, and shapes of blocks shall be determined with due regard to the following:

- (a) The provision of adequate building sites that are suitable to the special needs of the type of use contemplated
- (b) The lot size and dimension requirements in the Cordele Zoning Ordinance, unless a planned development or cluster development is proposed
- (c) The needs for convenient access, circulation, control, and safety of street traffic
- (d) Any limitations and/or opportunities of topography.

630.2 *Block lengths.* Blocks shall be not greater than 1,000 feet, measured along the center-line of the block. When a block exceeds 600 feet in length the Planning Commission may require a 15 foot easement for a crosswalk through the block. If provided, the crosswalk shall be a 4 foot paved walk.

630.3 *Block widths.* Blocks shall be wide enough to provide two tiers of lots of minimum depth, except where fronting upon major thoroughfares, limited-access highways, or railroads, or prevented by topographical conditions or size of property, or other in situations where two tiers of lots is impracticable, in which case the City may require and/or approve a single tier of lots.

630.4 *Lot sizes.* Residential lots shall conform to the minimum dimension and area requirements of the "Zoning Ordinance of Cordele, Georgia."

- (a) *Septic tanks.* The Crisp County Sanitarian shall prescribe minimum lot sizes to conform to health standards on lots where individual septic tanks are to be used,
- (b) *Corner lots.* Residential corner lots shall have adequate width to meet all the yard requirements specified in the Cordele Zoning Ordinance.

630.5 *Setbacks.* Building lines (setbacks) meeting the minimum required yard dimensions as set forth in the Cordele Zoning Ordinance for the zoning district in which the lot is situated shall be established on all lots.

630.6 *Double and reverse frontage lots.* Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least 10 feet, across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other incompatible use.

• **ARTICLE VII. - REQUIRED IMPROVEMENTS**

[SHARE LINK TO SECTIONPRINT SECTIONEMAIL SECTIONCOMPARE VERSIONS](#)

- **Section 700. - General.**

[SHARE LINK TO SECTIONPRINT SECTIONEMAIL SECTIONCOMPARE VERSIONS](#)

Except as provided in Section 430.4 (Final Plat Approval), every subdivider shall be required to have installed the street improvements and utilities required by this Article prior to the approval of the Final Plat.

700.1 *Standards.* All required street improvements, utilities and monuments shall be built to standards specified by the agency responsible for each. All utilities to be installed in the streets and/or alleys shall be placed, the pipe properly bedded and the soil compacted to City standards prior to paving completion.

- **Section 710. - Streets and related improvements.**

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710.1 *Streets.* Streets shall be provided in accordance with and meeting the standards of this Ordinance, the Cordele Major Thoroughfare Plan, and the Development Regulations of the City of Cordele.

(a)

Street improvements plans. In accordance with Georgia law and the City of Cordele Development Regulations, street improvements plans for all new streets, street widenings and existing street upgrades shall be prepared by a Georgia registered professional engineer.

710.2 *Curb and gutter.* In accordance with the City's Development Regulations, all new streets or street widening sections shall be provided with curb and gutter except that in lieu of installation of curbs and gutters and/or related improvements, the owner must have presented to and received approval by the City a Street Improvements and Storm Water Drainage Plan for the subdivision and its affected environs. Said plan must provide for adequate storm water drainage, and will further address as a minimum street grading, paving and curbs and gutters, and/or other innovative provisions for said drainage. This plan must conform to the applicable standards and specifications established by the city and be certified to, signed, sealed and dated by Georgia Registered Civil Engineer or Georgia Registered Land Surveyor.

710.3 *Sidewalks, traffic control devices and street lighting.* Sidewalks shall be provided within the Central Business District and in other districts where it is determined by the Planning Commission to be essential for safety of pedestrians. Traffic control devices and street lighting fixtures shall be provided in accordance with the City's Development Regulations.

- **Section 720. - Storm water drainage.**

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Every subdivision shall be served by appropriate storm drainage facilities, including but not limited to, drains, sewers, catch basins, culverts, and other facilities in accordance with the City's Development Regulations.

- **Section 730. - Monuments and markers.**

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Right-of-way and property line monuments shall be placed in each subdivision in accordance with the following:

(a)

Right-of-way monuments. On all streets designated as arterials, a metallic pin imbedded at least two (2) feet into the ground shall be set at street corners, at points where the street lines intersect the exterior boundaries of the subdivision, and at angle points and points of curve in such street. Such metallic pin shall be at least one-half ($\frac{1}{2}$) inch in diameter. The top surface of such iron pin shall be approximately level with the ground.

(b)

Property line monuments. A metallic pin imbedded at least two (2) feet into the ground shall be required at each lot corner and at each point where the property line changes direction. Such metallic pin shall be at least one-half ($\frac{1}{2}$) inch in diameter. The top surface of such iron pin shall be approximately level with the ground surface.

- **Section 740. - Utilities.**

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740.1 *Location.* All utility facilities, including but not limited to gas, electric power, telephone, and cable television, shall be located underground throughout the subdivision. Wherever existing utility facilities are located above ground, except where existing on public roads and rights-of-way, they shall be removed and placed underground. All utilities existing and proposed throughout the subdivision shall be shown on the Preliminary Plat. Underground service connections to the street property line of each platted lot shall be installed at the owner's expense. At the discretion of the Planning Commission, the requirement for service connections to each lot may be waived in the case of adjoining lots to be retained in single ownership and intended to be developed for the same primary use.

740.2 *Easements.*

(a)

Easements centered on rear lot lines shall be provided for utilities (private public). Such easements shall be at least ten (10) feet wide, or as required by [Section 5.2](#) of the City of Cordele's Development Regulations. Proper coordination shall be established between the owner and the applicable utility companies for the placement of utility easements on adjoining properties.

(b)

Where topographical or other conditions are such as to make impractical the inclusion of utilities within the rear lot lines, perpetual unobstructed easements at least 10 feet in width shall be provided along side lot lines with satisfactory access to the road or rear lot lines. Easements shall be indicated on all plats.

740.3 *Sanitary sewers.* Sanitary sewer lines and manholes shall be provided in accordance with the City's Development Regulations.

740.4 *Water distribution system.* Water mains within the subdivision with fire hydrant and with connections to each lot shall be provided. Minimum diameter of water pipes shall normally be six inches.

- **Section 750. - Parks, playgrounds, and recreation areas.**

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750.1 *Dedication.* The Planning Commission may require that land be reserved for parks and playgrounds or other recreation purposes in locations designated on the Comprehensive Plan or otherwise where such reservations would be appropriate. Each reservation shall be of suitable size, dimension, topography, and general character and shall have adequate road access, for the particular purposes envisioned by the Planning Commission. The area shall be shown and marked on all plats, "Reserved For Park and/or Recreation Purposes." The land area reserved for park and recreation areas shall be equal to five (5) percent of the gross area of the subdivision. The Planning Commission may refer such proposed reservations to the city official or department in charge of parks and recreation for recommendation. The owner shall dedicate all such recreation areas to the local government as a condition of final subdivision plat approval.

750.2 *Alternative procedure: money in lieu of land.* Where, with respect to a particular subdivision the reservation of land required pursuant to this section does not equal the percentage of total land required to be reserved, the Planning Commission shall require, prior to approval of the final subdivision plat, that the applicant deposit with the City a cash in lieu of land reservation. Such deposit shall be used by the city for improvement of a neighborhood park, playground, or recreation area including the acquisition of property. Such deposit must be used for facilities that will be actually available to and benefit the persons in said subdivision and be located in the general vicinity of the subdivision. The Planning Commission shall determine the amount to be deposited, based on the following formula:

two hundred dollars (\$200.00) multiplied by the number of times the total area of the subdivision is divisible by the required minimum lot size of the zoning district in which it is located, less a credit for the amount of land actually reserved for recreation purposes, if any.

- **ARTICLE VIII. - ADMINISTRATION**

[SHARE LINK TO SECTION](#)[PRINT SECTION](#)[EMAIL SECTION](#)[COMPARE VERSIONS](#)

- **Section 800. - Variances.**

[SHARE LINK TO SECTION](#)[PRINT SECTION](#)[EMAIL SECTION](#)[COMPARE VERSIONS](#)

800.1 *General.* When the Planning Commission finds that because of topographic or other conditions peculiar to the site, the literal enforcement of a provision of this Ordinance may result in unnecessary hardship to the subdivider, it may approve a variance to these subdivision

regulations, so that substantial justice may be done and the public interest served, provided that such a variance shall not have the effect of nullifying the intent and purpose of these regulations.

800.2 *Procedure.* The subdivider shall submit a survey plat and written petition for variance that fully states the grounds for the variance request and addresses the criteria set forth in Section 800.5 (Findings) below.

800.3 *Public hearing requirement.* Before taking action on a variance request, the Planning Commission shall hold a public hearing regarding the requested variance. At the close of the public hearing, the Planning Commission shall approve or deny the variance request.

(a)

Conditions of approval. In approving a variance, the Planning Commission may require such conditions as will in its judgement secure substantially the objectives of the standards and/or requirements of these regulations.

800.4 *Notice of public hearing.* Notice of the date, time and place of the hearing shall be published in a newspaper of general circulation in the city not less than fifteen (15) days prior to the hearing. Notice of the date, time and place of the hearing shall also be posted on signs on each contiguous right-of-way.

800.5 *Findings required.* The Planning Commission shall not approve a variance unless it finds, based on the evidence presented, that all of the following criteria are met:

(a)

The conditions upon which the request for a variance are based are unique to the property for which the variance is sought and are not generally applicable to other property;

(b)

Because of the particular physical surroundings, shape, or topography of the specific property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations was carried out;

(c)

The variance will not in any manner vary the provisions of the Cordele Zoning Ordinance and Official Zoning Map and/or the Cordele Comprehensive Plan; and

(d)

The granting of the variance shall not be detrimental to the public safety, health, or welfare, or injurious to other property.

- **Section 810. - Amendments.**

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The provisions of this Ordinance may be amended from time to time by the City Commission for the purposes of protecting and providing for the public health, safety, and welfare.

810.1 *Planning commission review and recommendation required.* No amendment to these regulations shall become effective unless it shall have been proposed by or shall have first been submitted to the Planning Commission for review and recommendation. The Planning Commission shall have thirty (30) days within

which to submit its report to the City Commission after the Planning Commission's first consideration of the proposed amendment. If the Planning Commission fails to submit a report within the thirty (30) day period, it shall be deemed to have recommended approval of the proposed amendment.

810.2 *Public hearing requirement.* Before the Cordele City Commission enacts this Ordinance or an amendment to it, the Cordele Planning Commission shall hold a public hearing thereon.

810.3 *Notice of public hearing.* Notice of the public hearing on a proposed amendment to these regulations shall be given not less than fifteen (15) days notice and no more than forty-five (45) days prior to the date of said public hearing. Such notice shall be published in a newspaper of general circulation in the city and shall include a statement of the date, time, place and purpose of the public hearing.

- **ARTICLE IX. - LEGAL STATUS PROVISIONS**

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- **Section 900. - Conflict with public and private provisions.**

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(a)

Public provisions. These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule, regulation, statute, or other provision of law. Whenever any provision of these regulations imposes restrictions different from those imposed by any other ordinance, rule, regulation, or provision of law, whichever provision is more restrictive, or imposes higher standards, shall control.

(b)

Private provisions. These regulations are not intended to abrogate any easement, covenant, or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern.

- **Section 910. - Severability.**

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Should any section or provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

- **Section 920. - Repeal of conflicting resolutions and ordinances.**

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All ordinances or parts of ordinances in conflict herewith are hereby repealed.

- **Section 930. - Violations and penalties.**

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Any person, firm or corporation violating any of the provisions of this Ordinance shall upon conviction in the Cordele Municipal Court be fined by the Judge of said court within the limits set forth in [Section 7.03](#) of the Charter of the City of Cordele, as amended. Each day such violation continues shall constitute a separate offense.

- **Section 940. - Effective date.**

[modified](#)

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This ordinance shall take effect commencing on 1 May 1999, the public welfare demanding it. Read and approved this 16th day of March, 1999, for a first reading, and on this 6th day of April, 1999 for a second and final reading after a public hearing before the Cordele City Commission on the 16th day of March 1999.

APPROVED:
CITY OF CORDELE, GEORGIA

/s/ Zack H. Wade, Chairman
Cordele City Commission

Date: 4/6/99

/s/ Steve Fulford
City Clerk