

SUBDIVISION REGULATION AMENDMENTS

SECTIN 1. THE SUBDIVISION REGULATIONS OF THE CITY OF COMER, GEORGIA (1988), ARE HEREBY AMENDED AS FOLLOWS:

- [1] BY DELETING SUBSECTIONS 3.2.5.B AND 3.2.5.C AND ADDING SUBSECTIONS 3.2.5.B AND 3.2.5.C TO READ AS FOLLOWS:

3.2 REQUIRED IMPROVEMENTS

3.2.5 Utilities: General

B. A public (municipal) water supply system must serve all proposed major subdivisions. Water mains shall be installed by the subdivider within the subdivision with connections to each lot extended to the lot line. All water meters will be provided by the subdivider per city specifications and all water meters will be installed by the city water department, or as otherwise provided in the Code of the City of Comer, Georgia, 2001 (as may be amended).

C. Every major subdivision shall be served by a public sanitary sewer system. Sewer mains shall be installed by the subdivider at the subdivider's expense, with connections to each lot extended to the lot line.

- [2] BY DELETING SUBSECTION 3.3.1.C AND ADDING SUBSECTION 3.3.1.C TO READ AS FOLLOWS:

3.3.1 Block Lengths and Widths:

C. Blocks or lots shall have pedestrian walkways of not less than five feet in width to provide circulation or access to schools, playgrounds, shopping centers, transportation, and other community facilities.

- [3] SUBSECTION 3.3.1.D IS REVISED AS FOLLOWS:

This subsection is amended such that dead-end streets or cul-de-sacs shall not be greater than one thousand (1000) feet in length, and shall have a turnaround right-of-way of fifty (50) foot radius and turnaround pavement of forty (40) foot radius.

- [4] SUBSECTION 3.4.6 IS REVISED AS FOLLOWS:

By adding the following sentence to this subsection:

“Culverts which meet State requirements for drainage, erosion control, or road construction standards may also be allowed.”

[5] BY DELETING SECTION 3.4.7.G AND ADDING SECTION 3.4.7.G TO READ AS FOLLOWS:

3.4.7. Design Guidelines:

G. Cul-de-Sacs: All cul-de-sacs or dead-end streets shall not exceed ten (10) times the minimum required lot width or one thousand (1000) feet, whichever is less. Longer cul-de-sacs may be approved by the City Council if topographic conditions pose development constraints or unusual platting exists, provided that such approval must be with the consent of the Comer Fire Chief.

[6] SUBSECTION 3.4.6.O IS REVISED AS FOLLOWS:

The first sentence of this subsection is amended to read

O. Sidewalks: “The inclusion of sidewalks within major subdivisions is required.”

[7] BY REVISING SUBSECTION 3.4.9.A AS FOLLOWS:

The following language is added to the end of this subsection:

A. General Requirements:

1. Storm water drainage plans must be prepared by a registered professional engineer licensed as such with the State of Georgia, and submitted to the City Council along with or as part of any
 - (a) Soil Erosion Plan required by this ordinance, or
 - (b) Erosion and Sedimentation Control Plan as required by the Georgia Erosion and Sedimentation Act, O.C.G.A. §12-7-1 et seq., or
 - (c) Erosion Sedimentation and Pollution Control Plan under the General NPDES permit for Storm Water Discharges from construction activities under the Clean Water Act or other erosion control plans required under the federal Clean Water Act.

[8] SUBSECTION 3.4.9.B (4) IS REVISED AS FOLLOWS:

Subsection 3.4.9.B (4) is amended by adding the following sentence to the end of the subsection:

The subdivider shall provide written proof to the City Council that a licensed and registered professional engineer has approved a Soil Erosion Plan which mitigates downstream drainage effects outside the area of the proposed subdivision, including any Erosion and Sedimentation Control Plan required by the federal Clean Water Act.

[9] BY RENUMBERING SUBSECTION 3.4.9.B(6) AS FOLLOWS:

3.4.10 Water Facilities

[10] BY DELETING SUBSECTION 3.4.9.B(7) ENTITLED “Individual Wells and Central Water Systems,” IN ITS ENTIRERTY.

[11] BY RENUMBERING SECTION 3.4.9.B(8) AS FOLLOWS:

3.4.10(b) Fire Hydrants:

[12] BY REVISING SUBSECTION 3.4.10(B) AS FOLLOWS:

By amending the second sentence to read as follows:

“Fire hydrants shall be located no more than five hundred (500) feet apart and within five hundred (500) feet of any structure, and plans showing the location of the fire hydrants shall be approved by the Fire Chief before the City Council may approve any final plat for a major subdivision.”

By revising the next to last sentence to read as follows:

“All fire hydrants shall have at least two (2) discharge outlets of two and one-half (2 1/2”) diameter and one (1) discharge outlet of four and one-half (4 1/2”) inch diameter.”

[13] BY RENUMBERING SUBSECTION 3.4.9.B(9) AS FOLLOWS:

3.4.10 (c) Design Standards:

[14] BY RENUMBERING SUBSECTION 3.4.9.B.(10) AS FOLLOWS:

3.4.11 Preservation of Natural Features and Amenities:

[15] BY RENUMBERING SUBSECTION 3.4.9.B(11) AS FOLLOWS:

3.4.12 Soil Preservation and Seeding:

[16] BY RENUMBERING SUBSECTION 3.4.9.B(12) AS SECTION 3.4.13 AND BY DELECTING THE TEXT OF SECTION 3.4.13 AND ADDING SECTION 3.4.13 RO READ AS FOLLOWS:

3.4.13 Individual Disposal System Requirements: Individual septic disposal systems are not allowed in major subdivisions. All subdivision lots must be connected to public sewer at the subdivider's expense.

[17] BY RENUMBERING SUBSECTION 3.4.9.B(13) AS FOLLOWS:

3.14.13.A Design Standards:

[18] BY RENUMBERING SUBSECTION 3.4.9.B(14) AS FOLLOWS:

3.4.14 Utilities:

[19] BY RENUMBERING SUBSECTON 3.4.9.B(15) AS FOLLOWS:

3.4.15 Lots:

[20] BY DELETING SUBSECTIONS 4.2.1.B AND 4.2.1.C AND ADDING SUBSECTIONS 4.2.1.B AND 4.2.1.C TO READ AS FOLLOWS:

4.2.1. Minor Subdivision:

- B. The Building Inspector shall review the final plat and recommend approval or disapproval of said plat to the City Council within five (5) working days after the final plat is submitted to the Mayor and Council.
- C. At the next City Council meeting, the City Council shall approve, approve subject to modifications, table or disapprove the final plat. If the final plat is disapproved, the City Council shall notify the subdivider in writing citing the reasons for disapproval. The action of the City Council shall be noted o a copy of the final plat, and one copy shall be returned to the subdivider.

[21] BY DELETING SUBSECTION 4.2.2.G AND ADDING SUBSECTION 4.2.2.G TO READ AS FOLLOWS:

- G. Soil Erosion Control Plans and Grading Permit: Before any grading permit may be issued for any portion of a major subdivision, the subdivider must submit to the City Council the following:
 - 1. A Soil Erosion Plan, which may include erosion and sedimentation control, drainage control, storm water control, and sedimentation and detention ponds or other facilities for the control of storm water runoff and sedimentation. The Soil Erosion Plan may be included as part of the preliminary plat submissions, or as part of the subsections (2) and (3) below.
 - 2. A copy of any Soil Erosion and Sedimentation Control plans or permits as required by the Georgia Erosion and Sedimentation Act, O.C.G.A. § 12-7-1 et seq.
 - 3. A copy of:
 - (a) any land-disturbing permit or plans or permits for the discharge of storm water as required by the Georgia Water Quality Control Act, O.C.G.A. § 12-5-30; and
 - (b) any plans or permits required by the federal Clean Water Act, including any Erosion Sedimentation and Pollution Control Plan under the General NPDES permit for Storm Water Discharges from construction activities under the Clean Water Act; or any Notice of Intent (NOI) required by the Environmental Protection Division of the Georgia Department of Natural Resources or the federal Environmental Protection Agency; or any dredge and fill permit issued under Section 404 of the Clean Water Act.
 - 4. A grading permit shall only be issued for those sections or portions or phases of a major subdivision that have met the requirements of this subsection 4.2.2.G.

[22] BY DELETING SUBSECTION 4.3.2.C AND ADDING SUBSECTION 4.3.2.C TO READ AS FOLLOWS:

C. Soil Erosion Plans and Construction Plans:

1. Soil Erosion Plans, or other plans required by this ordinance for erosion and sedimentation control, drainage, or storm water control, must be submitted to the City Council at least thirty (30) days prior to submission of the Final Plat to the City Council.
2. Construction plans must be submitted within six (6) months subsequent to preliminary plat approval, but prior to installation of any required improvements.

[23] BY REVISING SUBSECTION 5.4.1 AS FOLLOWS:

By amending the next to last sentence of this subsection to read as follows:

“Sheet size shall be seventeen (17) inches by twenty-one (21) inches for a major subdivision.”

[24] BY ADDING SUBSECTION 5.4.2 TO READ AS FOLLOWS:

5.4.2 Final Plat for Minor Subdivisions: The final plat for minor subdivisions shall comply with the requirements for recordation of maps and plats of O.C.G.A. § 15-6-67. The City Council may waive the requirement for submission of a sketch plat for minor subdivisions by its approval of a final plat for a minor subdivision.

[25] BY DELETING SUBSECTION OF 5.4.1.S AND ADDING SECTION 5.4.1.S TO READ AS FOLLOWS:

S. Reserved:

SECTION 2. LIABILITY

Nether the approval of any action under the provisions of this ordinance, nor the compliance with provisions of this ordinance, shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the Mayor or City Council for damage to any person or property.

SECTION 3. CONFLICTS BETWEEN SPECIFIC AND GENERAL PROVISIONS

Where there is an apparent conflict in this Ordinance between specific and general provisions, it is the intention hereof that the specific shall control.

SECTION 4. SEVERABILITY

If any section, provision, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such individuality shall not be

construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent that this Ordinance would have been adopted has such invalid portion not been included herein.

SECTION 5. REPEAL OF CONFLICTING PROVISIONS

All ordinances or parts of ordinances in conflict with this ordinance, and not preserved hereby, are hereby repealed.

SECTION 6. EFFECTIV DATE

This Ordinance shall become effective immediately after its passage and approval in the manner prescribed by law.

Passed and approved this 6th day of November, 2007, at a meeting of the Mayor and Council of the City of Comer, Georgia.

William E. Burroughs, Mayor, City of Comer

Attest:

Stephen H. Sorrells, City Clerk
[CITY SEAL]

Approved as to Legal Form:

Victor Y. Johnson, City Attorney