

SUBDIVISION AND LAND DEVELOPMENT CODE



FRANKLIN COUNTY, GEORGIA

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ARTICLE 1-1 GENERAL PROVISIONS

Sec. 1-101. Short title.

This ordinance shall be known and may be cited as the Franklin County, GA, subdivision and land development code or, for brevity, development code.

Sec. 1-102. Purposes.

The Franklin County Board of Commissioners has adopted a comprehensive plan in accordance with the requirements of the Georgia Planning Act of 1989, Rules of the Georgia Department of Community Affairs, and Rules of the Georgia Department of Natural Resources, and said plan has been revised from time to time. This development code helps assure the implementation of the adopted comprehensive plan.

Sec. 1-103. Jurisdiction.

This ordinance shall apply to all unincorporated lands in Franklin County, Georgia.

Sec. 1-104. Exemption.

All governmental bodies and authorities legally exempt from regulation under the police power of the Franklin County Board of Commissioners are exempt from the requirements of this development code.

Sec. 1-105. Relationship to private agreements.

This development code is not intended to repeal, abrogate, or impair any valid easement, covenant, or deed restriction duly recorded with the Clerk of the Superior Court of Franklin County, Georgia, to the extent that such easement, covenant or deed restriction is more restrictive than the requirements imposed by this development code.

Sec. 1-106. Applicability of regulations.

- (a) No land or water shall hereafter be altered, disturbed, used or occupied, except in full compliance with all of the applicable regulations of this development code.
- (b) No land, water, building, or structure, shall hereafter be used or occupied, and no building or structure or part hereof shall be erected or occupied except in conformity with the use provisions for the zoning district in which it is located, as established by the Franklin County zoning regulations, and in accordance with specific use provisions established in said zoning regulations.

Sec. 1-107. Minimum lot frontage.

- (a) Except as otherwise specifically provided in this development code, every lot must front at least sixty (60) feet on a street from which direct access can be gained that has been opened and accepted as a public street or a private street approved by the Franklin County Board of Commissioners.
- (b) No lot shall hereafter be created or subdivided unless it meets or exceeds the minimum lot frontage requirement established by this development code, except as otherwise specifically provided in this development code.
- (c) No lot shall be reduced in street frontage below the minimum lot frontage requirement established by this development code.

Sec. 1-108. Minimum lot area requirements.

- (a) No lot shall hereafter be created or subdivided unless it meets or exceeds the minimum lot area (size) for the zoning district in which the lot is located as established by the Franklin County zoning regulations and this development code, except as otherwise specifically provided in this development code.

- (b) No lot shall be reduced below the minimum lot area (size) of the zoning district in which said lot and building are located as established by the Franklin County zoning regulations, except as otherwise specifically provided in this development code.
- (c) The Franklin County Health Department (environmental health) may require larger lot sizes than the minimums established for zoning districts, when the use of the lot will be served by an on-site sewage management system (e.g. septic tank).

Sec. 1-109. Minimum lot width requirements.

- (a) No lot shall hereafter be created or subdivided unless it meets or exceeds the minimum lot width established for the zoning district in which it is located by the Franklin County Zoning Regulations.
- (b) No lot shall be reduced below the minimum lot width for the zoning district in which said lot is located as established by the Franklin County zoning regulations, except as otherwise specifically provided in this development code.

Sec. 1-110. Measurement of required minimum lot width.

- (a) Where a minimum lot width is required, the lot width shall be measured at the front building setback line required by the Franklin County Zoning Regulations or as established on a recorded plat. If the required minimum lot width cannot be achieved at the front setback line required by the zoning district, the required front building setback line shall be moved further interior to the lot where the minimum lot width can be achieved.
- (b) Where a lot has frontage only on an access easement rather than frontage on an existing county standard road, the lot width for purposes of meeting the minimum lot width requirement shall be measured at the proposed building line fronting and paralleling the access easement.

Sec. 1-111. Nonconforming lot.

A lot of record, as defined, that does not conform to the minimum lot frontage requirements, or that does not conform to the minimum lot size or minimum lot width requirements, may be used as a building site, provided that the access, height, buffer, setback, and other dimensional requirements of the zoning district or overlay district if applicable in which the lot of record is located are complied with or a variance is obtained, and, provided further, that the lot meets all the current applicable standards and requirements of the Franklin County Health Department.

Sec. 1-112. Definitions.

Nonconforming lot: A lot which does not conform to the lot requirements of the zoning district or if applicable overlay district in which the lot is located as established by Franklin County Zoning Regulations but which was a lot of record prior to the effective date of said Zoning Regulations or

its amendment. A lot created pursuant to an act of subdivision of land which was unlawful shall not be considered a nonconforming lot.

**ARTICLE 1-2
LEGAL STATUS PROVISIONS**

- Sec. 1-201. Severability.
- Sec. 1-202. Liability.
- Sec. 1-203. Repeal of previous ordinances.
- Sec. 1-204. Effective Date.

Sec. 1-201. Severability.

Should a court of competent jurisdiction find any provision of this development code to be invalid or unenforceable, such invalid or unenforceable provision shall be severed from this development code and shall not affect the validity or enforceability of the remainder of this development code, which shall remain in full force and effect.

Sec. 1-202. Liability.

Neither the approval of a plat or development plan under the provisions of this development code nor the compliance with the provisions of this development code shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law; provided, however, nothing in this development code shall be construed to impose any liability upon the county for damage to any person or property.

Sec. 1-203. Repeal of previous ordinances.

All ordinances or parts thereof having the same purpose or subject matter are hereby repealed.

Sec. 1-204. Effective date.

This development code shall take effect and be in force from and after the adoption and enactment of this development, the public health, safety, and welfare demanding it.

Attest: County Clerk

Chairman, Board of Commissioners

Approved as to Form:

County Attorney

CHAPTER 2
RESERVED FOR FUTURE USE

CHAPTER 3
RESERVED FOR FUTURE USE

CHAPTER 4
RESERVED FOR FUTURE USE

CHAPTER 5
RESERVED FOR FUTURE USE

CHAPTER 6 DEVELOPMENT PERMITTING

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- Sec. 6-102. Requirement to obtain a development permit.
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ARTICLE 6-1 GENERAL REQUIREMENTS

Sec. 6-101. Definitions.

Sec. 6-102. Requirement to obtain a development permit.

Sec. 6-103. Exemptions from development permit.

Sec. 6-101. Definitions.

Certificate of development conformance: A document evidencing final approval issued by the zoning administrator for completion of land disturbance and development activities for a subdivision or project for which a development permit was issued, certifying that all such disturbances and development activities have been completed in accordance with the approved development permit.

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

Development: Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials; any activity which alters the elevation of the land, removes or destroys plant life, or causes structures of any kind to be erected or removed.

Development permit: Written authorization by the zoning administrator to engage in activities associated with the land development process applied for, including clearing, grading, land disturbance and the construction of improvements which may include but are not limited to streets, surface parking areas, water/sewer/stormwater systems and facilities, site planting and landscaping, and the construction of structures requiring the issuance of a building permit.

Development plans: The detailed and professionally prepared plans showing the layout and design, site work and construction activities (other than architectural building plans) proposed for a project.

Drainage structure: A device composed of a virtually non-erodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for storm water management, drainage control, or flood control purposes.

Erosion: The process by which land surface is worn away by the action of wind, water, ice or gravity.

Fill: A portion of land surface to which soil or other solid material has been added; the depth above the original ground surface or an excavation.

Final stabilization: All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures and areas located outside the waste disposal limits of a landfill cell that has been certified by EPD for waste disposal, 100 percent of the soil surface is uniformly covered in permanent vegetation with a density of 70 percent or greater, or landscaped according to the plan (uniformly covered with landscaping materials in planned landscaped areas) or equivalent permanent stabilization measures as defined in the Manual for Erosion and Sediment Control in Georgia (excluding a crop of annual vegetation and seeding of target crop perennials appropriate for the region). Final stabilization applies to each phase of construction.

Finished grade: The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.

Forestry: An operation involved in the growing, conserving, and managing of forests and forest lands. Forestry operations or practices include the raising and harvesting of timber, pulp woods and other forestry products for commercial purposes, the construction of roads, insect and disease control, fire protection, and may include the temporary operation of a sawmill and/or chipper to process the timber cut from the parcel or parcels. This term does not include the cutting of timber associated with approved land development.

Grading: Altering the shape of ground surfaces to a predetermined condition, including stripping, cutting, filling, stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.

Ground elevation: The original elevation of the ground surface prior to cutting or filling.

Impervious surface: A man-made structure or surface which prevents the infiltration of storm water into the ground below the structure or surface. Examples are buildings, roads, driveways, parking lots, decks, swimming pools, and patios.

Land disturbance: Any activity that comprises, facilitates or results in land disturbance, and which may result in soil erosion from water or winds and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, clearing and grubbing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices.

Natural ground surface: The ground surface in its original state before any grading, excavation or filling.

NOI: A notice of intent form provided by the Environmental Protection Division for coverage under the state general permit.

NOT: A notice of termination form provided by the Environmental Protection Division to terminate coverage under the State General Permit.

Phase or phased: Sub-parts or segments of construction projects where the sub-part or segment is constructed and stabilized prior to completing construction activities on the entire construction site.

Project: The entire proposed development project, regardless of the size of the area of land to be disturbed.

Properly designed: Designed in accordance with the design requirements and specifications contained in the “Manual for Erosion and Sediment Control in Georgia” (Manual) published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted and amendments to the Manual as approved by the Commission up until the date of NOI submittal.

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

Sediment: Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by wind, water, ice, or gravity as a product of erosion.

Sedimentation: The process by which eroded material is transported and deposited by the action of water, wind, ice or gravity.

Stabilization: The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

State General Permit: The National Pollution Discharge Elimination System (NPDES) general permit or permits for storm water runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state’s authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251, et seq., and subsection (f) of Code Section 12-5-30.

State waters: Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of Georgia which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

Timber harvesting: Harvesting standing timber for delivery as pulpwood, logs, poles, posts, or wood chips to any woodyard or processing plant.

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

Sec. 6-102. Requirement to obtain a development permit.

- (a) Unless specifically exempted by this article, a development permit shall be required prior to commencing any land development or improvement on private land. A development permit shall be required to be issued to authorize all activities, unless specifically exempted, associated with development activity regulated by this development code and the Franklin County Zoning ordinance, including, but not limited to, clearing and grubbing, grading, and the construction of such improvements as streets, surface parking areas and driveways, utilities, storm water drainage facilities, and structures permanently placed on or in the property.
- (b) It shall be unlawful for any person to commence or proceed with land development or land-disturbing activity until development plans are approved and a development permit, if required by this chapter, is issued by the zoning administrator.

Sec. 6-103. Exemption from development permit.

A development permit shall not be required for any of the following activities:

- (a) **Government activities.** Work authorized by or conducted pursuant to the requirements or directives of local, state, and federal departments, agencies and authorities, including but not limited to any project carried out under the technical supervision of the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture, including any public water system reservoir. Also specifically exempted are construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority, and any road construction or maintenance project, or both, undertaken by any county or municipality.
- (b) **Public utility projects.** Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power. Also exempt are land-disturbing activities necessary for the operation and maintenance (but not the initial installation) of a utility within a utility easement.
- (c) **Emergency work.** Emergency work authorized by the zoning administrator, where a bona fide emergency exists as determined by the zoning administrator.
- (d) **Surface mining.** Activity within a surface mine that has received approval and surfacing mining permit by the state and the zoning administrator.
- (e) **Timber and forestry.** Timber harvesting and forestry activities.

- (f) **Agriculture.** Agricultural activities, which may involve the erection of buildings or structures not exceeding a total of 1,000 square feet. Buildings or structures exceeding 1,000 square feet in the aggregate are not exempt.
- (g) **Dwelling.** Land disturbance and development activities associated with the construction of a single, detached, single-family dwelling unit or manufactured home (where permitted), including accessory structures and uses, if a building permit has been issued.
- (h) **Residential driveway.** The installation of a driveway for a dwelling unit or manufactured home, provided the driveway has been authorized via a building permit for the dwelling or manufactured home, or a separate driveway permit has been obtained.
- (i) **County road right of way.** Development within a county road right of way (other than work within a county road right of way associated with approved development plans) but only if a driveway permit or utility encroachment permit has been issued as required by this development code.
- (j) **Prior permits.** Any subdivision or other land development activity for which a development permit or its equivalent approval was issued and that has lawfully commenced prior to the adoption of this development code.
- (k) **Minor activities.** Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities which result in minor soil erosion, and any land disturbance or grading that is less than 1 acre in area and not within 200 feet of a perennial stream.
- (l) **Corrective actions.** Activities required by the zoning administrator pursuant to stop work order, citation, or pursuant to some other code enforcement action initiated by Franklin County.
- (m) **Impervious surface.** The addition of 5,000 square feet or less of impervious surface.
- (n) **Demolition.** Demolition and removal of a building or structure, provided that a demolition permit is issued by the zoning administrator.
- (o) **Other.** Other minor land disturbing or development activities where, in the opinion of the zoning administrator, such activities will result in no greater impact on land and water than the impact the other exemptions specified in this section will have on land and water.

The zoning administrator is authorized to prepare administrative forms and to provide evidence, upon application and for a fee if authorized, that a proposed action is exempted from the requirement to obtain a development permit.

ARTICLE 6-2 APPLICATION REQUIREMENTS AND PROCEDURES

- Sec. 6-201. Pre-application.
- Sec. 6-202. Application for development permit.
- Sec. 6-203. Reserved.
- Sec. 6-204. Development plan specifications.
- Sec. 6-205. Completeness check.
- Sec. 6-206. Development permit application processing.
- Sec. 6-207. Permit issuance and posting.

Sec. 6-201. Pre-application.

An applicant for a development permit is strongly encouraged to schedule a pre-application meeting with the zoning administrator, which may also be attended by other review agencies as appropriate. Where other agencies are not represented at the pre-application meeting, a development permit applicant is encouraged to seek advance comments from internal and external agencies with jurisdiction over the development proposal.

Sec. 6-202. Application for development permit.

An application for a development permit shall include the following, as applicable; completed applications shall be submitted to the zoning administrator.

- (a) **Application form.** An application form with information specified by the zoning administrator. Said application form may include but is not limited to name of applicant and contact information, owner and contact information, name of project with location information, proposed source of water service and sewer or septic tank, the name of the professional designer, and the proposed use of the development. The application must be authorized by the property owner.
- (b) **Development name.** The name of each development project must have the approval of the zoning administrator. The name shall not duplicate nor closely approximate the name of an existing subdivision or development project in Franklin County or any of its cities.
- (c) **Address.** Provide an address for the site, if already assigned.
- (d) **Checklist(s).** A checklist for development permit application submissions, as specified by the zoning administrator.
- (e) **Fees.** Payment of any development permit fee, and any associated fees, as established from time to time by the Franklin County Board of Commissioners.
- (f) **Plan sets and electronic file.** All development plans for a project shall be submitted in hard copy (a number of sets specified by the zoning administrator) and digital form (.pdf file). The zoning administrator shall determine the number of plan sets to submit based

on the nature and scope of review but which shall be four (4) sets unless specifically indicated otherwise. Plan sets will contain sheets for the following, as applicable:

1. **Plat.** A copy of the approved recorded plat of the subject property, demonstrating that the property to be developed is a lot of record or part of a lot of record. If land subdivision is proposed or implied in the development proposal, a proposed subdivision plat may be required to be submitted with the development permit application, or the process of subdivision may be deferred until a later stage of the development process.
2. **Site plan.** A site plan, including at minimum the project location, total project area natural features of the site and proposed development features as required by this development code, including easements.
3. **Phases.** Proposed phasing of the development, if it is proposed to be built in phases or sections.
4. **Grading plan.** Grading plans as required and specified in this article.
5. **Soil erosion plans.** The applicant shall include soil erosion plans submitted to the State Environmental Protection Division (note: Franklin County is not a local issuing authority).
6. **Stormwater management plan.** Stormwater management plans shall show information and plans required by this development code, as may be applicable.
7. **Utilities plan.** Plans for water, sanitary sewer, and other utilities as may be required by the zoning administrator and utility provider.
8. **Street improvement plan.** If the development proposes new streets, whether public or private, or if this development code requires improvement of a county road, the development permit application shall include information demonstrating compliance with the requirements of this development code for the improvement of abutting county roads.
9. **Other agency approvals.** The owner shall be responsible for obtaining approval from all other agencies affected by the project. All agency approvals that are required for the use of the land and structures and for the location and operation of businesses and industries shall be obtained by the applicant and transmitted to the zoning administrator prior to issuance of a development permit, including but not limited to the following (Franklin County is not responsible for delays in approval of development plans when a development permit applicant is required to be approved by an external agency but the applicant has not obtained approval from that external agency with jurisdiction over the development proposal):

- (a) **Health department.** Approval or permit from the Franklin County Health Department for on-site sewage management system or community water system, as applicable;
 - (b) **Georgia Department of Transportation.** Approval or permit from the Georgia Department of Transportation for access onto a state route if applicable.
 - (c) **Georgia Environmental Protection Division.** Copy of application for Notice of Intent (NOI) electronically filed, if required, proof of submission of soil erosion plans, and payment of applicable fees to state including NPDES fees.
 - (d) **Utility provider.** Approval or permit and receipt of payment for any water or sanitary sewer connection fees applicable for the project.
 - (e) **Land disturbance bond.** For projects involving land disturbance of 20 acres or more, the zoning administrator shall require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, \$3,000.00 per acre or fraction thereof of the proposed land-disturbing activity, prior to issuing the development permit.
10. **Other.** Other information as may be specified by the zoning administrator, as may be necessary to review the development plan and ensure compliance with this development code and the Franklin County Zoning Ordinance.

Sec. 6-203. Reserved.

Sec. 6-204. Development plan specifications.

Development plans shall contain the following (on one or more sheets), unless otherwise approved by the zoning administrator:

- (a) **Scale.** Plans shall be clearly and legibly drawn at an engineering scale convenient to illustrate the details of the project; provided, however, the zoning administrator may accept a development plan that is not to scale if it adequately represents the nature of the development proposal. Sheet size shall not exceed 36 inches by 42 inches. Plan and profile sheets, if any, shall have a horizontal scale of no less than 1 inch to 100 feet and a vertical scale of no less than 1 inch to 10 feet. The zoning administrator may approve deviations from these required scales when appropriate.
- (b) **Project boundary.** Plans shall be based on the boundaries of a lot as shown on a recorded plat, or if not yet subdivided and recorded, on a boundary survey delineating the entirety of the property contained within the project. Boundary lines of the perimeter of the tract shall be indicated by a heavy line giving lengths to the nearest one-hundredth of a foot and bearings to the nearest second.

- (c) **Adjoining property information.** Provide all adjoining property owners, subdivision names, lot numbers, lot lines, and block letters, and zoning districts for adjoining properties.
- (d) **Project name and phase.** The name of the project shall be indicated. If the project is located within a subdivision, the name of the subdivision, lot, and block number must also be shown. If the development project is part of a phased development or master-planned development, identify the unit number, division, phase, or stage of development.
- (e) **Zoning and prior approvals.** The existing zoning district and if applicable overlay district of the project site, and reference if applicable to conditions of zoning, variance, conditional use, or other permissions including case numbers and dates of approval.
- (f) **Owner and developer.** Name, address, telephone number, and e-mail address of the owner of record, and of the developer (if not the owner).
- (g) **Professional contacts.** Name, address, and telephone number of each professional firm associated with the site development plans (engineer, landscape architect, etc.). Specifically include the 24-hour contact.
- (h) **Map requisites.** Date of survey, north point, and graphic scale, source of datum, date of plan drawing, and space for revision dates.
- (i) **Use.** Proposed use of the site, including gross square footage for each different use type or building.
- (j) **Location references.** Location, district, land lot(s) and parcel(s) acreage or area in square feet.
- (k) **Location sketch.** A location sketch locating the development in relation to the surrounding area with regard to well-known landmarks such as major thoroughfares, railroads, and rivers. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. U.S. Geological Survey quadrangle maps may be used as a reference guide for the location sketch.
- (l) **Buildings, access, and parking.** Size, location, and elevation of all proposed buildings and existing buildings to remain or to be demolished, and minimum required building setback lines, the location parking and loading areas, driveways, curb cuts and where required designated fire lanes. Each building shall be identified with a number or letter.
- (m) **Topography and grading.** Existing contour lines based on sea level datum shall be drawn at intervals of not more than two (2) feet and shall include the entire site and all abutting public streets. Contour lines shall be based on field surveys or photogrammetric methods from aerial photographs. The basis for the topographic contour shown shall be specified and dated. Grading plans shall show proposed contours. Grading shall be

performed in accordance with the lines and grades indicated on the approved grading plan.

- (n) **Natural features within the proposed development.** These include drainage channels, bodies of water, and other known significant features such as extensive exposed rock. On all water courses the direction of flow shall be indicated. The 100-year floodplain shall be delineated and the source of the depicted floodplain information shall be indicated (i.e., reference to map panel numbers and dates). The acreage or area in square feet within the floodplain shall be indicated. See this development code for additional requirements when development is proposed to be located in a floodplain or flood hazard area.
- (o) **Man-made features.** These include those features existing within and adjacent to the proposed development including existing right-of-way width and pavement widths of adjoining streets, street names, the location and dimensions of existing bridges, easements (all purposes), culverts and other drainage facilities, water, sewer, and other existing utility lines and structures, the names of jurisdiction lines; existing structures on the site and their disposition, and other appropriate built-environment information.
- (p) **Trees, buffers, landscaping.** If buffers or other landscaping or screening treatments are required, show the location, size, and type (natural or planted) on the plans conforming to the requirements of this development code, as applicable.
- (q) **Utilities and other easements.** Easements for water and sanitary sewer as may be required by the utility provider with jurisdiction.
- (r) **Standard drawings.** The zoning administrator may require that the development plans include standard drawings adopted by the county (see this development code), or a standard drawing of any utility provider with jurisdiction over the development project. Where no standard drawing is available but is needed as determined by the zoning administrator, the applicant's engineer or designer shall provide any such standard drawing requested.
- (s) **Signature blocks.** The zoning administrator may require signature blocks with pertinent information to be signed by the owner/developer, the plan preparer, a utility provider, an external agency, and approval block for signature by the zoning administrator.
- (t) **Additional information.** Other information as may be specified by the zoning administrator, as may be necessary to review the development plan and ensure compliance with this development code and the Franklin County Zoning Ordinance.

Sec. 6-205. Completeness check.

- (a) The application shall be checked for completeness within fifteen (15) business days of submission. Incomplete applications will not be processed.

- (b) If all required documents and plans are not submitted, the development plan application will not be reviewed.
- (c) The zoning administrator will notify the applicant of any deficiencies and will advise the applicant on what is needed to complete the application and initiate review.

Sec. 6-206. Development permit application processing.

- (a) **Administrative procedures.** The zoning administrator is authorized to establish and modify administrative procedures regarding the development plan review administrative process to provide for expeditious decision making and to ensure fairness in the process.
- (b) **Time frame.** Permits shall be issued or denied as soon as practicable but in any event decisions on development permits shall be issued by the zoning administrator within 30 business days of the notice of plan application completeness (or no later than 45 business days total).
- (c) **Criteria for decisions on development permit applications.** The zoning administrator shall review the application for compliance with the following criteria, which shall not be limiting:
 - 1. **Development code and zoning conditions.** Development plans must be consistent with all applicable articles and sections of this development code, and any conditions of zoning, conditional use, or variance approval, if applicable.
 - 2. **Previously approved plats and plans.** When property to be developed is included on an approved final plat, master plan, or other plan approved by the county, development plans shall be in substantial accordance with said plat or plan as determined by the zoning administrator. Significant departures from any such requirements may require the resubmission of plat, master plan, or other plan previously approved, as determined by the zoning administrator.
 - 3. **Usability or variance.** The zoning administrator shall not approve any development permit application or plan that shows a lot or situation that would clearly require a variance in order to be reasonably usable, whether due to the presence of flood plain, unusual configuration, zoning compliance, lack of public utilities, or for any other reason.
- (d) **Noncompliance.** If the development permit application and plans are found to not comply with the requirements of this development code and/or the Franklin County Zoning Ordinance, the zoning administrator shall indicate on the drawing or in writing all comments related to lack of compliance with applicable regulations. The zoning administrator shall deny or withhold approval of the development permit application in cases where the proposed development does not meet the requirements of this development code or the Franklin County Zoning Ordinance or the comments of any

other internal or external agency with jurisdiction to review the development permit application.

- (e) **Revisions.** Development plan applications shall be revised and resubmitted to accommodate the comments by review agencies and those issued to the applicant by the zoning administrator. If revisions are not resubmitted within a time frame specified by the zoning administrator, the application will be denied. Plan drawings that are submitted for revision must specifically identify those areas that are to be considered for review and approval. The revisions shall be noted in tabular form in a revision block on the plan drawings. The zoning administrator may require a written narrative responding to review comments, indicating what and where in the plans that changes have been made
- (f) **Compliance and approval.** When the zoning administrator has determined that the development permit application complies with the requirements of this development code and the Franklin County Zoning Ordinance, it will be approved.

Sec. 6-207. Permit issuance and posting.

- (a) When a development permit is issued, it shall be assigned a number by the zoning administrator.
- (b) To receive the development permit, the applicant shall submit four printed plan sets as approved, and the zoning administrator shall sign all four sets, retain two, and return two to the applicant.
- (c) The applicant may be required to sign a pre-construction memorandum acknowledging receipt of approved development plans and responsibilities of the property owner and applicant, including but not limited to calls for development inspections.
- (d) The applicant shall be supplied a development permit card which must be posted on the development site prior to commencement of any land disturbing activity. The development permit card shall be posted in a conspicuous place so that they will be visible from the roadway providing frontage.

ARTICLE 6-3
POST-ISSUANCE PROVISIONS AND ENFORCEMENT

- Sec. 6-301. Duration of development permit.
- Sec. 6-302. Authority to investigate and inspect; right of entry.
- Sec. 6-303. Development inspections.
- Sec. 6-304. Field changes.
- Sec. 6-305. No waiver of compliance.
- Sec. 6-306. Development permit modifications.
- Sec. 6-307. Noncompliance and enforcement.
- Sec. 6-308. Completion of development.

Sec. 6-301. Duration of development permit.

- (a) **Expiration.** A development permit shall remain in effect for a period of six (6) consecutive months after which time the permit and plans will become null and void and a new permit will be required if no development activity has begun and has been diligently pursued.
- (b) **Suspension or revocation.** A development permit may be suspended, revoked or modified, as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in title is not in compliance with the approved plans or that the holder or his successor in title is in violation of this development code or the Franklin County Zoning Ordinance.

Sec. 6-302. Authority to investigate and inspect; right of entry.

- (a) Franklin County personnel including but not limited to the zoning administrator shall have the power to conduct such investigations as it may reasonably deem necessary to carry out duties as prescribed in this chapter, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigation and inspecting the sites of land-disturbing and development activities.
- (b) No person shall refuse entry or access to any authorized representative or agent of Franklin County or the state environmental protection division who requests entry for the purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.

Sec. 6-303. Development inspections.

Inspections are required for each of the following phases, as applicable to the actual work to be performed under the development permit:

- (a) **Erosion and sedimentation control.** Required erosion and sedimentation control measures must be installed in accordance with the approved soil erosion and

sedimentation control plan prior to any development activity and as development progresses. Prior to clearing or clearing and grubbing of the property or any portion included under the development permit, inspection of erosion and sedimentation control measures and protective devices for undisturbed areas shall be required. Inspection of erosion and sedimentation control measures will be conducted on a continuing basis.

- (b) **Stormwater facilities.** Construction of the stormwater system shall be initiated as part of the grading of the site. Storm water detention facilities shall be constructed prior to the installation of any other site improvements, and may be utilized under proper design as sedimentation basins during development. Installation of all other storm drainage pipes, culverts, headwalls, and ditches, shall be coordinated with the construction of streets and other site improvements, as appropriate. Upon installation of storm drainage pipe, detention, or other storm water facilities, inspection and approval shall be required prior to continuation with subgrade preparation.
- (c) **Grading.** Upon completion of street grading, if applicable, inspection and approval shall be required prior to trenching or continuation with subgrade preparation.
- (d) **Street curbing and gutter (if provided).** After grading is completed and approved, the curb lines shall be staked by the developer's registered land surveyor. Inspection shall be requested after the subgrade is compacted and forms or string line have been set. Street width and vertical and horizontal alignment may be spot checked.
- (e) **Sub-grade of streets.** After the earth work has been completed, all storm drainage and other underground utilities have been installed under the roadbed, and the backfill in all such ditches thoroughly compacted, the subgrade shall be brought to the lines, grades and cross section shown on the plans. If any sections of the subgrade are composed of unsuitable or unstable material, such material shall be removed to the depth directed by the inspector and replaced with suitable, thoroughly compacted material. Prior to placement of the street base, the subgrade shall be compacted to 95% density. Testing for sub-grade compaction will be required, including two tests at each sanitary sewer manhole.
- (f) **Utilities.** Before any street base is applied, all of the underground utilities—water mains, sewer mains, gas mains, or any other underground utilities, and all service connections related thereto, that will be located under the street base shall be installed completely and provided throughout the length of the street. If a public water system is to be installed, the improvements are to be reviewed, approved and inspected by the water provider.
- (g) **Street base.** The base shall be string-lined for depth and crown. The street base shall be roll-tested with a fully loaded 18-ton tandem dump truck and shall pass to the satisfaction of the Inspector. When testing is required by the Inspector, it is the responsibility of the developer to ensure that all required tests are made and reported to the inspector. The cost of all testing and quality control shall be performed at the expense of the developer by qualified testing laboratories. If deemed necessary by the inspector, additional tests will be required.

- (h) **Paving.** The inspector shall be on site during the paving process to check consistency, depth, and workmanship, as applicable. For asphalt paving, the temperature of the material will be monitored and the street may be required to be cored after completion to check thickness and density. Satisfactory test results of the cores shall, if required, be delivered to the zoning administrator and utility provider (where utilities are involved) prior to approval of a final subdivision plat if applicable.
- (i) **Tree protection and landscaping.** Inspections for tree protection measures and the installation of landscaping, if required by this development code, shall be as specified by the zoning administrator.
- (j) **Final.** A final inspection of the development, once complete, shall be required.

Sec. 6-304. Field changes.

- (a) After issuance of a development permit, if changes are desired or made necessary as a result of field conditions, the design engineer must contact the zoning administrator to coordinate the review and approval of the requested revision.
- (b) All field changes shall be documented as revisions to the approved development plans and correctly shown on as-built surveys.
- (c) Discrepancies between as-built surveys and approved development plans may result in delays in approving final plats, building permits or certificates of occupancy.

Sec. 6-305. No waiver of compliance.

No development permit issued by the zoning administrator shall be interpreted to relieve any owner of the responsibility of maintaining full compliance with all applicable codes, ordinances and other regulations. Any development permit issued in error or in contradiction to the provisions of this development code or the Franklin County Zoning Ordinance shall be considered to have been null and void upon its issuance.

Sec. 6-306. Development permit modifications.

- (a) If modifications are requested to an approved development permit, the zoning administrator shall determine whether the modification is a major change or a minor change.
- (b) For major changes, the applicant shall be required to submit plans and follow the procedures of this chapter to obtain a new (modified) development permit.
- (c) For changes deemed to be minor, the zoning administrator may charge a fee for minor development permit revisions specified in a fee schedule adopted by the Franklin County Board of Commissioners and is authorized to review and approve such minor changes.

Sec. 6-307. Noncompliance and enforcement.

- (a) **Warning and written notice to comply.** If, through inspection, it is deemed that a person engaged in land-disturbing or development activities has failed to obtain the required development permit, or has failed to comply with the approved plan, with permit conditions, or with the provisions of this development code, a warning and written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing or development activity fails to comply within the time specified, he shall be deemed in violation of this chapter.
- (b) **Stop work orders.** If the violation is not corrected within the time specified in the written notice to comply, the zoning administrator or designee shall issue a stop-work order requiring that land-disturbing or development activities be stopped until necessary corrective action or mitigation has occurred; provided, however, that, if the violation presents an imminent threat to public health or waters of the state or if the land-disturbing or development activities are conducted without obtaining the necessary permit, the zoning administrator shall issue an immediate stop-work order in lieu of a warning. All stop-work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred. Such stop work orders shall apply to all land-disturbing or development activity on the site with the exception of the installation and maintenance of temporary or permanent erosion and sediment controls.
- (c) **Suspension or revocation of permit.** The zoning administrator may suspend or revoke a development permit if it is deemed that a person engaged in land-disturbing or development activities has failed to comply with the approved plan, with permit conditions, or with the provisions of this development code or the Franklin County Zoning Ordinance.
- (d) **Land disturbance bond forfeiture.** If the person engaged in the land-disturbing or development activity fails to comply within the time specified, he shall be deemed in violation of this chapter and, in addition to other penalties, shall be deemed to have forfeited the land disturbance bond, if required to post one under the provisions of this chapter. Franklin County may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance.
- (e) **Monetary penalties.** Any person who violates any provisions of this chapter, or any permit condition or limitation established pursuant to this chapter, or who negligently or intentionally fails or refuses to comply with any stop work order issued by the zoning administrator as provided in this section shall be liable for a civil penalty not to exceed \$2,500.00 per day. For the purpose of enforcing the provisions of this section, notwithstanding any provisions in any county charter to the contrary, county courts shall be authorized to impose penalty not to exceed \$2,500.00 for each violation. Each day

during which a violation, or failure or refusal to comply continues, shall be a separate violation.

Sec. 6-308. Completion of development.

- (a) Upon completion of the project, the applicant or other responsible party may be required to submit a final hydrological study and shall submit all as-built plans of the project that may be required by the zoning administrator in electronic format. All plans must be in the Georgia Coordinate System West Zone NAD 83. If the project is within 1,000 feet of a county geodetic monument the plans must use the monument as a control/tie point. In addition, the applicant shall submit electronic (DWG/DXF and PDF) file copies of information as specified by the zoning administrator which unless otherwise specified shall be limited to water lines, sanitary sewer lines, road centerlines and lot lines for parcels. Building permits may be withheld pending receipt of the electronic files.
- (b) Upon application and for a fee, the zoning administrator may provide a certificate of project compliance.
- (c) Once a development project is complete and the site has been stabilized in the opinion of the zoning administrator, the land disturbance bond (if required) shall be released by the zoning administrator.

**ARTICLE 6-4
SOIL EROSION CONTROL**

- Sec. 6-401. General requirements.
Sec. 6-402. Specific requirements/Best management practices.
Sec. 6-403. State-imposed stream buffer required.

Sec. 6-401. General requirements.

- (a) Excessive soil erosion and resulting sedimentation can take place during land-disturbing activities if requirements of the Manual for Erosion and Sediment Control in Georgia and NPDES General Permit are not met. Therefore, plans for land-disturbing activities which are not exempted by this chapter shall contain provisions for application of soil erosion, sedimentation and pollution control measures and practices. The provisions shall be incorporated into the erosion, sedimentation and pollution control plans required by this chapter.
- (b) Soil erosion, sedimentation and pollution control measures and practices shall conform to the minimum requirements of the Manual for Erosion and Sediment Control in Georgia and the NPDES General Permit. The application of measures and practices shall apply to all features of the site, including street and utility installations, drainage facilities and other temporary and permanent improvements. Measures shall be installed to prevent or control erosion, sedimentation and pollution during all stages of any land-disturbing activity.

Sec. 6-402. Specific requirements/Best management practices.

- (a) Stripping of vegetation, re-grading and other development activities shall be conducted in a manner so as to minimize erosion;
- (b) Cut-fill operations must be kept to a minimum;
- (c) Development plans must conform to topography and soil type so as to create the lowest practicable erosion potential;
- (d) Whenever feasible, natural vegetation shall be retained, protected and supplemented;
- (e) The disturbed area and the duration of exposure to erosive elements shall be kept to a practicable minimum;
- (f) Disturbed soil shall be stabilized as quickly as practicable;
- (g) Temporary vegetation or mulching shall be employed to protect exposed critical areas during development;

- (h) Permanent vegetation and structural erosion control practices shall be installed as soon as practicable;
- (i) To the extent necessary, sediment in run-off water must be trapped by the use of debris basins, sediment basins, silt traps, or similar measures until the disturbed area is stabilized. As used in this paragraph, a disturbed area is stabilized when it is brought to a condition of continuous compliance with the requirements of O.C.G.A. 12-7-1 et. seq.;
- (j) Adequate provisions must be provided to minimize damage from surface water to the cut face of excavations or the sloping of fills;
- (k) Cuts and fills may not endanger adjoining property;
- (l) Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners;
- (m) Grading equipment must cross flowing streams by means of bridges or culverts except when such methods are not feasible, provided, in any case, that such crossings are kept to a minimum;
- (n) Land-disturbing activity plans for erosion, sedimentation and pollution control shall include provisions for treatment or control of any source of sediments and adequate sedimentation control facilities to retain sediments on-site or preclude sedimentation of adjacent waters beyond the levels specified in this article.

Sec. 6-403. State-imposed stream buffer required.

- (a) There is established a 25 foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except where the Director of the Georgia Environmental Protection Division determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the Director pursuant to O.C.G.A. 12-2-8, where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications, and are implemented; or along any ephemeral stream.
- (b) As used in this provision, the term “ephemeral stream” means a stream: that under normal circumstances has water flowing only during and for a short duration after precipitation events; that has the channel located above the ground-water table year round; for which ground water is not a source of water; and for which runoff from precipitation is the primary source of water flow, Unless exempted as along an ephemeral stream, the buffers of at least 25 feet established pursuant to part 6 of Article 5, Chapter 5 of Title 12, the “Georgia Water Quality Control Act”, shall remain in force unless a variance is granted by the Director of the Georgia Environmental Protection Division as provided in this paragraph.

(c) The following requirements shall apply to any such buffer:

1. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and
2. The buffer shall not apply to stream crossings for water lines or sewer lines, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented.

CHAPTER 7 SUBDIVISION OF LAND

ARTICLE 7-1 PURPOSES, AUTHORITY, AND DEFINITIONS

- Sec. 7-101. Purposes.
- Sec. 7-102. Authority of zoning administrator.
- Sec. 7-103. Definitions.
- Sec. 7-104. Exemptions from plat approval.

ARTICLE 7-2 GENERAL PROVISIONS

- Sec. 7-201. Land is one lot until subdivided.
- Sec. 7-202. Subdivision of land.
- Sec. 7-203. Review of subdivisions along state routes.
- Sec. 7-204. Lots must comply with development code requirements.
- Sec. 7-205. Improvements required for final platting.
- Sec. 7-206. Creation of homeowner's association.
- Sec. 7-207. Easements.
- Sec. 7-208. Retracement surveys.
- Sec. 7-209. Surveyor certification box for retracement surveys.
- Sec. 7-210. Easement surveys.
- Sec. 7-211. Limitations on minor subdivisions.

ARTICLE 7-3 PRELIMINARY PLAT

- Sec. 7-301. Preliminary plat – when required.
- Sec. 7-302. Relationship of preliminary plat to development permit.
- Sec. 7-303. Preliminary plat specifications.
- Sec. 7-304. Procedures.
- Sec. 7-305. Amendments to approved preliminary plats.

ARTICLE 7-4 STANDARDS FOR BLOCKS AND LOTS

- Sec. 7-401. Suitability of land.
- Sec. 7-402. Conformance with comprehensive plan and other plans.
- Sec. 7-403. Block length.
- Sec. 7-404. Block width.
- Sec. 7-405. Lot depth.
- Sec. 7-406. Adequate building site.
- Sec. 7-407. Lot lines.
- Sec. 7-408. Double frontage lots.
- Sec. 7-409. Flag lots.
- Sec. 7-410. Lot remnant not permitted.

ARTICLE 7-5 FINAL PLAT SPECIFICATIONS

- Sec. 7-501. Format for plats and condominium plans.
- Sec. 7-502. Data for plats required per state law.
- Sec. 7-503. Data required for plats per state rules and regulations.
- Sec. 7-504. Additional plat data required locally.
- Sec. 7-505. Additional requirements for final plats involving private streets.
- Sec. 7-506. Purchaser's acknowledgement for lot served by private street.
- Sec. 7-507. Combination plat.
- Sec. 7-508. Boundary line adjustment.

ARTICLE 7-6 FINAL PLAT PROCEDURES

- Sec. 7-601. Application for final plat.
- Sec. 7-602. Process for review and approval of a final plat.
- Sec. 7-603. Recording of final plat.
- Sec. 7-604. Distribution of approved final plat.
- Sec. 7-605. Revision of final plat.

ARTICLE 7-7 IMPROVEMENT GUARANTEES AND ACCEPTANCE OF PUBLIC IMPROVEMENTS

- Sec. 7-701. Subdivision improvement guarantee.
- Sec. 7-702. Warranty deed and resolution of acceptance.
- Sec. 7-703. Existing situations without improvement guarantees.
- Sec. 7-704. Release of improvement guarantee.

**ARTICLE 7-1
PURPOSES, AUTHORITY, AND DEFINITIONS**

- Sec. 7-101. Purposes.
- Sec. 7-102. Authority of zoning administrator.
- Sec. 7-103. Definitions.
- Sec. 7-104. Exemptions from plat approval.

Sec. 7-101. Purposes.

This chapter is adopted for the following purposes, among others:

- (a) To assure equitable handling of all subdivision plats by providing uniform procedures and standards for the subdivider;
- (b) To assure, in general, the wise development of new land areas, in harmony with the comprehensive plan of the county;

- (c) To assure the accurate description of property, the identification of property boundaries with monuments, and the proper recording of property descriptions in public records;
- (d) To help eliminate the costly maintenance problems which occur when streets and lots are laid out without proper consideration given to various public purposes;
- (e) To protect lot purchasers who generally lack the specialized knowledge to evaluate subdivision improvements and design; and
- (f) To implement the Georgia Plat and Condominium Plan Recording Act of 2017 and other applicable state laws.

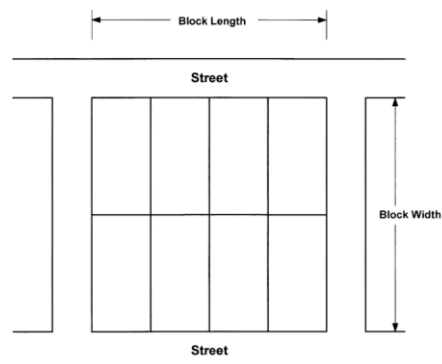
Sec. 7-102. Authority of zoning administrator.

- (a) In accordance with the provisions of this chapter, the zoning administrator shall have authority to review and recommend approval, conditional approval, or disapproval of preliminary plats, and final plats for major subdivisions. The zoning administrator shall have authority to approve final plats for minor subdivisions including lot combination plats and boundary line adjustments, provided, however, the zoning administrator does not have authority to accept any public improvements on behalf of the Franklin County Board of Commissioners. Public streets shall only be accepted by the Franklin County Board of Commissioners, following procedures for public dedications specified in this chapter.
- (b) The zoning administrator shall not sign and approve any final or other plat required by this chapter, nor shall any plat be authorized for recording, unless the plat meets the minimum requirements of this chapter and any other applicable provision of this development code, as well as the Franklin County zoning regulations.

Sec. 7-103. Definitions.

Block: An area of land that is entirely surrounded by streets, public lands, railroad rights-of-way, watercourses, or other well defined and fixed boundaries.

Condominium plan: A drawing that is required to be recorded prior to the first conveyance of a condominium unit pursuant to subsection (b) of Georgia Code Section 44-3-83, including, but not limited to, a condominium floor plan, condominium plot plan, or condominium site plan.



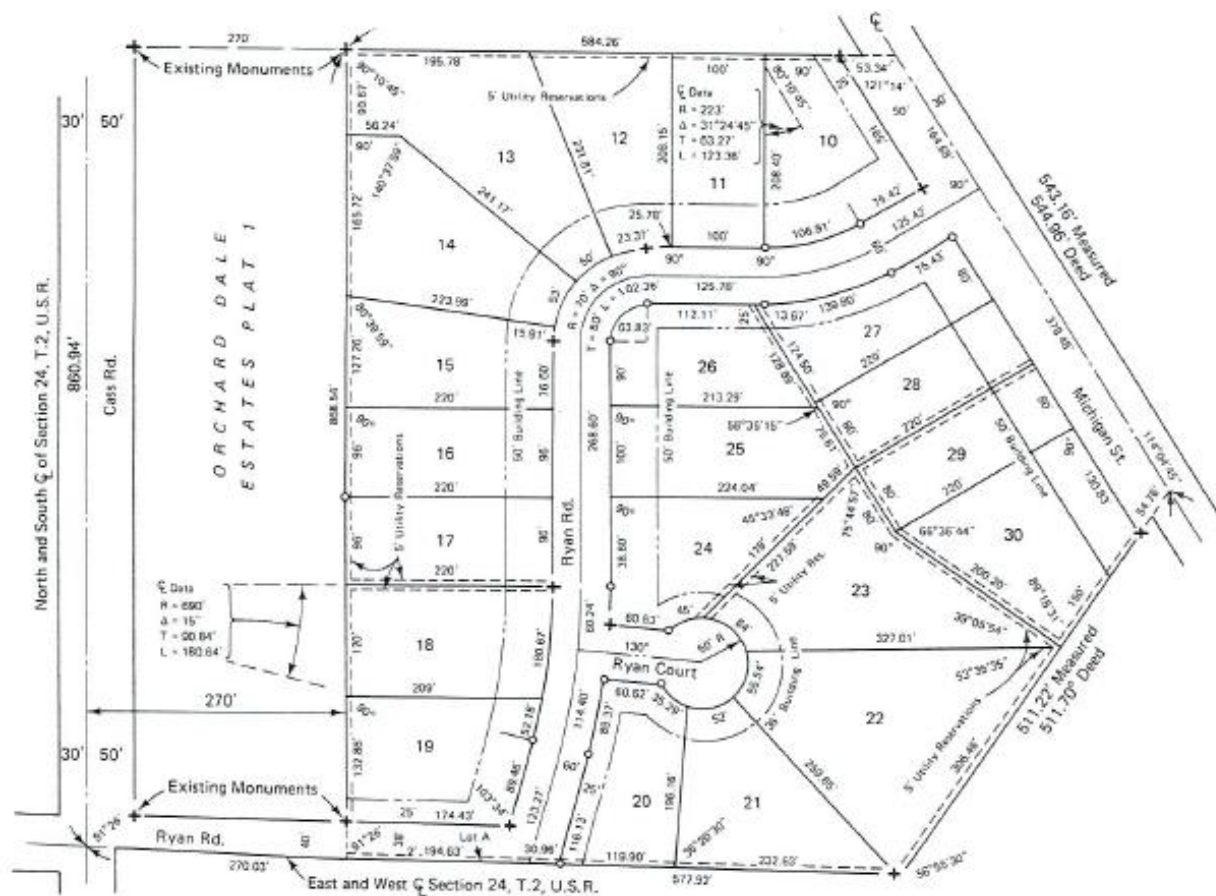
Block, Block Length, and Block Width

Cul-de-sac: A dead-end street of limited length having a primary function of serving adjoining land, and constructed with a turnaround at its end.

Dedication plat: A plat drawn specifically for the purpose of dedicating public right-of-way or land for public use, drawn to meet final plat specifications and following procedures for final plat approval of this chapter.

Easement: A grant of one or more of the property rights by the property owner to and/or for use by the public, a corporation, or another person or entity.

Final plat: The final drawing of a subdivision and, as applicable, dedication, prepared for filing for record with the Clerk of Superior Court of Franklin County, and containing all elements and requirements set forth in this chapter.



Source: Brewer, William E. and Charles P. Alter. 1988. *The Complete Manual of Land Planning & Development*. Englewood Cliffs, NJ: Prentice Hall.

Illustrative Final Plat

Homeowners association: An organization formed for the maintenance and operation of the common areas of a subdivision or development, where membership in the association is automatic with the purchase of a dwelling unit or lot within the development, with the ability to legally assess

each owner of a dwelling unit or lot and which has authority to place a lien against all dwelling units and lots within the subdivision or development.

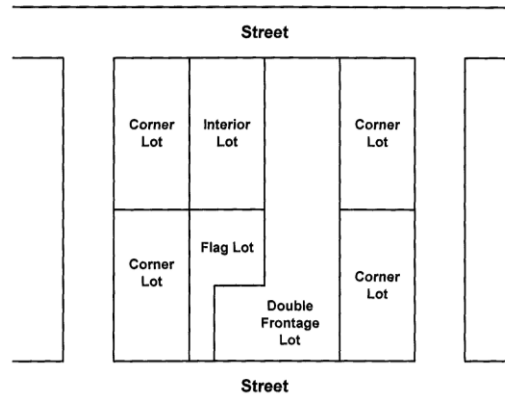
Lot: A parcel or tract of land held in single ownership.

Lot, corner: A lot abutting upon two or more streets at their intersection.

Lot depth: The average horizontal distance between the front and rear lot lines.

Lot, double frontage: A lot other than a corner lot that has frontage upon two or more streets that do not intersect at a point abutting the property.

Lot, flag: A tract or lot of land of uneven dimensions in which the portion fronting on a street is less than the required minimum width required for construction of a building or structure on that lot.



TYPES OF LOTS

Major subdivision: The division of a tract of land into any number of lots, which requires the construction of a new street or the widening of an existing roadway; or the division of land into more than five lots, regardless of construction of a new street or the widening of an existing roadway are involved.

Metes and bounds: A system of describing and identifying land by a series of lines around the perimeter of an area; “metes” means bearings and distances and “bounds” refers to physical monuments.

Minor subdivision: The division of a tract of land into five or less lots which does not require construction of a new street or the widening of an existing roadway.

Preliminary plat: A professional drawing which shows the proposed layout of a subdivision in sufficient detail to indicate its general design. A preliminary plat is prepared by a professional engineer, a registered land surveyor, a landscape architect, a land planner, or any other person professionally familiar with land development and project construction activities. A preliminary plat is not a construction document.

Professional engineer: An engineer duly registered or otherwise authorized by the State of Georgia to practice in the field of civil engineering.

Protective covenants: Contracts made between private parties as to the manner in which land may be used, with the view toward protecting and preserving the physical and economic integrity of any given area.

Public improvement: The construction, enlargement, extension or other construction of a facility intended for dedication to the county or a public utility provider or to a facility already owned by the county, including but not limited to a street, curb and gutter, sidewalk, cross drain, catch basin, other roadway appurtenance, domestic water supply system main, fire hydrant, valve or other water system appurtenance, or sanitary sewerage main or outfall, lift station, force main, manhole or other appurtenance. Utility supply lines to a building are not considered public improvements. Construction of a driveway apron connection shall not be considered a public improvement for purposes of triggering the requirement to obtain preliminary plat approval.

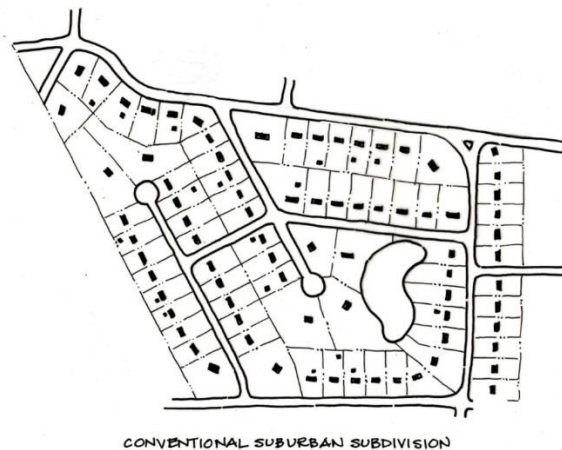
Registered Land Surveyor: A land surveyor licensed and registered to perform the duties of a registered land surveyor (R.L.S.) by the State of Georgia.

Retracement: A survey, not required to be reviewed and approved by the local jurisdiction prior to filing or recording in the clerk's office, but drawn to specifications required by this chapter.

Septic tank: An approved watertight tank designed or used to receive sewage from a building sewer and to affect separation and organic decomposition of sewerage solids, and discharging sewage effluent to an absorption field or other management system.

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

Subdivision: The division of a property or tract of land into two or more tracts or lots; or a land development project in which two or more lots are created, along with the streets and utilities needed to support construction of buildings on the lots. The word "subdivision" includes re-subdivision and, when appropriate to the context, relates either to the process of subdividing or to the actual land or area which is subdivided.



Sec. 7-104. Exemptions from plat approval.

The following types of land subdivisions, transfers, and sales are specifically exempted from the plat approval requirements of this chapter; provided, however, that such exemptions shall not apply to land development requirements and improvement requirements of this chapter or compliance with other applicable requirements of this development code:

- (a) Retracement surveys and easement surveys, as specifically authorized in this chapter;
- (b) The creation and sale of cemetery plots;
- (c) The sale of lots consistent with previously approved and recorded plats or deeds;
- (d) The creation of leaseholds for space within a multiple-occupancy building or the division of property into leaseholds (but not for sale) for commercial, industrial, or institutional use;
- (e) The creation of leaseholds (but not for sale) for the agricultural use of property where the use does not involve the construction of a building to be used as a residence or for other purposes not directly related to agricultural use of the land or crops or livestock raised thereon.
- (f) Any division of land to heirs through a judicial estate proceeding, or any division of land pursuant to a judicial partition, or any division of land occurring from the foreclosure of a deed of trust; provided, however, that such exemption shall not require the zoning administrator to issue permits if the resulting lots or parcels fail to meet any applicable zoning provisions regarding lot size, lot width, or other dimensional requirements.

**ARTICLE 7-2
GENERAL PROVISIONS**

- Sec. 7-201. Land is one lot until subdivided.
- Sec. 7-202. Subdivision of land.
- Sec. 7-203. Review of subdivisions along state routes.
- Sec. 7-204. Lots must comply with development code requirements.
- Sec. 7-205. Improvements required for final platting.
- Sec. 7-206. Creation of homeowner's association.
- Sec. 7-207. Easements.
- Sec. 7-208. Retracement surveys.
- Sec. 7-209. Surveyor certification box for retracement surveys.
- Sec. 7-210. Easement surveys.
- Sec. 7-211. Limitations on minor subdivisions.

Sec. 7-201. Land is one lot until subdivided.

Until property proposed for subdivision has received final plat approval and been properly recorded, the land involving the subdivision shall be considered as one lot, or as otherwise legally recorded.

Sec. 7-202. Subdivision of land.

- (a) No person shall subdivide land except in accordance with this chapter and this development code, as well as the Franklin County zoning regulations.
- (b) It shall be unlawful to sell or transfer title to another person any lot or tract or portion thereof of land that has not been established as a lot of record, except in compliance with this chapter. Unless the lot to be sold or transferred is a lot of record, final plat approval by the county in accordance with this chapter shall be required. This section shall not be interpreted as limiting the sale or transfer of lots consistent with previously lawfully approved recorded plats or deeds.
- (c) It shall be unlawful for any person, firm, corporation, owner, agent or subdivider, by deed or plat, to sell, transfer, agree to sell, offer at public auction, negotiate to sell or subdivide any land until a preliminary plat, if required, and final plat have been approved by the zoning administrator and final plat recorded in accordance with this chapter. Said restriction applies to lands subdivided for non-residential as well as residential uses. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transfer shall not exempt the transaction from compliance with this chapter or from the penalties established for violations of this development code.
- (d) The county through its attorney or other designated official may enjoin such transfer of, sale, or agreement by appropriate action.

Sec. 7-203. Review of subdivisions along state routes.

- (a) No subdivision plat containing land which abuts a state route shall be approved until such plat has been submitted for review and comment by the Georgia Department of Transportation, in accordance with the provisions of O.C.G.A. 32-6-71.
- (b) When the county receives such a plat, it shall submit two copies of the proposed subdivision plat to the Georgia Department of Transportation if such proposed subdivision includes or abuts on any part of the state highway system. The Georgia Department of Transportation, within 30 days of receipt of the plat, shall recommend approval and note its recommendation on the copy to be returned to the zoning administrator or recommend rejection. Failure of the Georgia Department of Transportation to act within this 30-day period shall constitute approval. If the plat is recommended for rejection, the reasons for rejection and requirements for approval shall be given to the zoning administrator in writing; but such recommendation shall be advisory only and shall not be binding.

Sec. 7-204. Lots must comply with development code requirements.

No person shall subdivide land, and the zoning administrator shall not approve any subdivision of land, unless the lots created pursuant to said subdivision meet or exceed all applicable requirements of the zoning district in which it is located, overlay district if applicable, environmental overlay district if applicable and any other applicable requirements of the Franklin County zoning regulations and this development code, as may be amended from time to time. For minimum lot frontage, minimum lot width and minimum lot size requirements by zoning district, see the Franklin County zoning regulations.

Sec. 7-205. Improvements required for final platting.

No final subdivision plat involving a public dedication of land or public improvement of streets or public utilities shall be approved and signed by the zoning administrator or accepted for recordation by the Clerk of Superior Court of Franklin County until all improvements, if required by this chapter or development code generally, have been constructed or installed in a satisfactory manner and approved by the zoning administrator and public utility provider as applicable.

Sec. 7-206. Creation of homeowner's association.

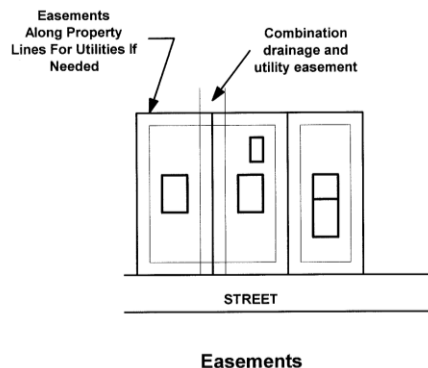
- (a) **Required.** For any major subdivision involving common areas, open spaces, and/or a stormwater detention facility on a separate tract within the subdivision, a homeowner's or property owner's association shall be required to be created which shall be responsible for the ownership and maintenance of common areas, open spaces and/or stormwater detention facilities within the subdivision. The homeowner's or property owner's association must be maintained as the responsible owner of such facilities and lands and

shall not be dissolved unless another ownership entity is accepted by the Franklin County Board of Commissioners.

- (b) **Mandatory membership.** Membership in the homeowner's association must be mandatory for each property in the development.
- (c) **Bylaws and covenants.** Such association must also include homeowner's or property owner's declaration and bylaws, including covenants, conditions and regulations applicable to each property in the development.
- (d) **Approval and recording.** The instruments of such creation and financial endowment shall be submitted to the zoning administrator for review and approval; covenants are also subject to approval by the county attorney, and such approval shall be obtained prior to recording. said instruments shall also be recorded at the time of final plat recording with cross-references to recording information on both the instruments and the final plat. A copy of the recorded instruments shall be filed with the zoning administrator following recording.
- (e) **Enforcement.** The declaration and bylaws shall be enforced by an association management company, which shall have the power to compel the payment of membership dues and assessments.
- (f) **Condominium association.** For condominium projects, incorporation of a condominium association consistent with state law will serve in lieu of the requirements of this section.

Sec. 7-207. Easements.

- (a) Easements for drainage or public utilities may be required in connection with any major or minor subdivision as determined by the zoning administrator in conjunction with utility providers. A drainage easement is required and shall be provided along any manmade drainage channel or drainage pipe located outside a street right-of-way. When required, easements shall be shown on the final plat.
- (b) The minimum width of any drainage, water, or sanitary sewer easement shall be twenty (20) feet. Easements for water, sanitary sewers and/or drainage purposes may be combined, but must be a minimum of thirty (30) feet if in combination. Pedestrian easements, if required by the zoning administrator, shall be at least ten (10) feet wide.



Sec. 7-208. Retracement surveys.

Pursuant to O.C.G.A. 44-2-26, the owner of real property, or of any interest therein or any holder of a lien thereon may file a plat of the property in the office of the clerk of superior court of the county in which the property or any part thereof is located. Said plat shall be considered a retracement survey, provided that it contains the surveyor certification box and all other applicable information for retracement surveys as required by this chapter. Such retracement survey shall not require local approval and shall be entitled to be filed and recorded.

Sec. 7-209. Surveyor certification box for retracement surveys.

- (a) Each plat of a retracement survey shall have depicted thereon a box which contains the following applicable certifications of the land surveyor:

“This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. Recordation of this plat does not imply approval of any local jurisdiction, availability of permits, compliance with local regulations or requirements, or suitability for any use or purpose of the land. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.”

- (b) The land surveyor shall sign on a line immediately beneath the certification on the plat. At the discretion of the land surveyor and in conformity with local regulations, the surveyor may electronically sign the certification using a facsimile signature. The facsimile signature may be a reproduction of an original signature or an electronically created signature. If the land surveyor elects to use a facsimile signature, the surveyor must maintain full control over the application and use of such signature.
- (c) In the case of a plat that is a retracement survey, the land surveyor shall state clearly the recording information of any document, map, plat, or other instrument which created any of the parcels depicted. The depiction of gores, overlaps, or other parcel delineation as may be necessary to remedy or address title issues or deficiencies shall be allowed as part of the retracement function.
- (d) Plats bearing the certification required for retracement surveys shall be entitled to recordation without further review or local approval.

Sec. 7-210. Easement surveys.

Plats that depict existing or proposed easements, including for any purpose including utilities, access, no access, or for conservation purposes, may be recorded using the certification for

retracement surveys, provided that there are no changes to any real property boundaries, and provided that the plat includes information required by this chapter. Plats bearing the certification required for retracement surveys shall be entitled to recordation without further review or local approval.

Sec. 7-211. Limitations on minor subdivisions.

- (a) **Purpose.** Minor subdivisions provide certain advantages, such as a shorter application process and less public scrutiny, that tend to favor their use over the filing of major subdivision applications. Also, major subdivisions are subject to higher standards of improvement for abutting substandard streets. Given these advantages, the prospect exists that subdividers may seek to divide a parcel via consecutive and/or contiguous minor subdivisions instead of filing for a major subdivision. It is the intent of Franklin County to prohibit the practice of “chain” subdivisions where the same land owner subdivides land and then files minor subdivision applications on common contiguous parcels, which collectively total more than five (5) lots. It is also the intent of Franklin County to prohibit minor subdivisions adjacent to each other within a three-year time period, in cases where part of an original tract of land is now owned by another person or entity and was transferred or sold to another owner.
- (b) **Contiguous common parcels shown on minor subdivision plats.** Contiguous common parcels shall be referenced on all applications for minor subdivisions, and contiguous common parcels shall be considered part of any application for minor subdivision, for purposes of determining whether or not the division of land proposed is a major subdivision or a minor subdivision. Contiguous common parcels shall not be counted as lots in the case of a minor subdivision.
- (c) **Limitations.** Land within a minor subdivision, including all contiguous parcels owned by the subdivider, shall not be further divided for a period of three years unless a preliminary plat application is filed and approved as a major subdivision pursuant to the requirements of this chapter. If property proposed to be subdivided was part of an original tract, and if the property proposed to be subdivided abuts land that has been divided as a minor subdivision in the last three years, then minor subdivision of said property shall be prohibited. This provision shall not be construed to prohibit the approval of two contiguous minor subdivisions under separate ownership; however, this provision is intended to be construed liberally so that one property owner does not develop a minor subdivision on part of an original tract and transfer or sell another part of the original tract for the purposes of minor subdivision within a three year period. It is the intent that land abutting a minor subdivision that was owned by the subdivider of the abutting minor subdivision shall not be subdivided as a minor subdivision for a period of three years, regardless of ownership.

**ARTICLE 7-3
PRELIMINARY PLAT**

- Sec. 7-301. Preliminary plat – when required.
- Sec. 7-302. Relationship of preliminary plat to development permit.
- Sec. 7-303. Preliminary plat specifications.
- Sec. 7-304. Procedures.
- Sec. 7-305. Amendments to approved preliminary plats.

Sec. 7-301. Preliminary plat – when required.

Any subdivision involving the dedication of a public street or public land, any subdivision involving a new private street, and any subdivision requiring a public improvement as defined, and any subdivision of more than five (5) lots shall require the submission of a preliminary plat.

Sec. 7-302. Relationship of preliminary plat to development permit.

- (a) A preliminary plat application may be processed in conjunction with an application for development permit. However, the preliminary plat must be approved prior to issuance of a development permit for the project. Further, applicants who submit development permit applications simultaneously with a preliminary plat are subject to possible revision of development plans if the preliminary plat is changed in a manner inconsistent with the development plans.
- (b) A development permit per the requirements of this development code shall be required prior to initiation of any land disturbing or construction activities on the lands proposed for subdivision, as provided in Chapter 6 of this development code.
- (c) Preliminary plat approval shall be valid for a period of two (2) years, after which preliminary plat approval shall expire if there have been no improvements installed on the land subject to subdivision.

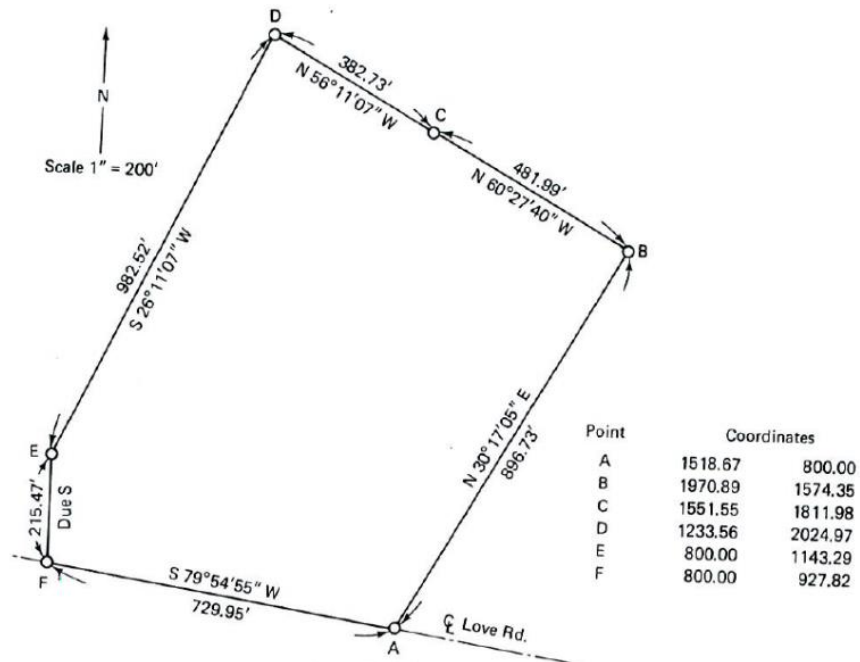
Sec. 7-303. Preliminary plat specifications.

The following specifications are required for a preliminary plat:

- (a) **Proposed name of subdivision.** The proposed name of the subdivision shall not duplicate or too closely approximate, phonetically, the name of any other subdivision in the county. If shown to the contrary, the zoning administrator may refuse to accept such subdivision name.
- (b) **Plat scale and sheet size.** The preliminary plat shall be clearly and legibly drawn at a scale of 100 feet or less to 1 inch. The recommended maximum dimensions of the sheet size is 36 inches by 48 inches and the minimum dimensions of 17 inches by 22 inches;

however, the zoning administrator may approve other sheet sizes and scales as appropriate.

- (c) **Owner and professional contact information.** Name, mailing address, telephone and e-mail address of the property owner and the professional preparing the preliminary plat.
- (d) **Miscellaneous.** Date of boundary survey, north point and graphic scale, source of data, date of plan drawing, and, if any, revision dates.



Source: Brewer, William E. and Charles P. Alter. 1988. The Complete Manual of Land Planning & Development. Englewood Cliffs, NJ: Prentice Hall.

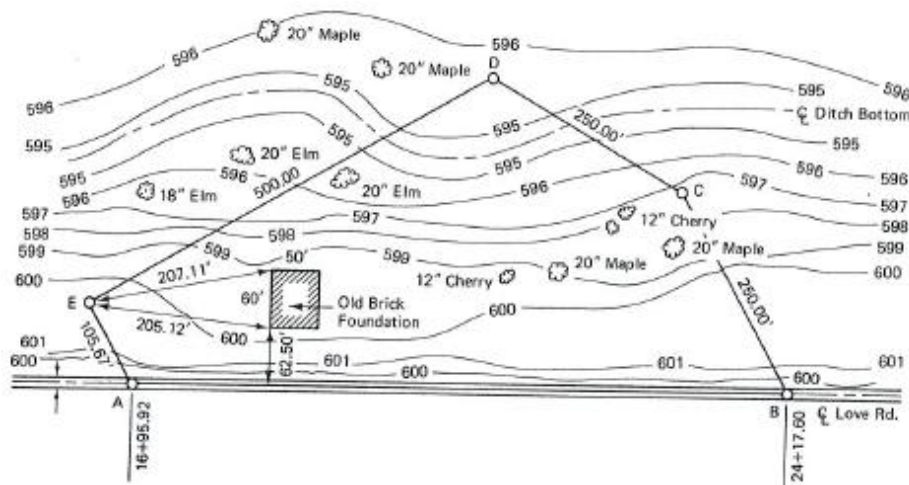
Illustrative Boundary Survey

- (e) **Location and tract boundaries.** Location (including Militia District) and size of the property in acres (or in square feet if less than an acre), and the external boundaries of the tract to be subdivided or developed shown by bearings and distances. The preliminary plat must reference and be based on a boundary survey of the exterior boundaries of the proposed subdivision, prepared by a registered land surveyor.

- (f) **Vicinity map.** A location map of the property in relation to the surrounding area with regard to well-known landmarks such as arterial streets, railroads, and major water courses.



- (g) **Abutting property information.** Names of adjoining property owners per recorded deeds, zoning district of all adjoining properties, and if applicable overlay district designations of all adjoining properties.
- (h) **Prior subdivision.** Name of former approved subdivision, if any, for all of the land in the preliminary plat that has been previously subdivided, showing boundaries of same.
- (i) **Zoning.** Zoning district boundaries and zoning designation(s) of the subject property and, if applicable, overlay district.
- (j) **Application number and conditions.** Rezoning, conditional use, and variance application number, date of approval, and conditions of approval, if applicable.
- (k) **Natural features and flood plains.** Natural features within the property, including topographic contours at no less than five-foot intervals, drainage channels, bodies of water, wetlands, streams with required buffer designated, wooded areas and other significant natural features such as groundwater recharge areas and rock outcroppings. On all water courses entering or leaving the property, the direction of flow shall be indicated. The 100-year flood plain, if any, shall be delineated.



Source: Brewer, William E. and Charles P. Alter. 1988. The Complete Manual of Land Planning & Development. Englewood Cliffs, NJ: Prentice Hall.

Illustrative Topography and Existing Conditions

- (l) **Streets, easements, political boundaries and built features.** Man-made features within and adjacent to the property, including street right-of-way and pavement widths, names of existing streets, all easements, city and county political boundary lines, and other significant information such as location and dimensions of bridges, existing buildings to remain, and other features.
- (m) **Subdivision block and lot layout.** The proposed subdivision layout including lot lines and street right-of-way lines, with proposed street names or letter designations and right-of-way widths, along with the front building setback line and the approximate dimensions of the length and width of each lot. The total number of lots in the subdivision and the total acreage in the tract to be subdivided shall be indicated. Lots shall be numbered consecutively in a clockwise fashion, and the approximate land area of each lot shall be indicated for each lot. The proposed phasing of the subdivision shall be indicated, if it is proposed to be platted in phases.
- (n) **Water and sewage disposal.** A statement as to the source of the domestic water supply and provisions for sanitary sewage disposal. For those properties that will not be served by a public sanitary sewerage system, location and results of soil tests or percolation tests as required and approved by the Franklin County Environmental Health Department.
- (o) **Stormwater management.** The approximate location of proposed storm water detention facilities. Compliance with stormwater management requirements of this development code will be required for the issuance of a development permit.
- (p) **Public land reservations.** In addition to public streets, the preliminary plat shall indicate land if any to be dedicated for public use.
- (q) **Additional information.** Additional information as may be required by the zoning administrator to ensure compliance with Franklin County zoning regulations, this chapter and this development code.
- (r) **Approval.** Approval of a development permit for the proposed subdivision shall constitute approval of the preliminary plat.

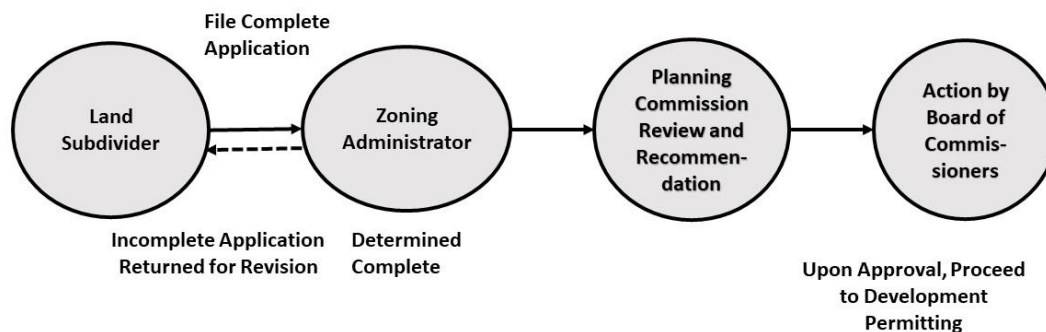
Sec. 7-304. Procedures.

- (a) Upon receipt of a completed preliminary plat application, the zoning administrator shall schedule the application for the next public meeting of the Franklin County Planning Commission and forward all pertinent materials in the application to the Franklin County Planning Commission for review.
- (b) An application for preliminary plat approval must be submitted at least 21 business days before the regular meeting date of the Franklin County Planning Commission to be considered on that agenda. The Franklin County Planning Commission shall recommend approval, conditional approval, or denial of the preliminary plat application, or it may

postpone to a later meeting not to exceed 65 calendar days from the date of its first scheduled consideration of the preliminary plat.

- (c) The basis of the Franklin County Planning Commission's review of and recommendation on a preliminary plat shall be whether the preliminary plat meets the purposes and requirements of the Franklin County zoning regulations, this chapter and the development code generally, whether the public dedications proposed in the subdivision are adequate, and whether the preliminary plat conforms to the policies of the comprehensive plan.
- (d) Once the planning commission has made a recommendation on the preliminary plat, the zoning administrator shall schedule it for consideration and final action by the Franklin County Board of Commissioners. The Franklin County Board of Commissioners shall approve, conditionally approve, or deny the preliminary plat application, or it may postpone to a later meeting not to exceed 65 calendar days from the date of its first scheduled consideration of the preliminary plat.
- (e) The basis of the Franklin County Board of Commissioners' action on a preliminary plat shall be whether the preliminary plat meets the purposes and requirements of the Franklin County zoning regulations, this chapter and the development code generally, whether the public dedications proposed in the subdivision are adequate, and whether the preliminary plat conforms to the policies of the comprehensive plan.

PROCEDURE FOR PRELIMINARY PLAT APPROVAL



Sec. 7-305. Amendments to approved preliminary plats.

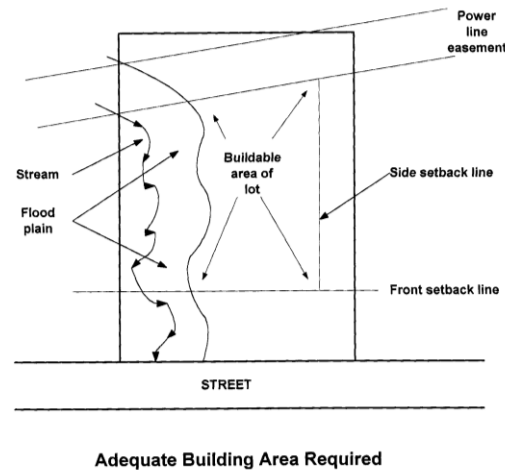
The zoning administrator is authorized to approve minor amendments to preliminary plats. Any proposed amendment to a preliminary plat that is determined by the zoning administrator to constitute a public interest shall be deemed a major amendment. For all amendments to preliminary plats determined to be major amendments, recommendation by the Franklin County Planning Commission and approval by the Franklin County Board of Commissioners shall be required. The Franklin County Planning Commission shall recommend approval, conditional approval, or denial of the proposed major amendment to a preliminary plat, and the Franklin County Board of Commissioners shall approved, conditionally approve, or deny the proposed major amendment to a preliminary plat following the same procedures required for an initial application for preliminary plat approval as specified in this article.

ARTICLE 7-4
STANDARDS FOR BLOCKS AND LOTS

- Sec. 7-401. Suitability of land.
- Sec. 7-402. Conformance with comprehensive plan and other plans.
- Sec. 7-403. Block length.
- Sec. 7-404. Block width.
- Sec. 7-405. Lot depth.
- Sec. 7-406. Adequate building site.
- Sec. 7-407. Lot lines.
- Sec. 7-408. Double frontage lots.
- Sec. 7-409. Flag lots.
- Sec. 7-410. Lot remnant not permitted.

Sec. 7-401. Suitability of land.

Land physically unsuitable for subdivision because of flooding, poor drainage, steep slopes, rock formations or other such features that may endanger health, life or property, aggravate erosion, increase flood hazard, or necessitate excessive expenditures of public funds for supply and maintenance of services shall not be approved for subdivision or development unless adequate methods are formulated by the subdivider for solving the problems.



Sec. 7-402. Conformance with comprehensive plan and other plans.

- (a) All proposed major subdivisions shall conform to the comprehensive plan and development policies in effect at the time of submission to the zoning administrator. All highways, streets and other improvements recommended in the county transportation plan, if applicable, shall be platted by the developer in the location and to the dimension indicated in the county transportation plan.
- (b) When features of other plans adopted by the county (such as schools or other public-building sites, parks or other land for public uses) are located in whole or in part in a subdivision, such features shall be either dedicated or reserved by the subdivider for acquisition within a reasonable time by the appropriate public agency.

Sec. 7-403. Block length.

Intersecting streets shall be provided at such intervals so as to provide adequate cross traffic and connectivity. Blocks in residential subdivisions should not exceed 1800 feet nor be less than 600 feet in length, except where topography or other conditions justify a departure from these standards.

Sec. 7-404. Block width.

- (a) The width of a block shall be sufficient to allow two tiers of lots of appropriate depth, except where double frontage lots on arterial streets are provided, or when prevented by topographic conditions or size of the property, or for lots along the periphery of the subdivision, in which case the county may approve a single row of lots.
- (b) Blocks intended for business or industrial use shall be of such width as to be considered most suitable for their respective use, including adequate space for off-street parking, deliveries, and service.

Sec. 7-405. Lot depth.

The depth of lots intended for detached, single-family residential should not be greater than four times the width of the lot at the regulatory building line, unless unusual circumstances make these limitations not practicable. Lots intended for other uses should observe this maximum lot depths standard where practicable.

Sec. 7-406. Adequate building site.

Each lot shall contain an adequate building site not subject to flooding and outside the limits of any existing easements, required building setback lines, and required stream buffers.

Sec. 7-407. Lot lines.

All side lot lines shall be perpendicular to street lines, and all rear lot lines shall be parallel or radial to street lines, unless not practicable because of topographic or other features.

Sec. 7-408. Double frontage lots.

Double frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or overcome specific disadvantages of topography or orientation. The county may require a no-access easement of at least ten (10) feet in width, across which there shall be no right of access, along the line of lots abutting such a traffic artery.

Sec. 7-409. Flag lots.

- (a) Flag lots, which meet minimum lot area requirements and meet the minimum lot width at the front building setback line where the building is placed, may be allowed where

conditions of hardship make standard design or frontage impossible, impractical, or inefficient with regard to land use.

- (b) Where such lots are allowed, the street frontage of each panhandle portion of the lot shall not be less than sixty (60) feet wide, and the panhandle portion of the lot shall be no less than sixty (60) feet wide and not more than 300 feet long.
- (c) Not more than two such panhandle access points shall abut each other. The county may require shared driveways for abutting flag lots.

Sec. 7-410. Lot remnant not permitted.

All remnants of lots less than the required minimum lot size which may be left over after subdividing a larger tract, must be added to adjacent lots, rather than allowed to remain as unusable or noncompliant parcels. The zoning administrator may permit a lot remnant for a specific purpose such as a detention pond or buffering, provided that access and design is appropriate and the lot remnant is restricted to specific public, utility, or conservation use.

ARTICLE 7-5
FINAL PLAT SPECIFICATIONS

- Sec. 7-501. Format for plats and condominium plans.
- Sec. 7-502. Data for plats required per state law.
- Sec. 7-503. Data required for plats per state rules and regulations.
- Sec. 7-504. Additional plat data required locally.
- Sec. 7-505. Additional requirements for final plats involving private streets.
- Sec. 7-506. Purchaser's acknowledgement for lot served by private street.
- Sec. 7-507. Combination plat.
- Sec. 7-508. Boundary line adjustment.

Sec. 7-501. Format for plats and condominium plans.

All images of a plat or condominium plan submitted for filing in the office of the clerk of superior court shall:

- (a) Be at full size of the drawing scale stated thereon;
- (b) Be an electronic image of a plat or condominium plan presented to the clerk electronically in conformance with all specifications set forth in any rules and regulations promulgated by the Georgia Superior Court Clerks' Cooperative Authority;
- (c) Comply with the minimum standards and specifications adopted in the rules and regulations of the State Board of Registration for Professional Engineers and Land Surveyors; and
- (d) Provide a box of not less than three inches square, if at full size, in the upper left-hand corner which shall be reserved for the clerk to append filing information.

Sec. 7-502. Data for plats required per state law.

This section enumerates data required to be shown on plats per the Georgia Plat and Condominium Plan Recording Act of 2017.

- (a) **County.** The county where the property lies.
- (b) **City.** Any municipality wherein the property lies.
- (c) **Owner.** The name and address of the property owner or owners of the subject property as stated on the most current or applicable title instrument.
- (d) **Plat type.** The type of plat (final subdivision, boundary line adjustment, lot combination, retracement survey, easement survey, dedication plat, etc.).

- (e) **Name.** The name of any subdivision if the property lies within a named subdivision or if the plat is creating a new subdivision; or the name of any condominium if the property is within a condominium development.
- (f) **Division designations.** The applicable units, pods, blocks, lots, or other sub-designations of any named subdivision or condominium.
- (g) **Developer.** The name or names and address(es) of the developer or developers of any named new subdivision or condominium.
- (h) **Land lots and districts.** All applicable land lots, land districts, sections, reserves, or militia districts wherein the platted property lies.
- (i) **Date and revision dates.** The date of initial preparation and issuance and any revision dates, including a brief explanation of each revision.
- (j) **Surveyor.** The name, address, and telephone number of the land surveyor who prepared and sealed the plat and, if working for or through a firm, corporation, partnership, association, limited liability company, or other entity, then also the certificate of authorization number of that entity, in which case the address and telephone number of such entity are acceptable in lieu of the individual surveyor's address and telephone number.
- (k) **Surveyor registration.** The registration number of the land surveyor or a statement that he or she is the county surveyor and is not required by law to be a registered surveyor.
- (l) **Surveyor seal.** The seal of the land surveyor who has prepared the plat and is signing the surveyor certification, which shall be placed within or next to the surveyor certification box.
- (m) **Page numbers.** If the plat has multiple pages the page number for each applicable page and the total number of sheets in the set shall be placed on each sheet in the same or similar location. The information required by this paragraph may be placed on all sheets or on different sheets within the set submitted for filing.
- (n) **Scale.** The scale of the plat stated and shown graphically.
- (o) **Surveyor certification box for subdivision plats.** Each plat involving a subdivision shall have depicted thereon a box which contains the following certification of the land surveyor:

“As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the

undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.”

The land surveyor shall sign on a line immediately beneath the certification on the plat. At the discretion of the land surveyor and in conformity with local regulations, the surveyor may electronically sign the certification using a facsimile signature. The facsimile signature may be a reproduction of an original signature or an electronically created signature. If the land surveyor elects to use a facsimile signature, the surveyor must maintain full control over the application and use of such signature.

- (p) **Additional certifications.** Additional dates, certifications, and signatures, which may be electronically created signatures, may be placed on plats. Such certifications may include, but are not limited to, those that may be required by local jurisdictions or agencies, the United States Small Business Administration, the United States Department of Housing and Urban Development, and the American Land Title Association.

Sec. 7-503. Data required for plats per state rules and regulations.

This section enumerates selected data required to be on plats per Rules and Regulations of the State of Georgia, Department 180, “State Board of Registration for Professional Engineers and Land Surveyors,” Chapter 180-7, “Technical Standards for Property Surveys, and local requirements. It is the land surveyor’s responsibility to provide all data required by said rules, and the lack of inclusion of said rule requirements in this section shall not relieve a land surveyor from complying with said requirements:

- (a) **Point of beginning and point of reference.** There shall be a point of commencement and/or a point of beginning that can be readily re-established. The direction and distance from a point of reference to a point on the boundary of the individual survey, and such additional data as may be required to relocate the boundary point from the point of reference with the same degree of accuracy required of the parcel surveyed. The point of reference shall be an established, monumented position which can be identified or relocated from maps, plats or other documents on public record, including state plane coordinates when applicable. The point of reference may lie on or within the boundary of the survey.
- (b) **Names of adjoining subdivisions and property owners and documents reviewed.** The names of adjoining subdivision and/or property owners on all lines, as can be determined at the time of commencement of the survey through public records such as the county tax assessor and/or clerk of court records, along with a notation as to what documents were reviewed for each adjacent property.
- (c) **Roads.** Adjacent streets, roads, or other rights-of-way, and the width and the former widths, if pertinent, of rights-of-way adjacent to or crossing the property.

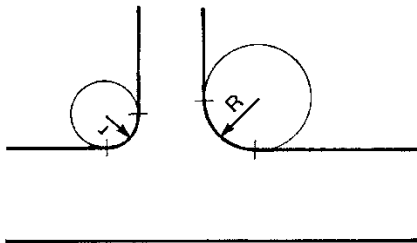
- (d) **Water.** All water boundaries.
- (e) **Easements.** The width and the former widths, if pertinent, of easements adjacent to or crossing the property. Where water and sewer utilities are located within rights of ways to be dedicated to the county, temporary easements shall be required for such utilities in favor of the service provider until the rights of ways are officially accepted by resolution of the Franklin County Board of Commissioners.
- (f) **Encroachments and cemeteries.** Apparent encroachments and observed evidence of human burials or cemeteries.
- (g) **North arrow.** An arrow to indicate the principal meridian and a notation as to the reference of bearings to magnetic north, astronomic north, record or grid north. A grid north reference shall indicate the zone. Record north shall reference the document or survey to which the meridian is oriented and the line of the survey to which the "record bearing" was applied to.
- (h) **Metes and bounds bearings and distances and areas.** Bearings of all lines of the boundary or lot lines, and distances of all boundary or lot lines, and area of the parcels expressed in acres or square feet. The total acreage of the subdivision shall be shown. All bearings, distances, and areas shown on the survey shall be based upon the measurements of the surveyor, except that both the measured and the record measurements may be shown if the surveyor feels that such comparison is necessary or otherwise required, in which case a clear distinction shall be made as to which are measured and which are record. All angular directions shall be represented in degrees, minutes, and seconds. Distances that are shown for proximity purposes only and have not been measured shall be clearly labeled as "approximate"; A metes and bounds description shall describe all courses in logical sequence around a lot or tract in a clockwise direction such that the ending point is the beginning point. In the case of curved lines, the curve shall be defined by curve data to include the radius, arc length, chord bearing, and distance of regular curves. Chord distances and directions shall be given for irregular curves.
- (i) **Equipment reference.** A statement to indicate the type of equipment used to obtain the linear and angular measurements used in the preparation of the plat, or the proper notations required by Rule 180-7-.09 when GPS equipment is used in performing the survey.
- (j) **Closure precision.** The closure precision of the data shown on the plat. The closure may be stated as follows: "This map or plat has been calculated for closure and is found to be accurate within one foot in ____ feet."
- (k) **Monuments.** Monuments shall be set at all boundary corners. All monuments found, placed or replaced shall be described on the survey plat. The land surveyor shall set monuments, unless monuments already exist or cannot be set due to physical obstructions. Those monuments that cannot be set due to physical obstructions shall have a reference monument set. Said reference monument shall be referenced on the plat by

bearing and distance from the true position of said monument. Also, said reference monument shall be set far enough away from the true corner so as not to be confused with the position of the true corner. Corner descriptions shall state the size, material and cap identification of the monument as well as whether the monument was set or found. In the case of badly disturbed or deteriorated monuments that are replaced for the purpose of position preservation, the survey shall indicate the size, type, and material of both the found monument and the monument with which it was replaced.

- (l) **Monument specifications.** All monuments set shall be composed of a durable material and shall incorporate a ferrous material to aid in location by magnetic locators. Said monuments shall have a minimum length of 18 inches. Monuments placed at land lot corners, district corners or county corners shall if a rod have a minimum diameter of 5/8 inches, a pipe of 1 inch diameter or a concrete or stone monument of not less than 4 inches square. Every boundary monument set shall be identified with a durable marker or cap bearing the Georgia registration number of the land surveyor in responsible charge or the name of the business entity and/or Certification of Authorization number (COA #).

Sec. 7-504. Additional plat data required locally.

In addition to the requirements of state law and state rules and regulations, all plats shall include the following information:

- (a) **Street names.** Street names including both the name and the suffix, such as “street,” “avenue,” etc.
- (b) **Location sketch or vicinity map.** A hand-drawn or map reproduction, whether or not to an engineering scale, showing the subject property in context of a larger area. Typical scale when a scale is used, is 1 inch equals 2,000 feet.
- (c) **Road centerlines, pavement widths and radii.** The centerline of all roads within or adjacent to the subdivision, and the exact pavement width of the road or roads abutting the subject property and within the subdivision. For cul-de-sacs, both the right of way radius and the pavement radius shall be shown. In addition, the right of way and pavement radii of all street intersections shall be shown.
- (d) **Lot and block identifiers.** Lots numbered in numerical order and blocks lettered alphabetically.
- (e) **Addresses.** Prior to recording, the street address number may be shown on each lot as assigned by the Franklin County E-911 coordinator.

- (f) **Building setbacks.** Front building setback lines with dimensions as to length across each lot and distance from the street right-of-way.
- (g) **Flood hazard area note.** A note indicating whether or not the property is located within a 100-year flood plain, as designated on Federal Emergency Management Agency Flood Insurance Rate Maps, along with the community map panel number and effective date.
- (h) **Dedications and common areas.** Any areas to be reserved, donated, or dedicated to public use and common use shall be shown along with their acreage. If streets are to be dedicated, the total linear distance of streets to be dedicated shall be indicated on the plat.
- (i) **Private covenants.** Statement of and reference to private covenants, conditions and restrictions, if any.
- (j) **Other data.** The zoning administrator may require that additional information be shown on the final plat, including but not limited to the existing zoning district and if applicable zoning conditions, zoning overlay and/or environmental overlay district, if applicable, variances if applicable, required stream buffers and zoning buffers, and wetlands.

Sec. 7-504. Additional plat data required locally.

The following certifications shall be required for final plats, as applicable:

- (a) **Owner's certification.** A certificate signed by the owner directly on the final plat, as follows:

“The owner of the land shown on this plat and whose name is subscribed hereto, certifies that that he/she is the fee simple absolute owner of the land shown on this plat and that all state, county and county taxes or other assessments now due on this land have been paid.

Owner
Signed, sealed and delivered
in the presence of:

Witness

Notary Public"

- (b) **Certificate of approval and signature block.** The following certification of approval and signature block shall be provided on the plat:

“Pursuant to the zoning regulations and development code of Franklin County and all requirements of approval having been fulfilled, this final plat was given final approval by

the county and it is entitled to be recorded in the Clerk's Office, Franklin County Superior Court.”

Signature, Zoning Administrator

Date

Signature, Chair, Franklin County
Board of Commissioners

Date”

- (c) **Certificate of dedication.** If the subdivision involves the dedication of land or streets to the public, the following certification shall be provided on the plat:

“The owner dedicates to the public for use forever the street right of way(s) and/or other public dedications shown on this plat, as follows:

Street right of way(s): ____ linear feet and ____ acres.

Other: ____ acres.

A dedication is not final until acceptance of the warranty deed by resolution of the Franklin County Board of Commissioners.

Owner

Signed, sealed and delivered
in the presence of:

Witness

Notary Public”

- (d) **Health department certificate.** If the subdivision involves an on-site sewage management system or community water system, the following certification shall be provided on the plat:

“This final plat has been approved by the Franklin County Health Department as being consistent with applicable state and local environmental health requirements.

Signature, Director, Franklin County Health Department Date”

For a minor subdivision, the zoning administrator may waive the requirement to include a signed health department certificate on a final plat; provided, however, that if the lots included in the final plat of a minor subdivision are to be served by an on-site sewage management system (septic tank), in lieu of said certification the final plat shall contain the following note: “Each lot must be reviewed and approved by the Franklin County Environmental Health Department for on-site sewage management system placement prior to the issuance of a building permit.”

- (e) **Utility dedication certificate.** If the subdivision involves water and/or sanitary sewer lines to be dedicated, the following certification shall be provided on the plat:

“The owner hereby dedicates to Franklin County forever the water and sanitary sewer lines within easements or within street rights of ways shown on this plat, as follows:

Water lines: __ linear feet.

Sanitary sewer lines: __ linear feet.

Owner

Signed, sealed and delivered
in the presence of:

Witness

Notary Public"

- (f) **Temporary utility easement dedication:**

“The subdivider hereby dedicates temporary easements to Franklin County within proposed rights of ways containing water and/or sewer lines to be dedicated, until such rights of ways are accepted by resolution of the Franklin County Board of Commissioners.”

Owner

Signed, sealed and delivered
in the presence of:

Witness

Notary Public"

- (g) **Utility easement dedication.** If easements for water and/or sewer are included in the subdivision but located outside of right of way to be dedicated, the subdivider shall include the following easement dedication statement:

The subdivider hereby dedicates utility easements to Franklin County as shown on this final plat."

Owner

Signed, sealed and delivered
in the presence of:

Witness

Notary Public"

- (h) **Utility acceptance of dedication.** If the subdivision involves water and/or sanitary sewer lines to be dedicated, the following certification shall be provided on the plat:

"Franklin County hereby accepts the water and/or sanitary sewer lines within easements or within street rights of ways shown on this plat:

Signature, Chairman
Franklin County Board of Commissioners

Date"

The exact language of the plat certifications specified in this section may be changed to match the requirements of the utility provider or health department, as may be appropriate and as approved by the zoning administrator.

Sec. 7-505. Additional requirements for final plats involving private streets.

No final plat involving a private street shall be approved by the zoning administrator for recording unless and until it shall contain the following on the face of the plat:

- (a) The private street shall be located within an exclusive and irrevocable access and utility easement granted to the county. The access and utility easement shall be no less wide than that required for right-of-way for a similar public street. All lot area requirements, setbacks and other requirements of the applicable zoning district shall be measured outside of or from such access and utility easement. As an alternative, the private street may be located within a separate parcel of land, no less wide than that required for right-of-way for a similar public street, owned by a homeowner's association for the development and granting an exclusive and irrevocable access and utility easement to the county.
- (b) Covenants, or reference to the deed book and page of the recorded covenants.
- (c) "Franklin County has no responsibility to build, improve, maintain, or otherwise service the private streets, drainage improvements, and other appurtenances contained within the general public purpose access and utility easement or easements for private streets shown on this plat."
- (d) "Grant of Easement. The general purpose access and utility easement(s) shown on this plat for private street(s) is (are) hereby granted and said grant of rights shall be liberally construed to provide all necessary authority to Franklin County, and to public or private utility providers serving the subdivision, for the installation and maintenance of utilities, including, but not limited to, electric lines, gas lines, telephone lines, water lines, sewer lines, cable television lines, and fiber optic cables, together with the right to trim interfering trees and brush, together with a perpetual right of ingress and egress for installation, maintenance, and replacement of such lines.

Signature of Property Owner"

At the discretion of the county, a subdivision improvement guarantee as required for public streets may be required for a subdivision containing private streets.

Sec. 7-506. Purchaser's acknowledgement for lot served by private street.

Prior to the sale or as a condition of the closing of a real estate transaction involving any lot served by a private street in the county, the subdivider or seller shall ensure that the purchaser of

said lot shall execute a notarized purchaser's acknowledgement of private street construction and drainage maintenance responsibilities as set forth below.

"Purchaser's Acknowledgement of Private Street and Drainage Maintenance Responsibility.

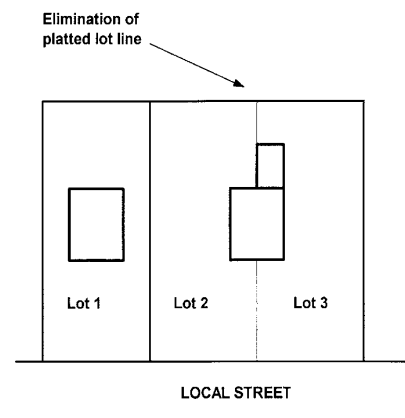
(I) (We) have read the Declaration of Covenant which pertains to the lot that is the subject of this real estate transaction _____ (insert address or attach legal description).
(I) (We) understand that the Declaration of Covenant applies to the lot that (I am) (we are) purchasing and requires (me) (us) to provide a specified percentage or amount of the financing for the construction and maintenance of any private street and drainage facilities serving the lot which (I am) (we are) purchasing, and that owners of other lots in this plat may sue for and recover those costs which this covenant requires (me) (us) to pay, plus their damages resulting from (my) (our) refusal to contribute, plus reasonable attorney's fees. (I) (we) further understand that the County has no obligation to assist with the maintenance and improvement of the private street, drainage facilities, and other appurtenances within the general purpose public access and utility easement for the private road serving the lot in question. I (we) understand that a copy of this purchaser's acknowledgement shall be required as a condition of the issuance of a building permit for a principal building on the lot (I am) (we are) purchasing.

Purchaser"

A reference to this requirement to execute a purchaser's acknowledgement prior to the sale of any lot served by a private street shall also appear in the recorded. covenants, conditions, and restrictions for the subdivision.

Sec. 7-507. Combination plat.

- (a) An existing lot line forming the boundary between two conforming platted lots located within the same subdivision or a lot line between lots or parcels that have merged to form one building lot may be removed or eliminated through a final plat process which conforms to the final plat requirements of this chapter.



Lot Combination

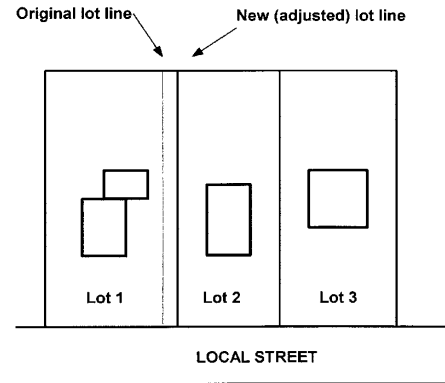
- (b) Where separate lots of land are proposed to be combined, they shall be submitted to the zoning administrator as a final plat for review and approval. In the case no final plat applies to the subject lots or parcels, a boundary survey and plat depicting all lots

involved in the lot combination shall be required to be approved by the zoning administrator as a final plat.

- (c) Such combination plat shall be titled with the same name as that of the original subdivision, if applicable, and shall indicate thereon that the replat is for the purpose of removing the lot lines between specific lots.

Sec. 7-508. Boundary line adjustment.

- (a) One or more existing lot lines forming boundaries between conforming platted lots located within the same subdivision, or one or more lot lines between abutting lots or parcels may be adjusted through a final plat revision process that requires the approval of the zoning administrator and recording of a plat meeting the specifications of a final plat. In the case no final plat applies to the subject lots or parcels, a boundary survey and plat of the entire lots involved in the boundary line adjustment shall be required to be approved by the zoning administrator.



Boundary Line Adjustment

- (b) Such plat showing said boundary line adjustment shall be titled with the same name as that of the original subdivision and shall include thereon that the replat is for the purpose of adjusting the lot lines between specific lots.

**ARTICLE 7-6
FINAL PLAT PROCEDURES**

- Sec. 7-601. Application for final plat.
- Sec. 7-602. Process for review and approval of a final plat.
- Sec. 7-603. Recording of final plat.
- Sec. 7-604. Distribution of approved final plat.
- Sec. 7-605. Revision of final plat.

Sec. 7-601. Application for final plat.

Applications for final plat approval shall include the following:

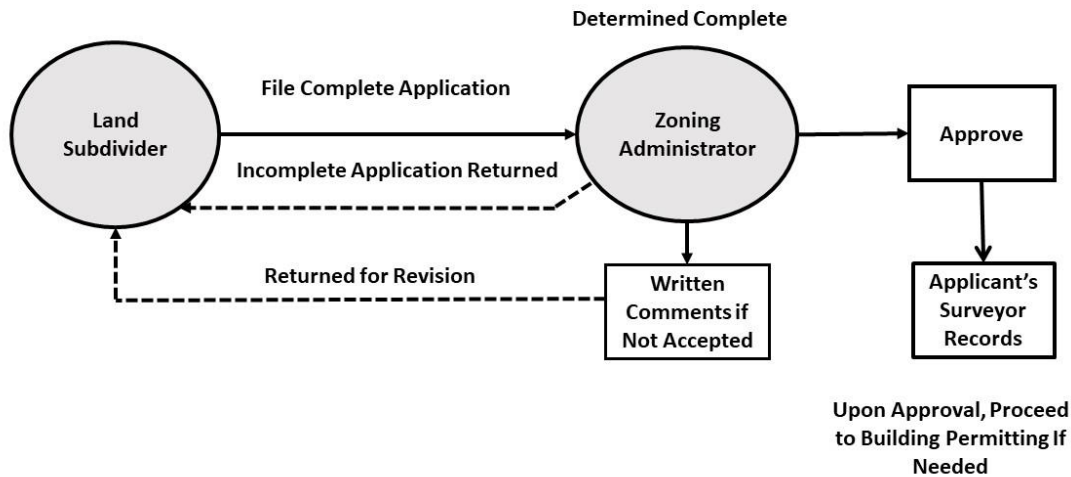
- (a) **Application form.** Completion of an application form with information specified by the zoning administrator, including but not limited to owner information. The owner, or agent if so authorized, shall sign the application attesting to the accuracy of the application and confirming authority and intent to submit the application for consideration.
- (b) **Copies of plat.** Copies of the final subdivision plat in a number as established by the zoning administrator, showing the entire ownership and drawn to the specifications required by this chapter.
- (c) **Fee.** Payment of the applicable application and review fees as established by the Franklin County Board of Commissioners from time to time for a final plat.
- (d) **Payment for signs and striping.** Payment for materials and installation of traffic signs and street name signs in an amount determined by the zoning administrator. Payment of the cost of street striping or signalization, if required and not completed by the owner, shall also be included with the application.
- (e) **Financial guarantee of improvements.** For major subdivisions involving public improvements, a subdivision improvement guarantee as specified in this chapter.
- (f) **Protective covenants and homeowner's association documents.** If required by provisions of this development code, a homeowners' association shall be created and the instruments of such creation and financial endowment shall be recorded at the time of final plat recording. Similarly, if a property owners association is required by this development code or established by the developer, such association shall be created and instruments of creation and financial endowment shall be required at the time of final plat recording. Two copies of the recorded instruments or instruments to be recorded shall be filed with the zoning administrator.

Sec. 7-602. Process for review and approval of a final plat.

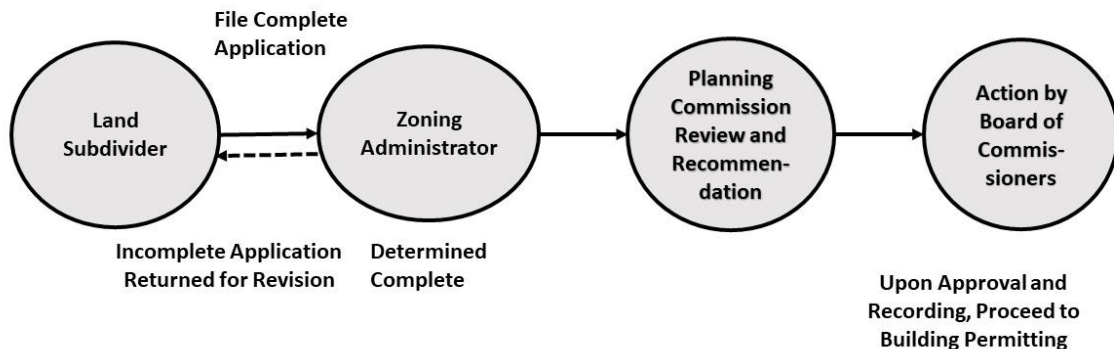
Upon completion of all requirements, the subdivider or property owner can file an application for final plat approval. The procedures for final plat review and action shall be as specified in this section.

- (a) **Review for completeness and application acceptance.** The zoning administrator shall review the final plat application for completeness within no more than 7 business days from the posted submission deadline. Incomplete applications will not be processed and will be returned to the applicant.
- (b) **Distribution and agency review of final plat.** The zoning administrator may forward a copy of the final plat application to other county departments as may be appropriate, the Georgia Department of Transportation if the proposed subdivision has frontage on or proposes access to a state or federal road. The applicant shall be required to obtain approval from the Franklin County Environmental Health Department if septic tanks are proposed within a major subdivision, and public utility providers in cases where connection to public water and/or sewer is proposed or required.
- (c) **Time period for completion of review.** Except for final plats that have frontage on or propose access to a state or federal road which require review by the Georgia Department of Transportation (which require a 30-day review period), within no more than 25 business days following receipt of a complete final plat application, during which agency review shall be completed, the zoning administrator shall indicate on the final plat or in writing all comments related to compliance with this chapter and the development code. The zoning administrator shall provide all comments to the applicant for resolution, who shall work with each department as necessary to resolve all issues.
- (d) **Action.** When the zoning administrator has determined that the final subdivision plat is in compliance with the approved preliminary plat for the subdivision (if applicable) and the requirements of this development code and consistent with the comprehensive plan, it shall be approved by the zoning administrator if a minor subdivision. If a major subdivision, it shall be scheduled for review and recommendation by the Franklin County Planning Commission and following a recommendation by the Planning Commission, action by the Franklin County Board of Commissioners. The owner shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all the noted and written comments. If it is determined that the final plat is not in compliance with the requirements of this development code, the final plat shall be disapproved. Action must be taken by the zoning administrator to approve, conditionally approve, or disapprove a minor final plat application within no more than 30 days from receipt of a completed application. The Planning Commission must make a recommendation within 35 calendar days it first meets to consider the final plat of a major subdivision. The Board of Commissioners shall approved, conditionally approve or deny an application for final plat approval of a major subdivision within 35 calendar days it first meets to consider the final plat of a major subdivision.

PROCEDURE FOR MINOR FINAL PLAT APPROVAL



PROCEDURE FOR MAJOR FINAL PLAT APPROVAL



Sec. 7-603. Recording of final plat.

- (a) Once the final subdivision plat has received approval as evidenced by the certificate of final plat approval, the applicant shall record the plat electronically with the Franklin County Clerk of Superior Court.
- (b) The applicant is responsible for paying any required recording fees.
- (c) All plats must be in the Georgia Coordinate System West Zone NAD 83 before the plat is recorded. If the project is within 1,000 feet of a Franklin County geodetic monument the plat must use the monument as a control/tie point. The applicant for final plat approval shall be responsible for forwarding an electronic copy of the final plat as recorded, along with recording information, to the zoning administrator. In addition, the subdivision applicant shall submit electronic (DWG/DXF and PDF) file copies of lot boundaries of

subdivisions and related information as specified by the zoning administrator. Building permits may be withheld pending receipt of the electronic files and copy of the recorded final plat.

- (d) Recordation of a final plat constitutes approval to begin the sale or transfer of subdivision lots.

Sec. 7-604. Distribution of approved final plat.

The final plat is a source of essential information to tax officials, public safety officials, and utility officials, among others. Accordingly, the zoning administrator may forward recorded final plats to appropriate departments and agencies, such as the Franklin County Emergency Services Department; the county building official; the county engineer; and The United States Postal Service (local postmaster). At the discretion of the zoning administrator, additional agencies or persons may be added to the distribution list.

Sec. 7-605. Revision of final plat.

The application requirements and procedures for amending final plats shall be the same as for final plat applications.

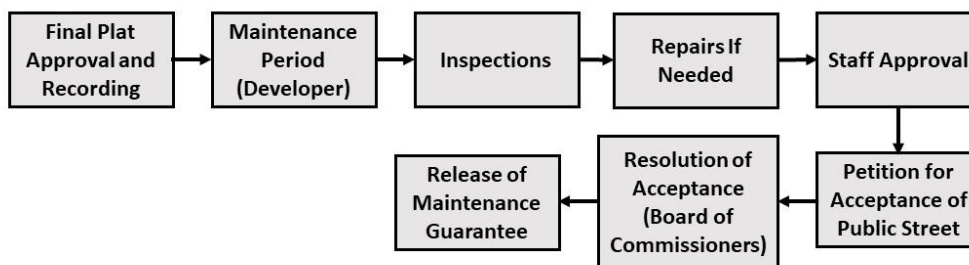
**ARTICLE 7-7
IMPROVEMENT GUARANTEES AND
ACCEPTANCE OF PUBLIC IMPROVEMENTS**

- Sec. 7-701. Subdivision improvement guarantee.
Sec. 7-702. Warranty deed and resolution of acceptance.
Sec. 7-703. Existing situations without improvement guarantees.
Sec. 7-704. Release of improvement guarantee.

Sec. 7-701. Subdivision improvement guarantee.

- (a) **Improvements.** All public improvements required for subdivisions shall have been properly installed and completed in accordance with all requirements and standards of this development code (other than traffic signs, street name signs, street striping, and signalization) prior to final plat approval.

DEDICATION OF PUBLIC IMPROVEMENTS



- (b) **Submission.** Prior to approval of a final subdivision plat, a subdivision improvement guarantee in a form acceptable to the zoning administrator and county attorney is required for all completed improvements shown on the as-built surveys required by this development code. Prior to final plat approval, the owner of a subdivision involving public improvements shall submit a subdivision improvement guarantee.
- (c) **Maintenance period and duration of guarantee.** The subdivider shall maintain any public improvements in the subdivision, for a period of two years or until certificates of occupancy have been issued for 75% or more of the principal buildings on the lots shown on the final subdivision plat, whichever occurs later. The two-year maintenance period shall begin upon recordation of the final subdivision plat. If the two-year term expires before the issuance of certificates of occupancy for 75% or more of the principal buildings on the lots shown on the final subdivision plat, the improvement guarantee shall be renewed or extended, until certificates of occupancy have been issued on 75% of the principal buildings on the lots shown on the final subdivision plat. The subdivider shall not assign this responsibility to another entity without permission of the county attorney and zoning administrator.

- (d) **Amount of guarantee.** The value of the improvement guarantee shall be equal to \$15.00 per linear foot of street improvements shown on the as-built surveys or final plat.
- (e) **Inspection.** Prior to the end of the maintenance period, the subdivider shall request an inspection of the subdivision's public improvements. The zoning administrator shall perform the inspection. The subdivider shall be notified of the inspection results in writing at least 30 days prior to receipt of a request from the subdivider to the county to initiate an inspection.
- (f) **Repairs.** If repairs are needed for the public improvements to meet county specifications during the two-year maintenance period, the subdivider shall be required to make such repairs within 30 calendar days, after written notification by the zoning administrator. The subdivider must correct all defects or deficiencies in materials or workmanship and make such repairs as necessary to approximate the as-built condition of the improvements. When the subdivider completes the necessary maintenance repairs, he or she shall request in writing that the zoning administrator inspect the repairs. The zoning administrator shall inspect the repairs and notify the developer of the inspection results.
- (g) **Remedy.** If the repairs are not completed, the subdivision improvement guarantee shall be called to pay for the repairs. Should the amount of the subdivision improvement guarantee be inadequate to pay for the repairs, the developer shall pay the remaining amount. The county may withhold building permits if the remaining amount required by this paragraph is not paid.

Sec. 7-702. Warranty deed and resolution of acceptance.

Subdivision streets and right of ways and other lands to be dedicated to the public shall be accepted by the county only upon the approval by the Franklin County Board of Commissioners of a general warranty deed conveying fee simple title of such right of ways and lands. The warranty deed shall be accompanied by a certificate of title and a tax transfer form addressed to the Franklin County Board of Commissioners, certifying that the grantor in such deed is vested with marketable fee simple title to the property conveyed thereby, free and clear of all liens and encumbrances, and further that the individual executing such deed has full authority to do so. The subdivider shall forward executed deeds for the streets, and dedication of other public properties if applicable, to the zoning administrator who will schedule the matters for the next available meeting of the Franklin County Board of Commissioners for consideration, and if approved, recording, along with a resolution accepting the public improvements for perpetual maintenance.

Sec. 7-703. Existing situations without improvement guarantees.

- (a) **Intent.** This section is intended to apply only in exceptional circumstances where neither the original subdivision owner nor their successor in interest exists or is solvent and multiple builders have purchased lots in the subdivision, and only in order for the county

to ensure a funding source for the maintenance and performance costs associated with the subdivision.

- (b) **Applicability.** This section shall apply when: 1) a final subdivision plat has been approved; and 2) the original owner of the subdivision at the time of approval of the subdivision plat no longer owns any lots in said subdivision, has filed for bankruptcy, or is otherwise determined to be insolvent; and 3) no improvement guarantee is in place for the subdivision; and 4) more than one person or entity owns undeveloped lots (i.e. lots without a certificate of occupancy) in said subdivision such that posting of a guarantee for the entire subdivision is not feasible.
- (c) In the event of the fulfillment of the above-stated four conditions, the county may, in its discretion, accept from the applicant for a building permit or for a certificate of occupancy for any lot or series of lots, a cash guarantee in the amount of a by-lot, pro-rata portion of the amount of the applicable guarantee that would otherwise be required for the entire subdivision, in lieu of the improvement guarantee required to provide for maintenance and performance requirements for the entire subdivision. By way of example, in a 100-lot subdivision for which the normal required improvement guarantee would be \$100,000.00, an applicant for one lot could provide a cash improvement guarantee in the amount of \$1,000.00; an applicant for two lots could provide a cash improvement guarantee in the amount of \$2,000.00.

Sec. 7-704. Release of improvement guarantee.

Upon adoption by the Franklin County Board of Commissioners of a resolution accepting the public improvements within the subdivision for perpetual maintenance, the improvement guarantee shall be released by the zoning administrator.

CHAPTER 8

ACCESS, ROADS, DRIVEWAYS, AND PARKING LOTS

ARTICLE 8-1 GENERAL PROVISIONS

- Sec. 8-101. Findings and purposes.
- Sec. 8-102. Definitions.
- Sec. 8-103. Compliance required.

ARTICLE 8-2 ACCESS

- Sec. 8-201. Access to entire parcel.
- Sec. 8-202. Access required.
- Sec. 8-203. Access control on state routes.
- Sec. 8-204. Access easements.
- Sec. 8-205. Common access easements for shared driveways.
- Sec. 8-206. Functional classification.
- Sec. 8-207. Substandard right of way.
- Sec. 8-208. Substandard pavement.
- Sec. 8-209. Substandard curb and gutter.
- Sec. 8-210. Inter-parcel access.
- Sec. 8-211. Traffic control striping and signage.

ARTICLE 8-3 ROAD SYSTEM REQUIREMENTS

- Sec. 8-301. Planned streets.
- Sec. 8-302. Continuation of existing streets.
- Sec. 8-303. Dead-end streets and cul-de-sacs.
- Sec. 8-304. Alleys.
- Sec. 8-305. Street alignment and offsets/jogs.
- Sec. 8-306. Private streets.

ARTICLE 8-4 ROAD SPECIFICATIONS

- Sec. 8-401. Standards generally.
- Sec. 8-402. Street right of way and pavement width.
- Sec. 8-403. Street intersection angles.
- Sec. 8-404. Street intersection curb radii.
- Sec. 8-405. Street grades and minimum design speed.
- Sec. 8-406. Horizontal alignment of streets.
- Sec. 8-407. Minimum sight distance.
- Sec. 8-408. Pavement specifications.
- Sec. 8-409. Street base.
- Sec. 8-410. Pavement topping.
- Sec. 8-411. Testing requirements for street base and paving.
- Sec. 8-412. Curb and gutter.

- Sec. 8-413. Slopes and shoulder improvements.
- Sec. 8-414. Deceleration and turning lanes.
- Sec. 8-415. Street names and street name signs.
- Sec. 8-416. Traffic signs and striping.
- Sec. 8-417. Street lighting.

ARTICLE 8-5 SIDEWALKS

- Sec. 8-501. Sidewalks required.
- Sec. 8-502. Reserved.
- Sec. 8-503. Sidewalk placement.
- Sec. 8-504. Sidewalk construction.

ARTICLE 8-6 DRIVEWAYS

- Sec. 8-601. Driveway compliance.
- Sec. 8-602. Commercial driveway and road spacing.
- Sec. 8-603. Commercial and industrial driveways.
- Sec. 8-504. Residential driveways.

ARTICLE 8-7 STANDARD DRAWINGS

Arterial Street Cross Section
Collector Street Cross Section
Local Commercial/Industrial Street Cross Section
Local Residential Street Without Curb + Gutter Cross Section
Local Residential Street With Curb + Gutter Cross Section
Cul-de-sac Turn Arounds for Residential Street
Cul-de-sac Turn Arounds for Commercial or Industrial Street
Sight Distance
Residential Street Pavement Section
Collector Street or Local Commercial or Industrial Street Pavement Section
Deceleration Lane
Concrete Curb and Gutter
Sidewalk
Road/Commercial Driveway Spacing
Commercial Driveway
Industrial Driveway
Profile of New County Road or Driveway
Utility Placement in Right of Way Residential Street

**ARTICLE 8-8 DESIGN AND IMPROVEMENT REQUIREMENTS FOR PARKING
LOTS**

- Sec. 8-801. Applicability.
- Sec. 8-802. Plans and development permit required.

- Sec. 8-803. Vehicular circulation.
- Sec. 8-804. Backing movements prohibited.
- Sec. 8-805. Distance of parking space from right of way.
- Sec. 8-806. Improvement setback.
- Sec. 8-807. Demarcation.
- Sec. 8-808. Parking space angle aisles and access aisle dimensions.
- Sec. 8-809. Parking lot surfacing.
- Sec. 8-810. Curbing.
- Sec. 8-811. Parking lot drainage.
- Sec. 8-812. Lighting.

ARTICLE 8-1 GENERAL PROVISIONS

- Sec. 8-101. Findings and purposes.
- Sec. 8-102. Definitions.
- Sec. 8-103. Compliance required.

Sec. 8-101. Findings and purposes.

- (a) **Proper access.** This chapter sets forth regulations designed to ensure proper access to each lot and each development, via connection to the public road and street system.
- (b) **Improvement standards.** It is in the public interest to establish design and improvement specifications for the development of streets, driveways, and the connection of parking lots to public streets.

Sec. 8-102. Definitions.

AASHTO: The American Association of State Highway and Transportation Officials.

Access: A way or means of approach to provide physical entrance to a property.

Arterial, principal: A term used in the functional classification of roads. These roads, which include interstates and rural freeways: serve “substantial” statewide or interstate trips, as defined by high mileage or volume; connect most urban areas of 25,000 or more and virtually all urban areas of 50,000 or more; and provide an integrated network without stub connections except where geography dictates otherwise. Arterials are the longest roads with the highest speed limits.

Arterial, minor: A term used in the functional classification of roads. With the principal arterial system, these roads form a rural network that links other cities, larger towns, and other traffic generators, such as major resort areas, capable of attracting travel over long distances; link all developed areas of the state; and serve corridors with trip lengths and travel density greater than those predominantly served by rural collector or local systems. Minor arterials, therefore, constitute routes whose design should be expected to provide for relatively high overall travel speeds, with minimum interference to the through-movement.

Collector, major: A term used in the functional classification of roads. These roads, with minor collectors, primarily serve the county rather than state traffic. Consequently, more moderate speeds are typical. They serve any places not on an arterial route, and other traffic generators of equivalent intra-county importance, such as consolidated schools, shipping points, county parks, and important mining and agricultural areas; link the latter places with nearby larger towns or cities, or arterials and freeways; and serve the more important intra-county travel corridors. Collectors are shorter roads with slower travel speeds than arterial roads.

Collector, minor: A term used in the functional classification of roads. Serving county-wide traffic, these roads should evenly collect traffic from local roads and bring all developed areas within a reasonable distance of a collector road; provide service to the remaining smaller communities; and link the locally important traffic generators with the hinterlands.

Curb cut: Any interruption or break in the line of a street curb for the purpose of connecting a driveway to a street, or otherwise to provide vehicular access to abutting property.

Deceleration lane: A speed-change lane, including tapered areas, for the purpose of enabling a vehicle that is making an exit turn from a roadway to slow to a safe turning speed after it has left the mainstream of faster-moving traffic. Also called a “decel lane”; it denotes a right turn lane or a left turn lane into a development.

Driveway: A constructed vehicular access serving one or more properties and connecting to a public or private street.

Driveway, residential: Any private passageway to any property used for dwelling purposes. However, if a driveway provides access for more than four dwelling units, it shall be considered a commercial driveway.

Driveway width: The narrowest width of a driveway measured perpendicular to centerline of the driveway, from edge of pavement to edge of pavement or edge of curb to edge of curb.

Functional classification of roads: A system for the classification of roads used by the Federal Highway Administration, the Georgia Department of Transportation and the county. The system is based on several factors, including: the amount of traffic currently on the road plus if any new major traffic generators (e.g., new schools, new subdivisions, new community level commercial centers, or new major employers) are being built in the near future along that roadway; the length of the roadway in comparison with the functional classification of other roads in the same area.

Gated community: Residential areas that restrict access to normally public roads and spaces. Gates can include guard houses, electronic arms operated by card, codes, or remote control devices. Visitors must stop to be verified for entry.

Highway: A term applied to streets and roads that are under the jurisdiction of the Georgia Department of Transportation or federal highway agency. Highways are major arteries of the circulation network, carry significant volumes of traffic for both long and short trips, and are

designed with access to abutting properties with some degree of control and safe standards of design.

Horizontal alignment: Horizontal geometrics of a roadway.

Horizontal curve: A curve by means of which a road can change direction to the right or left.

Inter-parcel access: A roadway or series of connecting roads within a property providing access to interior lot frontage or other properties, not connected to a public road or state route.

Intersection: The general area where two or more roads join or cross, including the roadway and roadside facilities for traffic movements within the area.

Parking aisle: The traveled way, which is not the public right-of-way, by which cars enter and depart parking spaces and maneuver within a designated parking lot.

Pavement markings: Devices or paint placed on the roadway to mark pavement for vehicular and pedestrian traffic control.

Pavement width: The width of a given lane, road, or other road pavement width, measured from back-of-curb to back-of-curb or to the edge of pavement where no curbs are required or exist.

Profile: A longitudinal section of a roadway, drainage course, etc.

Reservation: The designation by plat or deed of a certain area reserved for possible future public purposes. A reservation does not transfer title of the reserved area to the public unless the county accepts the area for public purposes.

Right-of-way: Land reserved for and immediately available for public use as a street or other purpose.

Right-of-way, private: That area, distinguished from an access easement or public right-of-way, dedicated to property owners of the subdivision involved or to other individuals, and which affords permanent access to abutting property or properties. A private right-of-way is distinguishable from a public road right-of-way in that maintenance and ownership of the road and accessory improvements is by private individuals or a private association rather than the county, state, or another governmental entity.

Right-of-way, public: That area, distinguished from an easement or private road right-of-way, which is owned in fee-simple title or via prescription by a municipality, the Franklin County Board of Commissioners, State of Georgia, or other government, for the present or future use of roads, roads and highways, together with its drainage facilities and other supporting uses and structures.

Right-of-way miter: A right-of-way line at a street or highway intersection, which is parallel to neither road but forms a triangle with extensions of the right-of-way lines of the adjacent sides of the intersecting roads. The purpose of a right-of-way miter is to provide improved visibility for

vehicles approaching the intersection by enabling the elimination of visual obstructions or to provide room for a traffic signal support pole or guy wire.

Road: A state highway, a county road, a road adopted as a county-owned right of way approved for county maintenance, a street owned and/or maintained by a municipality, or where permitted, a private road. Roads afford the principal means of access to abutting property or properties and are required to meet specifications contained in this development code. The term includes “street” but does not include “access easement.”

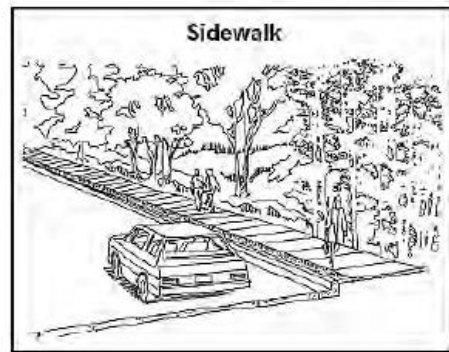
Road, private: An improved road, distinguished from a public road in that the right-of-way which affords a principal means of access to abutting property or properties is privately owned and maintained. Private roads are required to meet specifications contained in this UDC.

Road, public: A state highway, county road, a road adopted as a county-owned right of way approved for county maintenance, or a street owned and/or maintained by a municipality. New public roads are required to meet specifications contained in this development code.

Roadway: The portion of a highway or road, including shoulders, for vehicle use.

Sidewalk: A hard-surfaced pedestrian access area adjacent to or within the right-of-way of a street.

Sight distance: The length of roadway ahead visible to a driver.



Street: A dedicated and accepted public right-of-way, or a private street approved by the Franklin County Board of Commissioners, which affords the principal means of access for motor vehicles to abutting properties.

Street jog: The incidence where two streets or two portions of a single street are separated by a relatively short distance, usually at their intersection with another street.

Traveled way: The portion of a roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

Sec. 8-103. Compliance required.

- (a) Before any development permit or building permit is issued for a given development or building, the access (including driveways), parking lot layout and area, and if applicable loading area, must be found by the zoning administrator to be in compliance with all applicable requirements of this chapter. No such permit shall be issued if the access and improvements fail to comply with the requirements of this chapter.

(b) The building official shall not issue a building permit and shall not allow occupancy or use of a building until advised by the zoning administrator that access and driveways as applicable meet the requirements of this chapter.

(c) No lot shall be subdivided unless it complies with the requirements of this chapter.

Sec. 8-104. Reference to standards and specifications.

(a) Unless otherwise specially set forth in this chapter, all of the materials, methods of construction, and workmanship for the work covered in reference to street construction shall conform to the standard drawings provided in Article 8-3 of this chapter.

(b) Where this chapter does not contain a specification or standard, the zoning material may require that the materials, methods of construction, and workmanship for the work covered in reference to street construction conform to the latest standard specifications of the Georgia Department of Transportation.

**ARTICLE 8-2
ACCESS**

- Sec. 8-201. Access to entire parcel.
- Sec. 8-202. Access required.
- Sec. 8-203. Access control on state routes.
- Sec. 8-204. Access easements.
- Sec. 8-205. Common access easements for shared driveways.
- Sec. 8-206. Functional classification.
- Sec. 8-207. Substandard right of way.
- Sec. 8-208. Substandard pavement.
- Sec. 8-209. Substandard curb and gutter.
- Sec. 8-210. Inter-parcel access.
- Sec. 8-211. Traffic control striping and signage.

Sec. 8-201. Access to entire parcel.

(a) The entire parcel, rather than simply a particular project, shall be considered in formulating and approving access plans. To this end, the zoning administrator may require a development project or subdivision on only part of a lot (unsubdivided parcel) to design and provide access through the remainder of the parcel not proposed for land development at the time, or reserve such future access by easement or right of way.

(b) Where land proposed to be subdivided or developed includes only part of the tract owned or intended for subdivision or development by the subdivider or land developer, a tentative plan of a future road system for the portion not slated for immediate subdivision or land development consideration shall be required by the zoning administrator. When such tentative plan is required, it shall be prepared and submitted by the subdivider or

land developer no later than the time of submission of lot subdivision or development plan approval, whichever occurs first.

Sec. 8-202. Access required.

- (a) A publicly approved street meeting the requirements of this chapter shall serve every development and every lot within a subdivision, unless otherwise specifically provided in this chapter.
- (b) Every major subdivision shall have access to the public street system via a county road that meets the standards and requirements of this chapter.

Sec. 8-203. Access control on state routes.

- (a) Access onto a state highway shall meet the Georgia Department of Transportation *Regulations for Driveway and Encroachment Control*, Revision 4.0, dated March 15, 2016, as may be amended from time to time. For driveways accessing U.S. or State highways, the requirements of the Georgia Department of Transportation shall apply whenever more restrictive than the standards in this development code.
- (b) A copy of the Georgia Department of Transportation permit, if required, shall be submitted to the zoning administrator before plans for land development are approved or permits can be issued for development or building. Proposed subdivisions along state routes also require prior review and recommendation by the Georgia Department of Transportation. See Sec. 7-203 of this development code.

Sec. 8-204. Access easements.

- (a) For any lot of record which existed prior to adoption of this development code but which does not have frontage on a public street or private street meeting the requirements of this development , access may be obtained to and from that lot of record solely via any access easement which was lawfully established for access to such lot prior to the adoption of this development code.
- (b) A new access easement shall not be authorized as the sole means of access to any lot within a major subdivision.
- (c) A new access easement shall not be authorized as the sole means of access to any lot within a minor subdivision, except as specifically authorized in the zoning regulations.

Sec. 8-205. Common access easements for shared driveways.

- (a) Shared driveways between two parcels along the common property line of the two parcels may be required by the zoning administrator at the time of lot subdivision, particularly in the case of one or more flag lots.

- (b) In such a case as shared driveways are proposed or required to be provided by the zoning administrator, a common access easement no less than 20 feet in width shall be provided along the common property line (10 feet on each side).

Sec. 8-206. Functional classification.

It shall be the responsibility of the zoning administrator to determine the functional classification of roads based on the definitions in this article and other pertinent information. For purposes of this chapter and development code generally, the zoning administrator shall consult the character area map of the adopted comprehensive plan, and the following shall dictate the zoning administrator's determination of what functional classification to assign a given road or street in the county.

- (a) State routes shall be considered "arterial streets" unless specifically classified otherwise by the Georgia Department of Transportation.
- (b) Except for state routes, any existing or proposed road that connects two state routes within an area shown as any character area other than "rural" or "lakeside residential" shall be considered "collector" streets.
- (c) Except for state routes, any existing or proposed road or street within an area shown as "rural" character area or "lakeside residential" character area on the character map of the Franklin County Comprehensive Plan shall be assigned the functional classification of "rural residential."
- (d) Except for state routes, any existing or proposed road within an area shown as any character area other than "rural" or "lakeside residential" shall be assigned the functional classification of "local residential street with curb and gutter" when the existing or proposed use is residential.
- (e) Except for state routes, any existing or proposed road within an area shown as any character area other than "rural" or "lakeside residential" shall be assigned the functional classification of "local commercial/industrial street with curb and gutter" when the existing or proposed use is institutional, commercial, or industrial.

Sec. 8-207. Substandard right of way.

Franklin County has many miles of roads that do not have standard right of ways established. Access is available in many of these cases only via prescription or prescriptive rights, with no right of way ever having been established.

- (a) **Abutting one side of a substandard right of way (minor subdivision).** When a minor subdivision is proposed, or when a development other than a single-family dwelling is proposed, abutting one side of a substandard right of way, the subdivider or developer shall be required to dedicate at no cost to the county additional right of way from the

centerline of the substandard road right of way according to the functional street classification assigned by the zoning administrator.

- (b) **Abutting one side of a substandard right of way (major subdivision).** When a major subdivision is proposed abutting one side of a substandard right of way, the subdivider or developer shall be required to dedicate at no cost to the county the entire width of the required right of way according to the functional street classification assigned by the zoning administrator. If the subdivider cannot acquire adequate right-of-way to meet this requirement, the county attorney shall initiate acquisition proceedings at the expense of the developer after authorization by the Franklin County Board of Commissioners.
- (c) **Abutting both sides of a substandard right of way.** When a minor subdivision or major subdivision is proposed abutting both sides of a substandard right of way, or when a development other than a single-family dwelling is proposed, the subdivider or developer shall dedicate at no cost to the county the entire width of the required right of way according to the functional street classification assigned by the zoning administrator.

Sec. 8-208. Substandard pavement.

When property to be divided as a major subdivision or developed for other than a single-family dwelling abuts one side or both sides of an unpaved road, the subdivider or developer shall be required at no cost to the county, to improve the road with base and paving according to standards for the functional street classification assigned by the zoning administrator along the entire width of substandard road fronting said unpaved road. If complying with this requirement necessitates the acquisition of additional right of way, the subdivider or developer shall be responsible for acquiring the additional right of way; provided, however, if the subdivider or developer cannot acquire adequate right-of-way to meet this requirement, the county attorney shall initiate acquisition proceedings at the expense of the subdivider or developer after authorization by the Franklin County Board of Commissioners.

Sec. 8-209. Substandard curb and gutter.

When property to be divided as a major subdivision or developed for other than a single-family dwelling abuts one side or both sides of road with a functional classification that requires curb and gutter, but no curb and gutter exists on one or both sides, the subdivider or developer shall be required at no cost to the county, to improve the road with curbs and gutters along the entire property fronting said road without curb and gutter. If complying with this requirement necessitates the acquisition of additional right of way, the subdivider or developer shall be responsible for acquiring the additional right of way; provided, however, if the subdivider or developer cannot acquire adequate right-of-way to meet this requirement, the county attorney shall initiate acquisition proceedings at the expense of the subdivider or developer if authorized by the Franklin County Board of Commissioners.

Sec. 8-210. Inter-parcel access.

- (a) Developments abutting an arterial or collector street shall provide vehicular access to abutting commercial or multi-family residential development, whether existing or planned (i.e., according to either the zoning map and/or the character map, as determined by the zoning administrator), so as to provide a vehicular connection among all adjacent parcels also abutting an arterial or collector street.
- (b) This requirement may necessitate driveway aprons, stub-outs, or other design features to provide for cross-connection access to abutting properties as determined by the zoning administrator. If inter-parcel access is required, the property owner shall grant an access easement to facilitate the movement of motor vehicles from site to site.
- (c) Where possible, the location of vehicular connections across a property line shall be mutually determined and constructed by both property owners. Connection of parking areas for vehicular access may be provided in the front portion of the site. In cases where it is not possible to provide the connection in front, it may be provided in the rear portion of the site. In the case of coordination problems or any factors preventing construction of an inter-parcel connection, the zoning administrator will determine the location of the inter-parcel connection to be constructed by property owners.

Sec. 8-211. Traffic control striping and signage.

All new streets and land developments shall be provided with traffic control striping (e.g., stop bars, direction of travel, etc.) and signs (e.g., speed limits, stop signs, etc.) if necessary, that meet or exceed the *Manual on Uniform Traffic Control Devices for Streets and Highways* published by the Federal Highway Administration of the U.S. Department of Transportation, as may be amended from time to time, subject to the approval of the zoning administrator.

**ARTICLE 8-3
ROAD SYSTEM REQUIREMENTS**

- Sec. 8-301. Planned streets.
- Sec. 8-302. Continuation of existing streets.
- Sec. 8-303. Dead-end streets and cul-de-sacs.
- Sec. 8-304. Alleys.
- Sec. 8-305. Street alignment and offsets/jogs.
- Sec. 8-306. Private streets.

Sec. 8-301. Planned streets.

When a future street or road, proposed in the comprehensive plan or comprehensive transportation plan, adjoins or traverses a subdivision or development project, the future right-of-way shall be platted as part of the subdivision or development project. No development will be allowed within the platted future right-of-way except for drives and landscaping, and the platted

future right-of-way is to be treated as a lot line for the provision of all setback lines as required by Franklin County Zoning Regulations.

Sec. 8-302. Continuation of existing streets.

When a new street is proposed within a development or subdivision, the development or subdivision shall provide for the continuation or projection of any existing street adjoining the development or subdivision at the same or greater right-of-way and pavement width. Where, in the opinion of the zoning administrator, it is necessary to provide for street access to adjoining property, proposed streets shall be extended by dedication of right-of-way to the boundary of such property through the development or subdivision.

Sec. 8-303. Dead-end streets and cul-de-sacs.

- (a) **Cul-de-sac required.** Streets that dead-end shall terminate in a cul-de-sac meeting the requirements of this article or as approved by the zoning administrator. A dead-end street other than a cul-de-sac shall not be allowed except as a temporary stage of construction of a street that will be extended in a later stage of construction.
- (b) **Minimum length.** A cul-de-sac street shall have a minimum length of at least 125 feet.
- (c) **Maximum length.** The maximum length of a cul-de-sac street shall be 600 feet, unless necessitated by topographic or other conditions and approved by the zoning administrator. If these conditions exist, the maximum length shall be 1,500 feet unless a greater length is approved as a variance.
- (d) **Residential street.** Cul-de-sacs in residential subdivisions shall terminate in a circular turnaround having a minimum right-of-way of at least 100 feet in diameter (50-foot radius) and a paved turnaround with a minimum outside diameter of 80 feet (40-foot radius to back of curb or 38 feet if no curb is required). (see also detail)
- (e) **Commercial and industrial street.** Cul-de-sacs in commercial and industrial subdivisions shall terminate in a circular turnaround having a minimum right-of-way of at least 120 feet in diameter (60-foot radius), and a paved turnaround with a minimum outside diameter of 100 feet (50-foot radius to back of curb). (see also detail)
- (f) **Temporary cul-de-sac.** Streets that are planned to continue at some future date shall provide a temporary cul-de-sac as required by the zoning administrator. The minimum radius for a temporary cul-de-sac shall be 40 feet. Temporary turnarounds shall consist of 3 inches of graded aggregate base and 1 inch of asphalt. A temporary cul-de-sac shall be made permanent within 12 months if the next phase is not permitted.

Sec. 8-304. Alleys.

- (a) Alleys may be constructed at the rear of lots used for multi-family, commercial or industrial developments. Alleys may be provided to facilitate rear-access to garages on

each lot in a single-family residential subdivision, at the discretion of the subdivider/developer, with approval of the zoning administrator.

- (b) If alleys are provided, they must be paved. The minimum easement shall be 20 feet in width; the travel way shall be a minimum of 16 feet with 2-foot shoulders on each side.
- (c) If alleys are provided, they must be private and shall not be publicly dedicated.
- (d) Dead-end alleys shall be avoided where possible; but if unavoidable, they shall be provided with a turn-around having a radius of at least 40 feet, or a “T-head” turn-around approved by the zoning administrator.

Sec. 8-305. Street alignment and offsets/jogs.

- (a) Streets shall be aligned to join with planned or existing streets.
- (b) The Georgia Department of Transportation may require a greater separation between streets intersecting a State or U.S. numbered highway.
- (c) Other, local, adjoining street intersections shall be separated by distances specified in the standard detail for spacing of driveways and intersections provided in this chapter.

Sec. 8-306. Private streets.

- (a) Private streets, if approved by the county, shall meet all requirements and standards that apply to public streets as specified in this chapter.
- (b) Any gate placed across a private street that limits access to a subdivision or development shall provide for unimpeded access by emergency vehicles, governmental vehicles on official business, and public and private delivery services including the U.S. Postal Service. Accessibility to such gated communities shall comply with all standards and requirements of the county for access activation, and shall be of breakaway or other construction acceptable to the county.

**ARTICLE 8-4
ROAD SPECIFICATIONS**

- Sec. 8-401. Standards generally.
- Sec. 8-402. Street right of way and pavement width.
- Sec. 8-403. Street intersection angles.
- Sec. 8-404. Street intersection curb radii.
- Sec. 8-405. Street grades and minimum design speed.
- Sec. 8-406. Horizontal alignment of streets.
- Sec. 8-407. Minimum sight distance.
- Sec. 8-408. Pavement specifications.
- Sec. 8-409. Street base.
- Sec. 8-410. Pavement topping.
- Sec. 8-411. Testing requirements for street base and paving.
- Sec. 8-412. Curb and gutter.
- Sec. 8-413. Slopes and shoulder improvements.
- Sec. 8-414. Deceleration and turning lanes.
- Sec. 8-415. Street names and street name signs.
- Sec. 8-416. Traffic signs and striping.
- Sec. 8-417. Street lighting.

Sec. 8-401. Standards generally.

Public streets contained wholly within a subdivision or land development shall be fully improved to the standards contained in this article.

Sec. 8-402. Street right of way and pavement width.

- (a) All State or U.S. numbered highways shall meet all design requirements of and be approved by the Georgia Department of Transportation.
- (b) All other roads shall meet the minimum street right-of-way requirements of this article.

**Table 8-4-1
Minimum Required Right of Way and Pavement Width
By Street Classification
(Excludes State and U.S. Numbered Highways)**

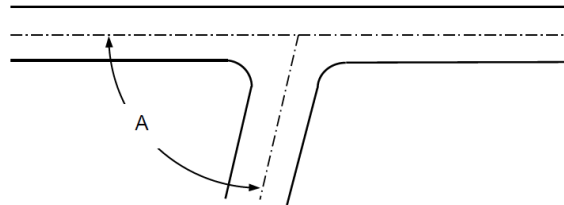
Street Classification	Minimum Required Right-of-Way Width	Minimum Required Pavement Width	Back of Curb to Back of Curb (w/ 2' Curbs)
Arterial	100 feet	28 feet (two lane) 52 feet (four lane)	32 feet 56 feet
Collector	80 feet	28 feet	32 feet

Street Classification	Minimum Required Right-of-Way Width	Minimum Required Pavement Width	Back of Curb to Back of Curb (w/ 2' Curbs)
Local commercial or industrial street	60 feet	24 feet	28 feet
Local residential street with swale ditches	60 feet	20 feet	20 feet
Local residential street with curb and gutter	50 feet	20 feet	24 feet

- (c) Additional right of way may be required to accommodate turning lanes or other improvements.
- (d) In residential subdivisions or land developments, streets that serve 100 dwelling units or more shall be improved to or exceed collector street standards, while those serving fewer than 100 dwelling units shall be improved to or exceed “local” street standards.

Sec. 8-403. Street intersection angles.

All streets shall intersect at no less than 75 degrees, and as near a right angle as possible. The angle of intersection is to be measured at the intersection of the street centerlines.



Such intersecting streets shall provide an uninterrupted line of sight from the center point of the intersection for not less than the minimum sight distance required in accordance with this UDC.

Sec. 8-404. Street intersection curb radii.

Turning radii for street intersections shall be provided as follows, based on the highest street classification involved in the intersection as listed below. Where the angle of street intersection is less than 90 degrees, a longer radius may be required.

- (a) Arterial: 50-foot radius.
- (b) Collector: 35-foot radius.
- (c) Local street: 25-foot radius.

Sec. 8-405. Street grades and minimum design speed.

- (a) **Minimum grades.** All streets shall have a minimum grade of 0.5 percent.
- (b) **Maximum grades and minimum design speeds.** Maximum grades and minimum design speeds for proposed streets by street type shall be as required in Table 8-4-2. Design exceptions must be justified and approved by the zoning administrator.

Table 8-4-2
Maximum Grades and Minimum Design Speeds

Street Type	Maximum Grade	Minimum Design Speed
Arterial street	6%	45 mph
Collector street	8%	35 mph
Local street	12%	30 mph
Alleys	12%	15 mph

Sec. 8-406. Horizontal alignment of streets.

Where a deflection angle of more than 5 degrees in the alignment of a street occurs, the radius of curvature of the center line of said street shall be not less than as shown on Table 8-4-3.

Table 8-4-3
Horizontal Alignment of Streets

Street Classification	Minimum Radius of Curvature of Center Line
Arterial street	800 feet
Collector street	200 feet
Local street	100 feet

Curved streets shall have a minimum tangent of 100 feet at intersections as measured from the centerline of cross streets. A tangent of a least 200 feet in length shall be introduced between reverse curves on collector streets, and 100 feet on local streets.

Sec. 8-407. Minimum sight distance.

- (a) Sight distance requirements at intersections and driveways shall be as required in Table 8-4-4. The design speed for sight distance requirements at entrance intersections shall be the existing posted speed limit. Distances shall be measured from a point on the centerline of the entering road or driveway 15 feet back from the edge of the nearest traffic way in the abutting street, and extending in both directions along the abutting street. Minimum sight distances shall be measured from the driver's eyes, which are assumed to be 3.5 feet in height above the pavement surface, to an object 3.5 feet high on the pavement in the center of every on-coming travel lane. The sight distance shall be clear along its entire minimum length and unimpaired by intervening changes in street

grade, horizontal alignment or obstructions. Examples of obstructions are vegetation, ground cover, signs, existing topography, etc.

Table 8-4-4
Minimum Sight Distance Requirements

Design Speed (miles per hour)	Minimum Required Sight Distance (Feet)		
	2-lane	3 or 4 lane	
	Sight Distance Left to Sight Distance Right	Sight Distance Left	Sight Distance Right
30	335	335	375
35	390	390	440
40	445	445	500
45	500	500	565
50	555	555	625
55	610	610	690

- (b) Minimum sight distance requirements of this section may be designed in accordance with AASHTO's *Geometric Design of Highways and Streets* if such standards conflict with the requirements of this Section.

Sec. 8-408. Pavement specifications.

Roadways shall be constructed and paved with top courses meeting the following standards. The minimum pavement width, measured from edge of pavement to edge of pavement, (or from the inner edge of curb where curbing exists) shall be as required for the street type in Table 8-4-5.

Table 8-4-5
Street Base Requirements

Street Classification	Base	Binder	Topping
Arterial	Per GDOT	Per GDOT	Per GDOT
Collector	10 inches GAB	4 inches 19 mm Superpaver	2 inches 9.5 mm Superpaver
Local Commercial or Industrial Street	10 inches GAB	4 inches 19 mm Superpaver	2 inches 9.5 mm Superpaver
Local Residential Street	6 inches GAB	0 inches	2 inches 9.5 mm Superpaver

GDOT = Georgia Department of Transportation

GAB = graded aggregate base, compacted to 95% modified proctor density.

Sec. 8-409. Street base.

- (a) **Graded aggregate base course.** The base course shall consist of mineral aggregate and may be a combination of natural deposit or a blend of the materials specified. All

materials are subject to approval of the zoning administrator. If a blend of materials is used, it shall be blended through a base plant that meets the latest specifications of the Georgia Department of Transportation Specification 815.

- (b) **Thickness of material.** Street base material shall conform to the thickness as required for the street type (see Table 8-4-5).
- (c) **Extension.** For streets without curbs, the base shall extend at least 1 foot beyond the edge of pavement. For streets with curbs, the base shall extend at least 1 foot beyond the back edge of the curb.
- (d) **Replacement of unsuitable material.** Wherever unsuitable material is found in the subgrade, the unsuitable material shall be replaced with graded aggregate stone.

Sec. 8-410. Pavement topping.

- (a) **Prime.** After the base has been placed, mixed, compacted, shaped, inspected and accepted, it shall be primed with suitable asphaltic materials as specified in Department of Transportation Specification 412.
- (b) **Roadway binder.** After the prime has been inspected and accepted, the roadway or street shall be surfaced with 19 mm Superpaver binder as required for the street type (see Table 8-4-5).
- (c) **Tack coat.** Tack coat shall be applied on a prepared road surface according to the requirements of Georgia Department of Transportation Specification 413.
- (d) **Final topping.** Final topping shall consist of a course of 9.5 mm Superpaver asphaltic cement as required for the street type as required (see Table 8-3-5).

Sec. 8-411. Testing requirements for street base and paving.

- (a) Tests of street base and paving may be required to be conducted as per Table 8-4-6.

Table 8-4-6
Testing Requirements and Standards

Type of Test to be Performed	Minimum Number of Tests	Testing Standards
Sub-grade Compaction	Each 500 linear feet of roadway	95% Max Density ASTM-1557 Field Tests ASTM D-1556 F-2922 and D-2167
Base Compaction	Each 500 linear feet of roadway	100% Max Density ASTM-1557 Field Tests ASTM D-1556 F-2922 and D-2167

Type of Test to be Performed	Minimum Number of Tests	Testing Standards
Asphalt Density	Each 1,000 linear feet of roadway	92% Laboratory Density
Asphalt Thickness	Each 500 linear feet of roadway	Deficient in thickness not more than ¼"

When testing is required, it is the responsibility of the developer to insure that all required tests are made and reported to the zoning administrator for review and approval. The cost of all testing and quality control shall be performed at the expense of the developer by qualified testing laboratories.

Sec. 8-412. Curb and gutter.

- (a) Curb and gutter shall be installed along streets when required for the functional classification of street.
- (b) Curbs along collectors and local commercial or industrial streets shall be Portland cement concrete, 8-inch x 24-inch x 14-inch vertical type only, with a minimum strength of 3,000 psi at 28 days.
- (c) Curbs along residential streets shall be Portland cement concrete, 6-inch x 24-inch x 12-inch vertical type, or 6-inch x 24-inch rolled type, with a minimum strength of 3,000 psi at 28 days.
- (d) All curbing shall be backfilled. The curb and gutter shall be constructed so as to present a smooth, even line both horizontally and vertically. There shall be no areas of ponding.

Sec. 8-413. Slopes and shoulder improvements.

- (a) On streets with curb and gutter, the shoulders shall slope ¼ inch to the foot toward the roadway from back of curb, and no more than ½ inch to the foot for the remainder of the right-of way width.
- (b) On streets with swale ditch drainage, the shoulders shall slope ¾ inch to the foot away from the roadway for at least 5 feet to the drainage channel. The maximum slope for the drainage channel shall be 2 feet of run for each 1 one foot of fall, with a minimum 2-foot wide channel at the bottom of the swale.
- (c) Immediately after grading and filling and re-spreading of topsoil, all areas of disturbed soil shall be fertilized and seeded (or in steep areas sodded or otherwise appropriately treated) with suitable vegetative cover to retard erosion.
- (d) When all construction is completed, all slopes and shoulders shall be cleared of all rubbish and shall have a stand of grass to prevent undue erosion, either by sprigging or seeding.

Sec. 8-414. Deceleration and turning lanes.

- (a) **Generally.** Access improvements such as deceleration lanes, dedicated left-turning lanes, center turn lanes, merge lanes, signalization, etc., required as deemed necessary for safe traffic operations by the zoning administrator shall be installed at all entrance roads into a development or major subdivision. The zoning administrator shall use the Georgia Department of Transportation Regulations for Driveway and Encroachment Control, Revision 4.0, dated March 15, 2016, Section 4.9, “Auxiliary Turn Lanes,” as may be amended from time to time, as a basis for determining whether deceleration lanes and other lanes are required; unless otherwise determined appropriate by the zoning administrator, if the DOT driveway regulations would require an improvement if the road were a state route, the zoning administrator shall require the same such improvements.
- (b) **Length.** Generally, deceleration lanes and turn lanes shall be a minimum length of 150 feet, with an additional 50-foot taper length, and a pavement width of 12 feet (exclusive of curb and gutter). Deceleration lanes and tapers may be required to be of greater length, based on the design speed of the road (see detail)
- (c) **Right of way.** If needed, additional right-of-way to accommodate the deceleration lane or turn lane and a 10-foot shoulder shall be dedicated by the developer to the county.
- (d) **Drainage.** Associated drainage improvements as deemed necessary by the county by the construction of the deceleration or turn lane shall also be required. The developer will pay the cost of any cross-drain pipe relocations and catch basins that must be constructed along an existing state or county road as a result of installing a required deceleration or turning lane.
- (e) **Utilities.** Utilities shall be relocated at the developer’s expense outside of a deceleration or turning lane.

Sec. 8-415. Street names and street name signs.

- (a) Street names are subject to the approval of the Franklin County E-911 Coordinator and the zoning administrator.
- (b) Proposed public or private streets, which are extensions of, or in alignment with, existing or other proposed streets shall have the same name.
- (c) Street names shall not duplicate or be phonetically similar to existing street names.
- (d) Street name signs of a type approved by the county are to be placed at all intersections. Unless otherwise adopted by the zoning administrator, street signs shall be constructed of aluminum sheets with reflective backgrounds. Information on the street name signs shall be readable from both sides of the sign. Signs shall be installed on a steel post. The

vertical distance from the road elevation to the bottom of the sign face shall be 7 feet with a minimum burial depth of 3 feet.

- (e) Street name signs may be required to be installed by the county at the developer's expense or the county shall direct the applicant to install said signs subject to the approval of the zoning administrator.

Sec. 8-416. Traffic signs and striping.

- (a) Traffic control signs shall conform to the *Manual on Uniform Traffic Control Devices*, latest edition. The county may elect to install required traffic control signs at the subdivider's or developer's expense, or the county shall direct the applicant to install said signs subject to the approval of the zoning administrator.
- (b) The payment of striping costs shall be required from the developer by the county prior to the approval of development conformance for the project. Striping shall be accomplished in accordance with meeting Georgia DOT standards conforming to the *Manual on Uniform Traffic Control Devices*.

Sec. 8-417. Street lighting.

- (a) **Required.** Street lighting shall be required on all new public and private streets as follows:
 - 1. At any new street intersection, regardless of use;
 - 2. New residential subdivision streets serving lots less than 1 acre in area and less than a minimum lot width of 100 feet; and
 - 3. New commercial subdivision streets. Streets serving exclusively industrial uses shall not require street lighting except at street intersections.
- (b) **Standard.** Street lighting when required shall be installed according to design standards of the power company servicing the subdivision or development; provided however, the minimum height of a street light shall be 25 feet above the road surface.
- (c) **Plan approval.** The subdivider or developer shall submit a street light layout prepared by the utility company which will provide the lighting service showing the exact location of street lights within the subdivision. The lighting layout must be approved by the zoning administrator.
- (d) **Operation cost responsibility.** The Franklin County Board of Commissioners will not assume responsibility for the operational costs of streetlights required by this section until the street right of way containing the street lights has been accepted as a dedicated public right of way.

Sec. 8-417. Street lighting.

All traffic calming devices shall be reviewed and approved by the zoning administrator prior to installation.

**ARTICLE 8-5
SIDEWALKS**

- Sec. 8-501. Sidewalks required.
- Sec. 8-502. Reserved.
- Sec. 8-503. Sidewalk placement.
- Sec. 8-504. Sidewalk construction.

Sec. 8-501. Sidewalks required.

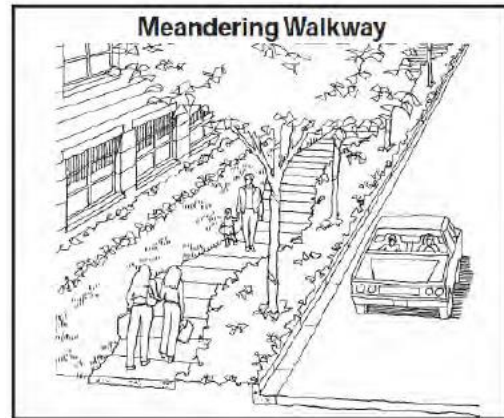
Sidewalks are required to be installed by the developer at the time of development as follows:

- (a) On both sides of all new commercial streets.
- (b) On both sides of streets serving residential subdivisions, except for those subdivisions with a minimum lot size of 1 acre and a minimum lot width of 100 feet.

Sec. 6-502. Reserved.

Sec. 6-503. Sidewalk placement.

Sidewalks shall be included within the dedicated non-pavement right-of-way of roads and shall parallel the street pavement as much as possible; provided, however, the zoning administrator may permit sidewalks to be designed and constructed so that they meander around permanent obstructions or deviate from a linear pattern for design purposes.



Sec. 6-504. Sidewalk construction.

- (a) Sidewalks must comply with all requirements of the federal Americans with Disabilities Act.
- (b) Concrete sidewalks shall be a minimum of 5 feet wide within arterial or collector street rights of ways and 4 inches thick. Concrete sidewalks where required for local streets shall have a width of 4 feet and 4 inches thick.
- (c) Concrete shall be 3,000 psi at 28 days' strength.

- (d) Sidewalks shall be backfilled and the strip between curb and sidewalk, if required, planted with grass sod.
- (e) Sidewalk construction within subdivisions may be deferred to the builder. In such instances no certificate of occupancy for a building shall be authorized until said required sidewalk is constructed.

ARTICLE 8-6 DRIVEWAYS

- Sec. 8-601. Driveway compliance.
- Sec. 8-602. Commercial driveway and road spacing.
- Sec. 8-603. Commercial and industrial driveways.
- Sec. 8-604. Residential driveways.

Sec. 8-601. Driveway compliance.

- (a) No driveway shall be connected to a county road, and no curbs or medians on public streets or rights-of-ways shall be cut or altered for access unless approved by the zoning administrator.
- (b) No driveway or other improvement constructed on a county road right of way shall be constructed or relocated or have its dimensions altered without the approval of the zoning administrator.
- (c) Driveways must be permitted. Approval of driveways shown on approved development plans shall constitute driveway approval unless specified otherwise in such approval. Approval of driveways shown on a building permit application shall constitute driveway approval unless specified otherwise by such permit approval. A separate driveway permit shall be required, if the driveway proposed has not been shown on approved development plans or approved as part of a building permit.

Sec. 8-602. Commercial driveway and road spacing.

Roads and driveways serving commercial or industrial developments shall meet spacing requirements based on posted speed limit as provided in Table 8-6-1. (see also detail)

Table 8-6-1
Minimum Driveway and Street Spacing

Posted Speed (miles per hour)	Minimum Spacing, Feet, for Roads and Commercial Driveways
30 or less	125
35	150
40	185
45	230
50	275
55	350

Sec. 8-603. Commercial and industrial driveways.

Commercial and industrial driveways shall meet the following requirements, as applicable:

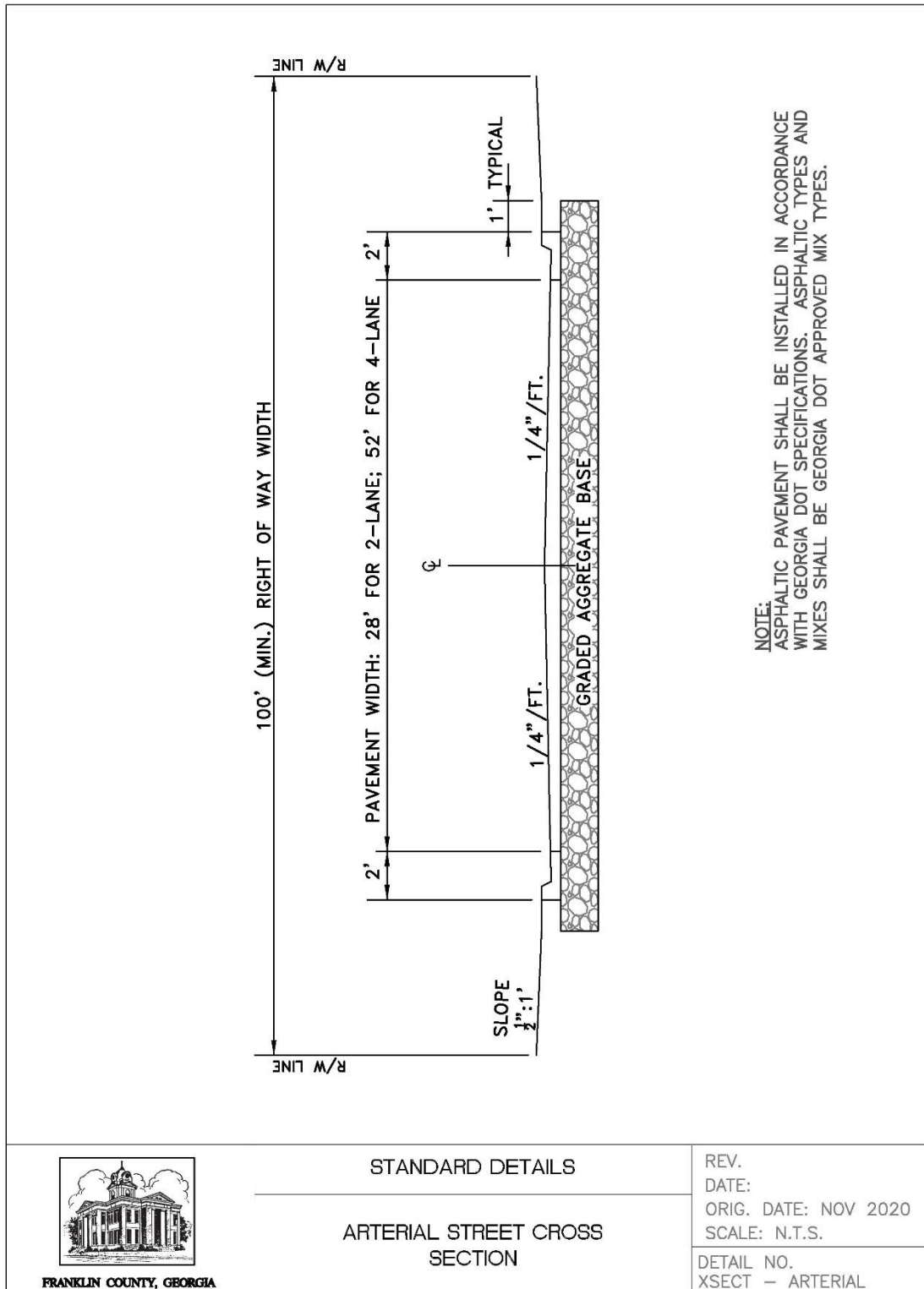
- (a) The minimum design standard for a commercial driveway shall be 28 feet from back of curb to back of curb, with a minimum 25 foot curb radius. See detail. Installation of an asphalt or concrete driveway apron may be required for any commercial driveway connecting to a county road.
- (b) The minimum design standard for an industrial driveway shall be 28 feet from back of curb to back of curb, with a minimum 40 foot curb radius. See detail. Installation of an asphalt or concrete driveway apron may be required for any industrial driveway connecting to a county road.
- (c) The maximum width of a two-way commercial or industrial driveway shall be 36 feet from back of curb to back of curb.
- (d) Commercial and industrial driveways shall be located no closer than 20 feet from a property line, unless a common access driveway is approved by the zoning administrator, in which case there is no setback from the common property line.
- (e) Driveways will be restricted to locations where movements into and out of them can occur in a safe and orderly manner, subject to the approval of the zoning administrator.
- (f) As a condition of driveway approval, the zoning administrator is authorized to require a driveway applicant to install a storm drainage culvert of a size as approved by the zoning administrator (18-inch culvert typical where curb and gutter do not exist). All waters from driveways must enter onto the shoulders of adjacent roads and into the ditch or gutter. No water shall be permitted to enter onto the adjacent road surface or pavement.

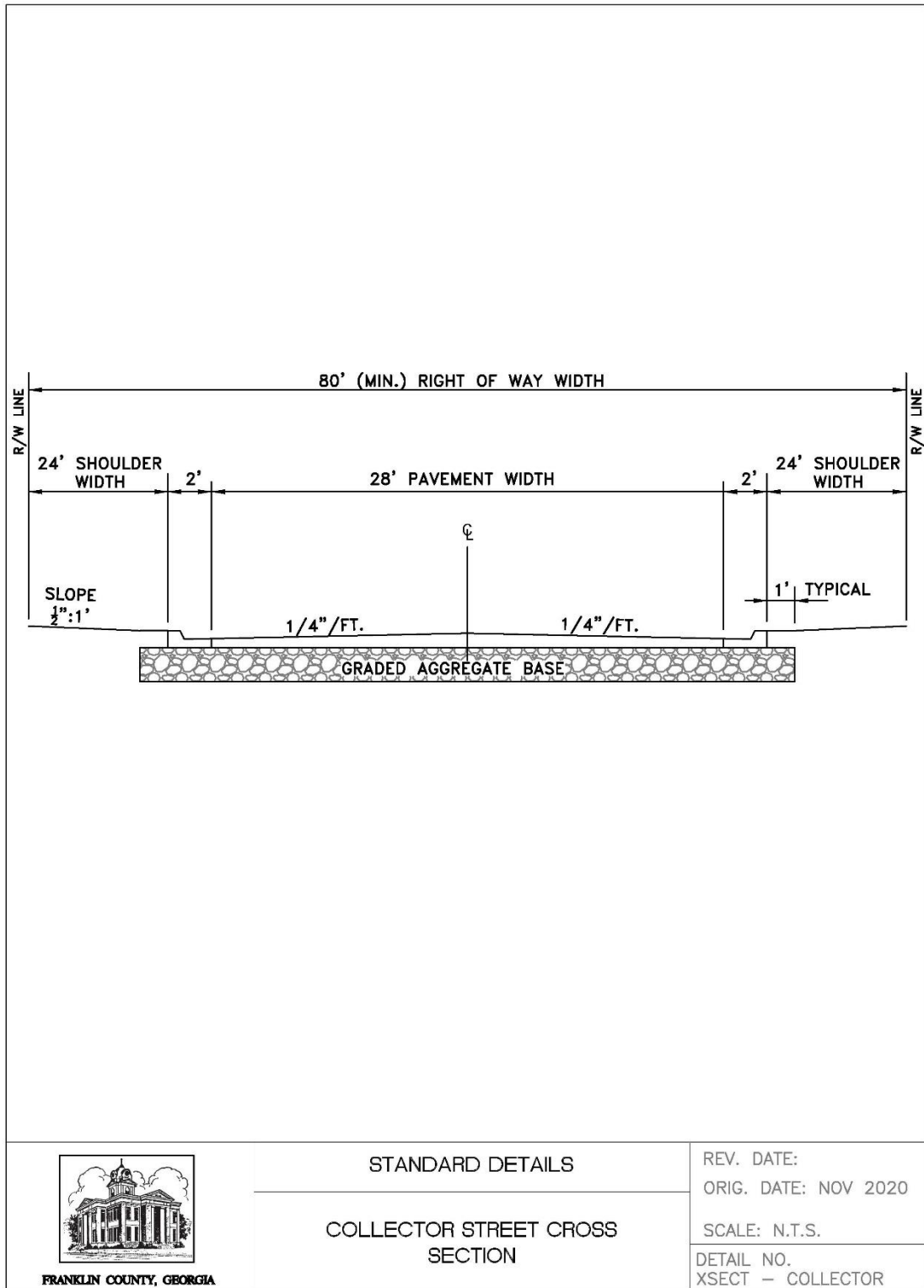
Sec. 8-604. Residential driveways.

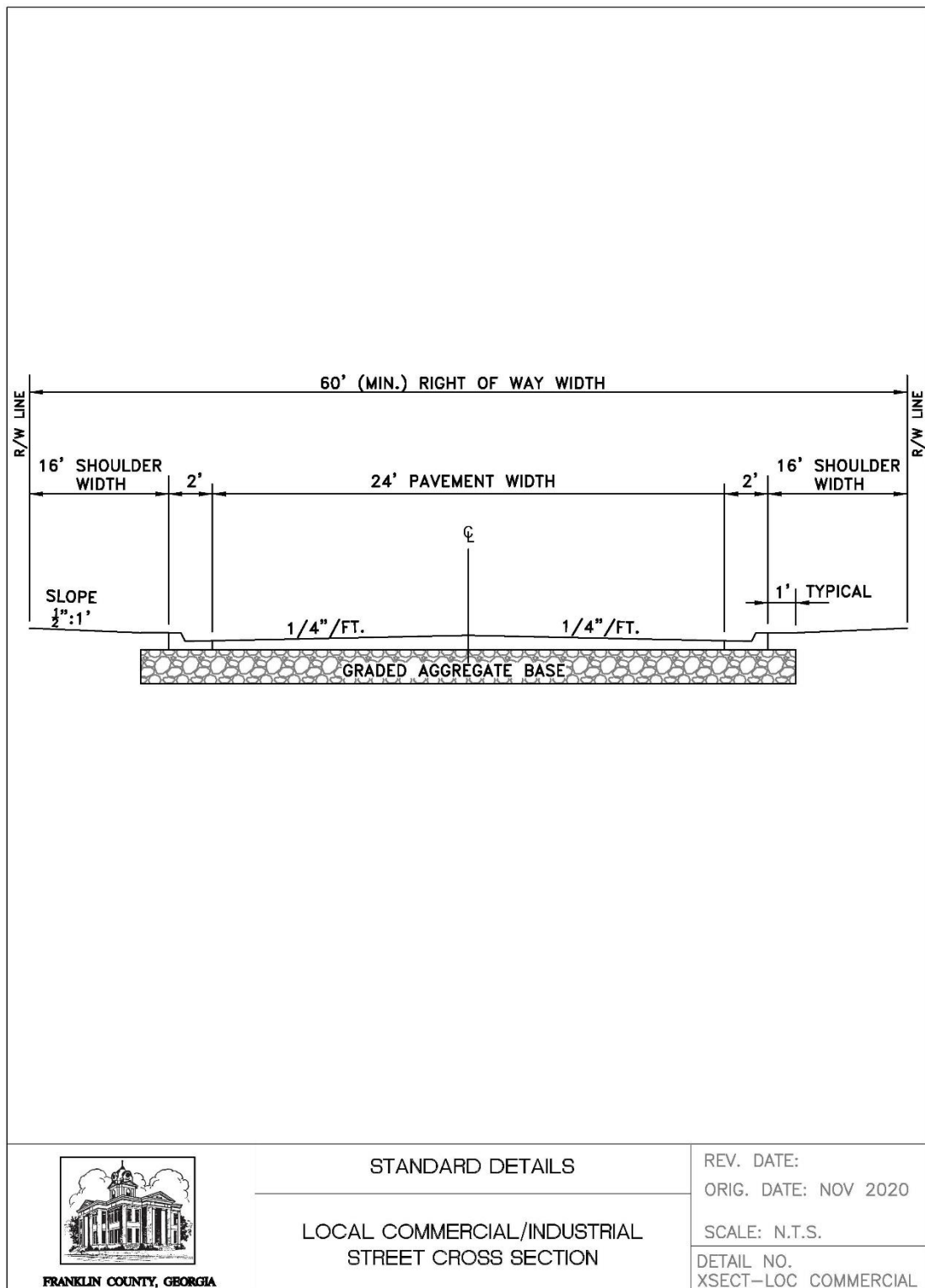
- (a) Driveways will be restricted to locations where movements into and out of them can occur in a safe and orderly manner, subject to the approval of the zoning administrator.
- (b) The zoning administrator may require installation of an asphalt or concrete driveway apron at any driveway connecting to a county road. When a driveway apron is required, the minimum driveway radius for a residential driveway shall be 5 feet.
- (c) As a condition of driveway approval, the zoning administrator is authorized to require a driveway applicant to install a storm drainage culvert of a size as approved by the zoning administrator (15-inch culvert typical where curb and gutter do not exist). All waters from driveways must enter onto the shoulders of adjacent roads and into the ditch or gutter. No water shall be permitted to enter onto the adjacent road surface or pavement.
- (d) Residential lots in any major subdivision shall have no direct driveway access to a collector or arterial street unless approved by the zoning administrator, or to a State or U.S. numbered highway unless approved by the Georgia Department of Transportation, and incorporated into the construction drawings for the project prior to issuance of a development permit by the county. An easement of at least 10 feet in width, across which there shall be no right of access, shall be provided along the entire width of lots in a major subdivision that abuts any collector or arterial street.

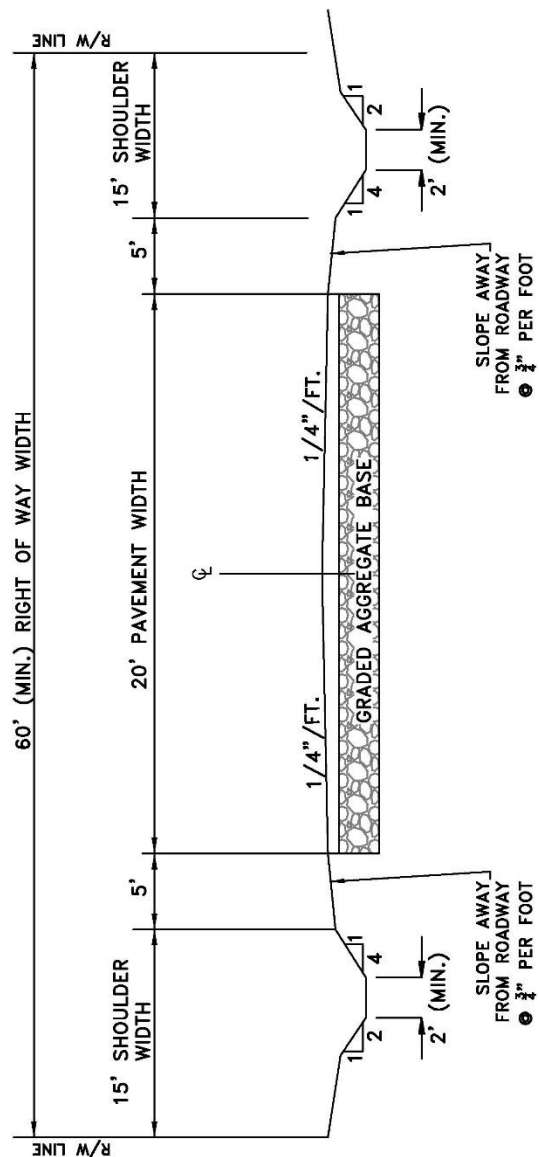
**ARTICLE 8-7
STANDARD DRAWINGS**

Arterial Street Cross Section
Collector Street Cross Section
Local Commercial/Industrial Street Cross Section
Local Residential Street Without Curb + Gutter Cross Section
Local Residential Street With Curb + Gutter Cross Section
Cul-de-sac Turn Arounds for Residential Street
Cul-de-sac Turn Arounds for Commercial or Industrial Street
Sight Distance
Residential Street Pavement Section
Collector Street or Local Commercial or Industrial Street Pavement Section
Deceleration Lane
Concrete Curb and Gutter
Sidewalk
Road/Commercial Driveway Spacing
Commercial Driveway
Industrial Driveway
Profile of New County Road or Driveway
Utility Placement in Right of Way Residential Street









FRANKLIN COUNTY, GEORGIA

STANDARD DETAILS

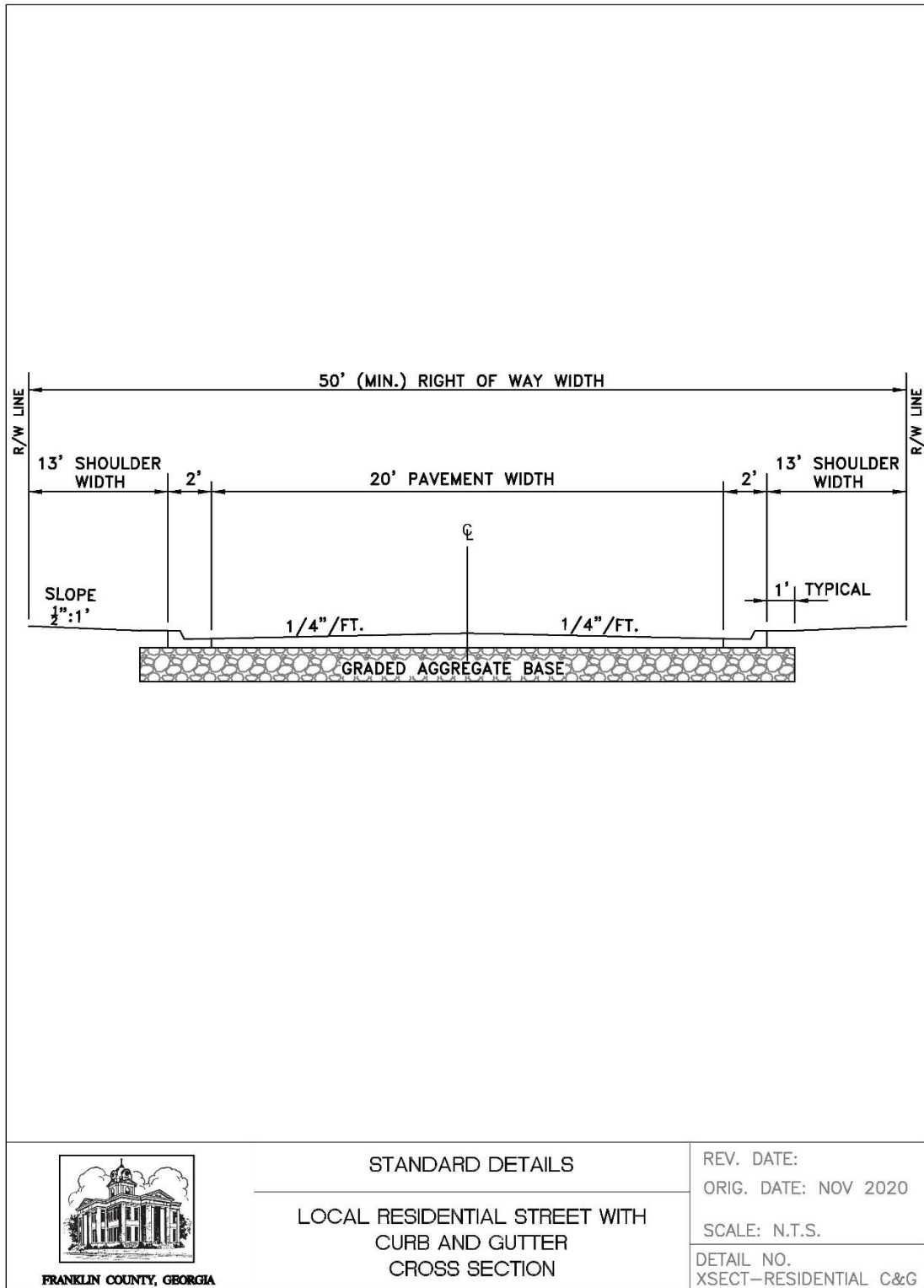
LOCAL RESIDENTIAL STREET
WITH SWALE DITCHES
CROSS SECTION

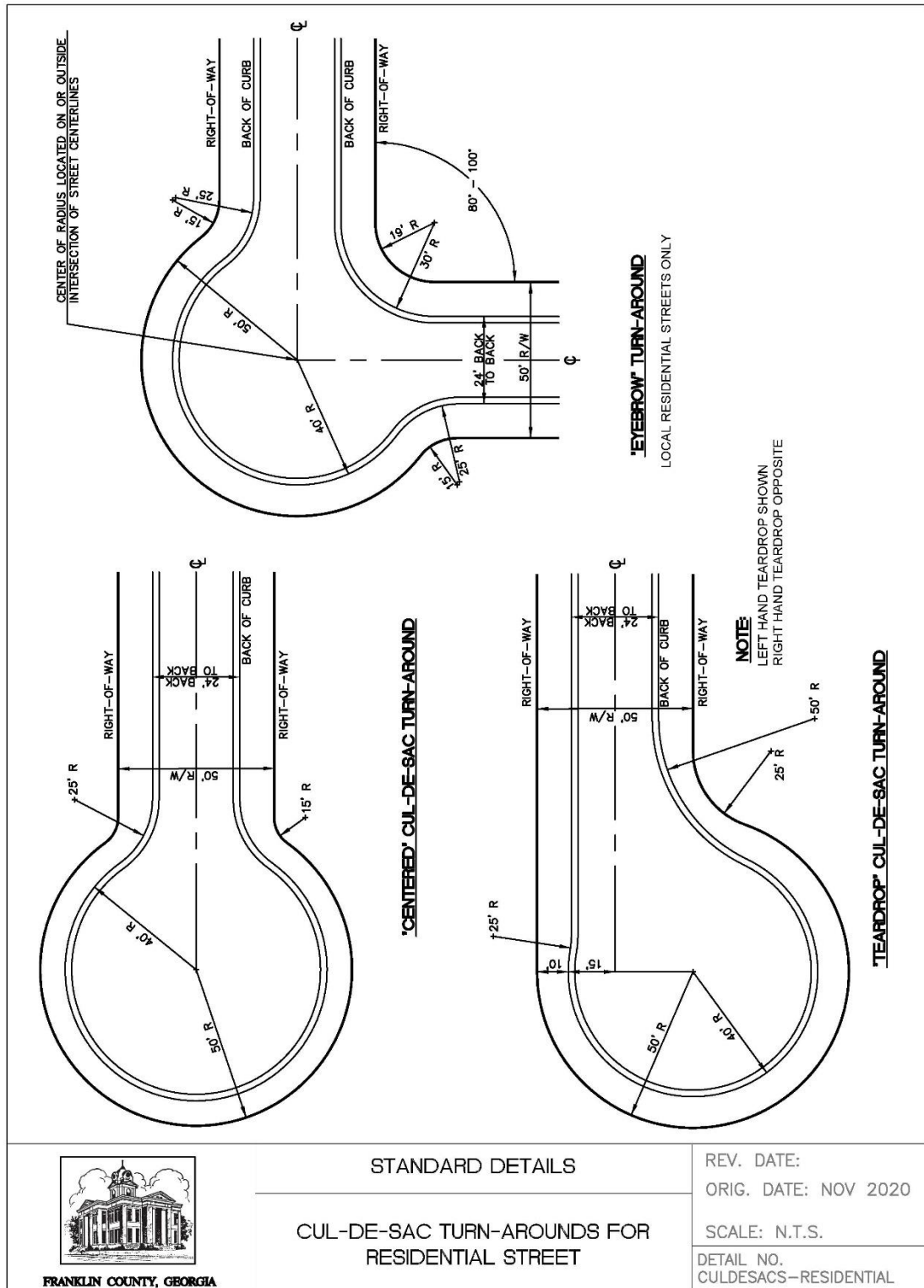
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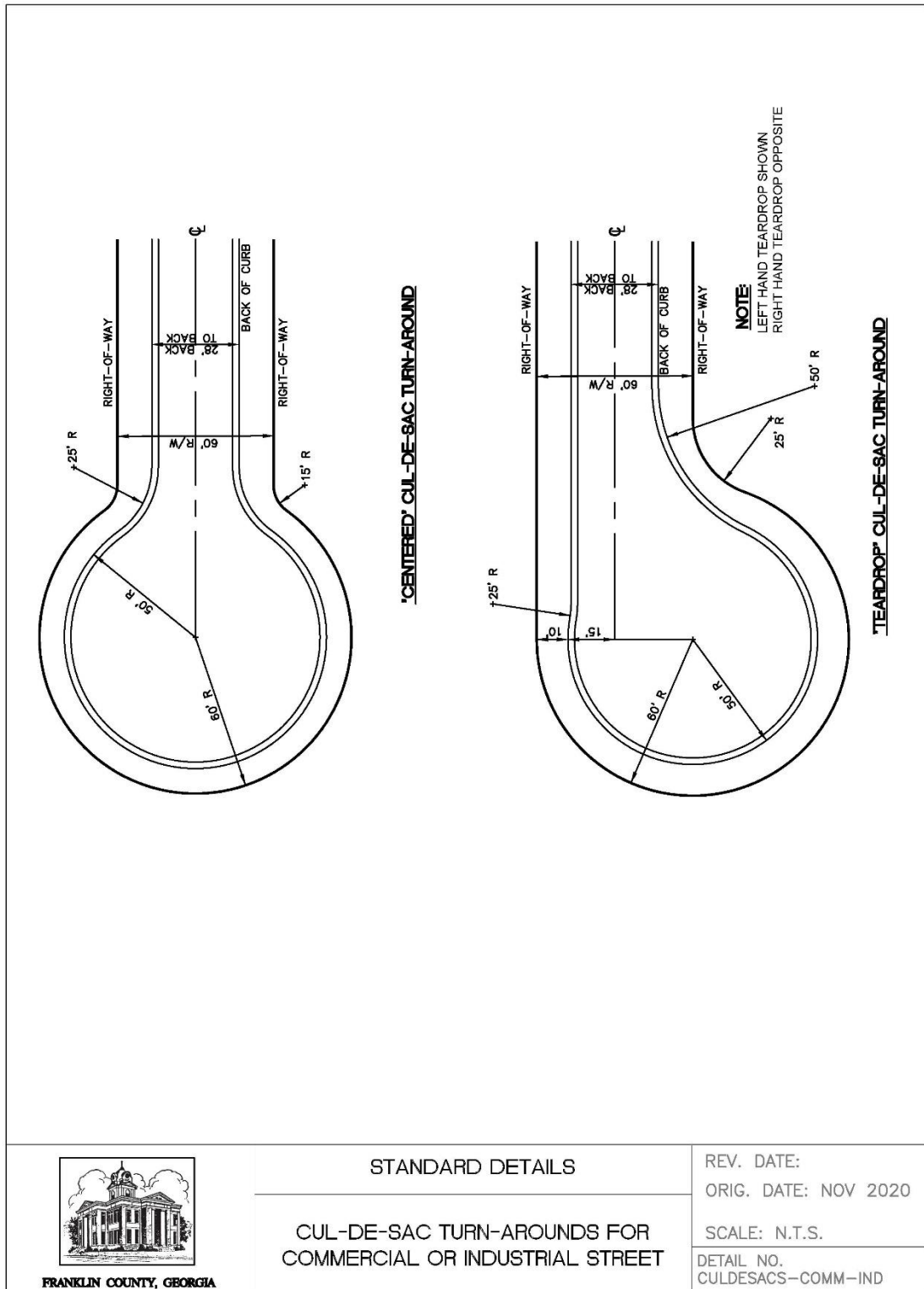
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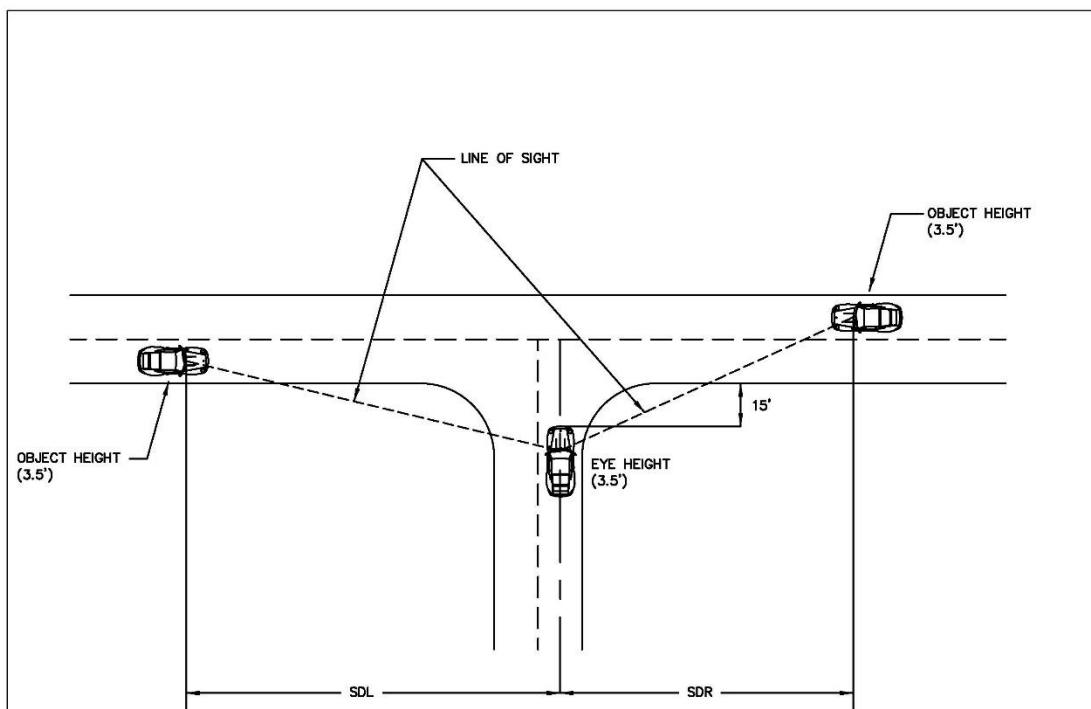
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DETAIL NO.
XSECT-RESIDENTIAL RURAL









INTERSECTION SIGHT DISTANCE REQUIREMENTS

POSTED SPEED, MPH	MIN. REQUIRED SIGHT DISTANCE, FT.		
	2 LANE	3 OR 4 LANES	
	SDL-SDR	SDL	SDR
30	335	335	375
35	390	390	440
40	445	445	500
45	500	500	565
50	555	555	625
55	610	610	690



FRANKLIN COUNTY, GEORGIA

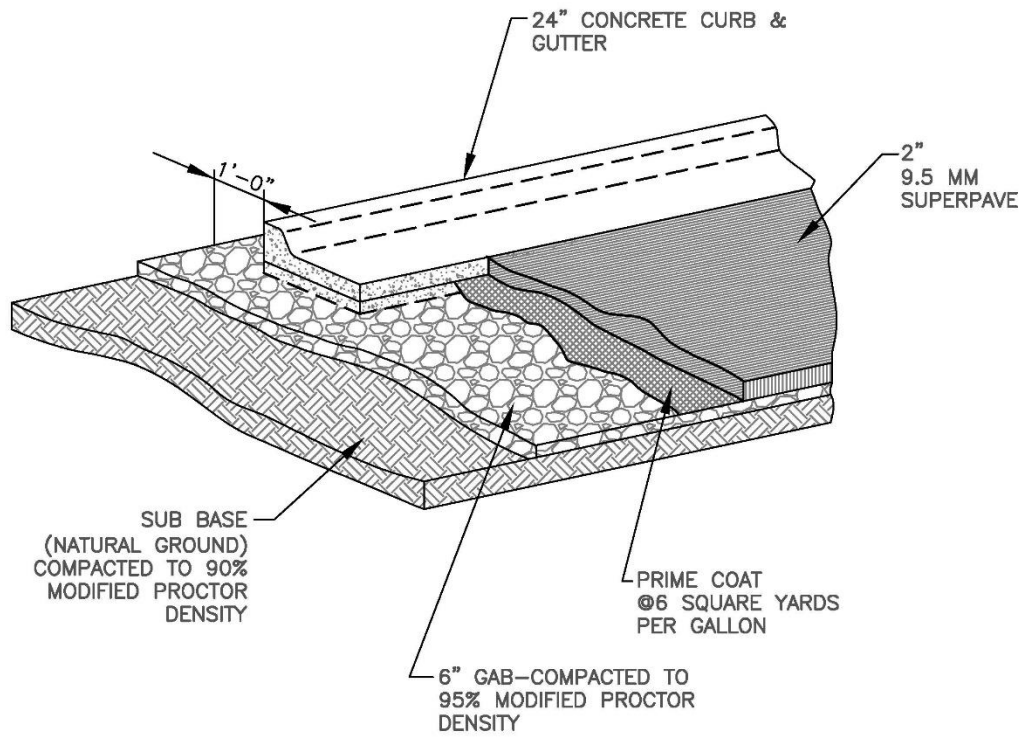
STANDARD DETAILS

SIGHT DISTANCE

REV. DATE:
ORIG. DATE: NOV 2020

SCALE: N.T.S.

DETAIL NO.
SIGHT DISTANCE



NOTE:
ASPHALTIC PAVEMENT SHALL BE INSTALLED IN ACCORDANCE
WITH GEORGIA DOT SPECIFICATIONS. ASPHALTIC TYPES AND
MIXES SHALL BE GEORGIA DOT APPROVED MIX TYPES.



FRANKLIN COUNTY, GEORGIA

STANDARD DETAILS

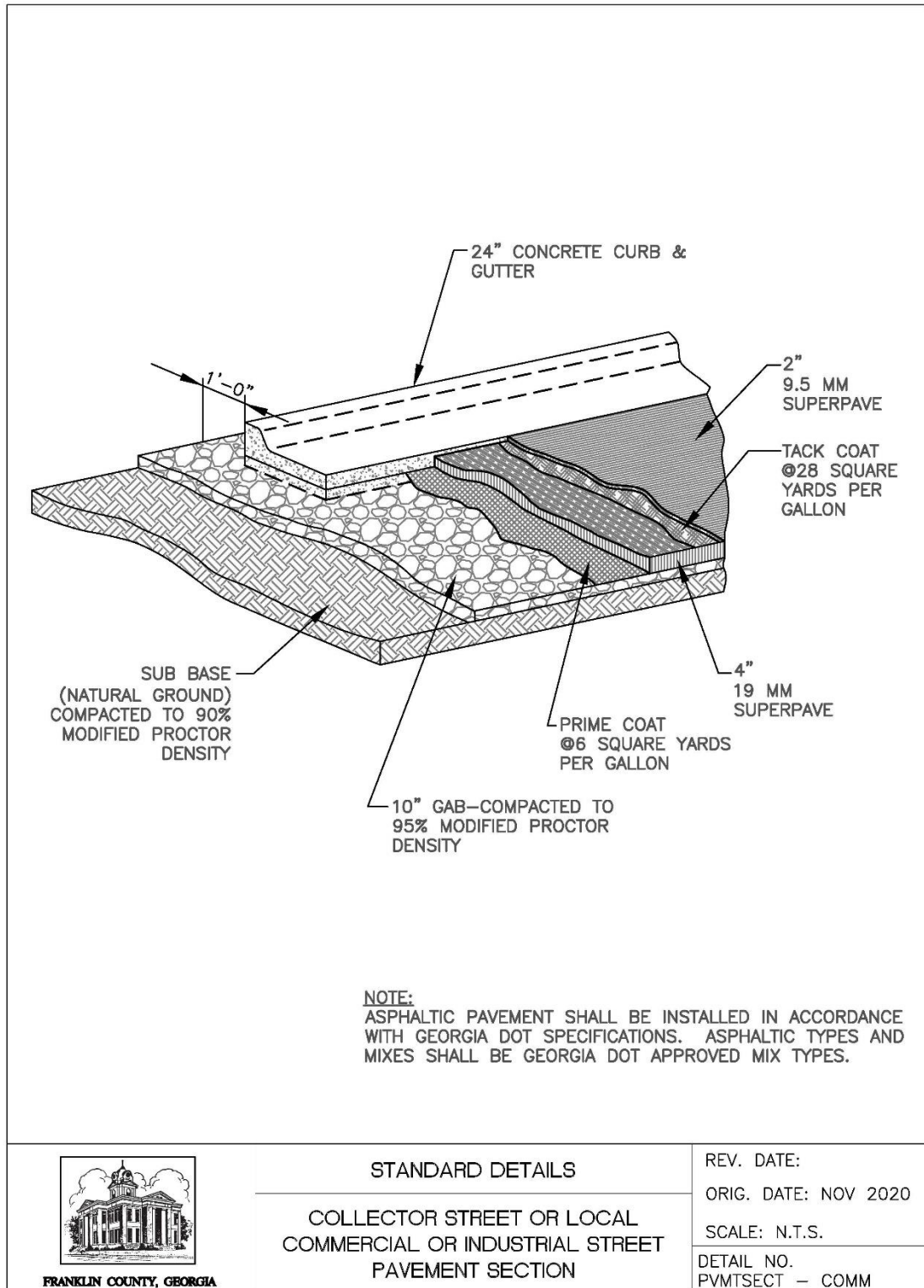
RESIDENTIAL STREET PAVEMENT SECTION

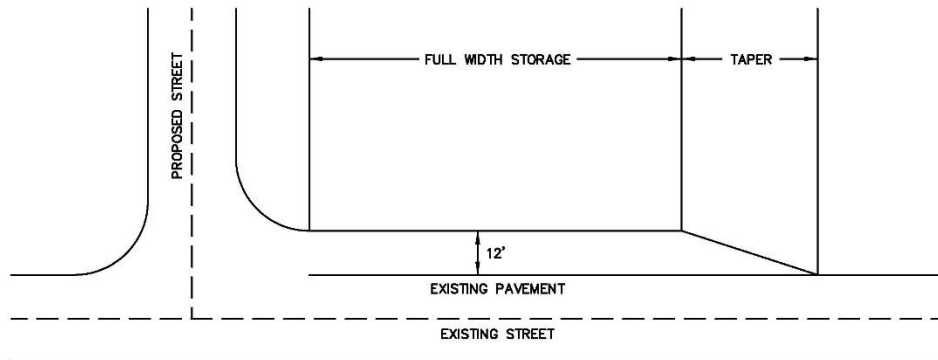
REV. DATE:

ORIG. DATE: NOV 2020

SCALE: N.T.S.

DETAIL NO.
PVMTSECT — COMM





RIGHT TURN DECELERATION LANE

RIGHT TURN DECELERATION LANES SHALL BE REQUIRED IF THE DAILY SITE GENERATED RIGHT TURN VOLUMES (RTV) BASED ON ITE TRIP GENERATION MEET OR EXCEED THE VALUES IN THE TABLE BELOW:

POSTED SPEED	AADT	
	<6000	>=6000
35 MPH OR LESS	200 RTV PER DAY	200 RTV PER DAY
40 TO 50 MPH	150 RTV PER DAY	150 RTV PER DAY
55 MPH	100 RTV PER DAY	100 RTV PER DAY

MINIMUM RIGHT TURN DECELERATION LENGTHS

POSTED SPEED, MPH	FULL WIDTH STORAGE, FT	TAPER, FT
25		50
30	75	50
35	100	50
40	150	50
45	175	100
50	225	100
55	250	100



FRANKLIN COUNTY, GEORGIA

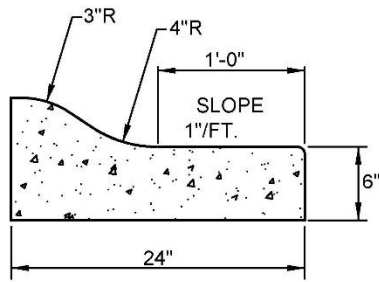
STANDARD DETAILS

DECELERATION LANE

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ORIG. DATE: NOV 2020

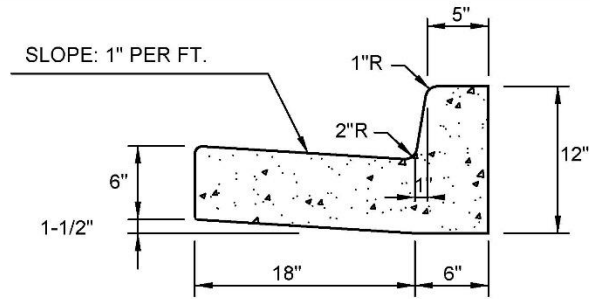
SCALE: N.T.S.

DETAIL NO.
DECEL LANE



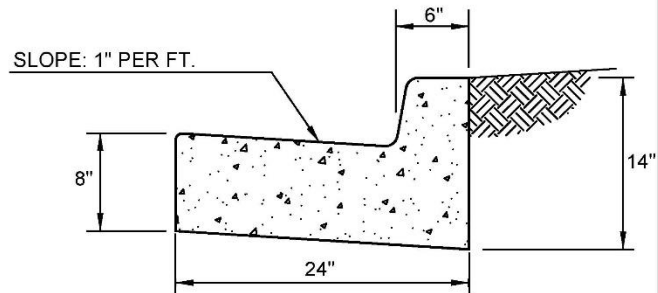
SECTION A-A

**ROLLED TYPE CURB AND GUTTER
(RESIDENTIAL STREETS ONLY)**



SECTION B-B

24\"/>



SECTION B-B

24\"/>

NOTES:

1. CONCRETE SHALL BE CLASS A 3000 PSI.
2. EXPANSION JOINTS REQUIRED AT ALL STRUCTURES AND CURB RETURNS.
3. MAXIMUM DISTANCE BETWEEN EXPANSION JOINTS = 250'.



FRANKLIN COUNTY, GEORGIA

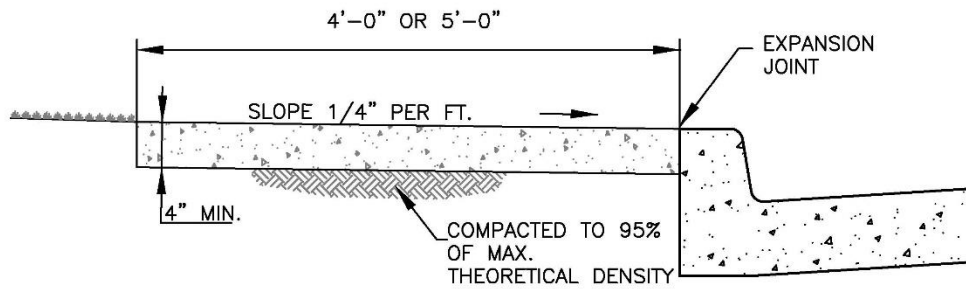
STANDARD DETAILS

CONCRETE CURB AND GUTTER

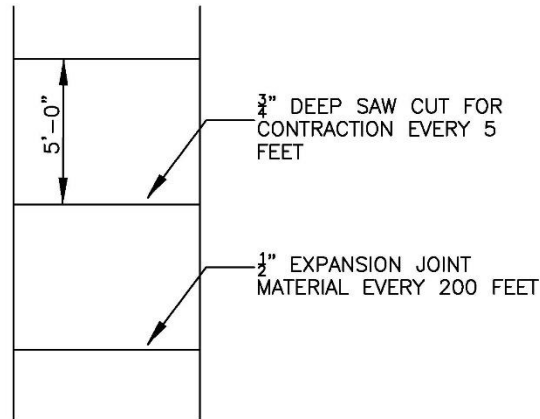
REV. DATE:
ORIG. DATE: NOV 2020

SCALE: N.T.S.

DETAIL NO.
CURB AND GUTTER



TYPICAL SECTION OF SIDEWALK



PLAN

NOTES:

1. SIDEWALK TO BE CONSTRUCTED OF 3000 PSI CONCRETE AT 28 DAYS.
2. 1/2" PREMOLDED EXPANSION JOINT REQUIRED AT ALL DRIVEWAYS, CURBS, ETC.
3. SIDEWALK TO BE 4'-0" FOR LOCAL STREETS.
4. SIDEWALK TO BE 5'-0" FOR PRINCIPAL, MAJOR OR MINOR ARTERIAL STREETS.



FRANKLIN COUNTY, GEORGIA

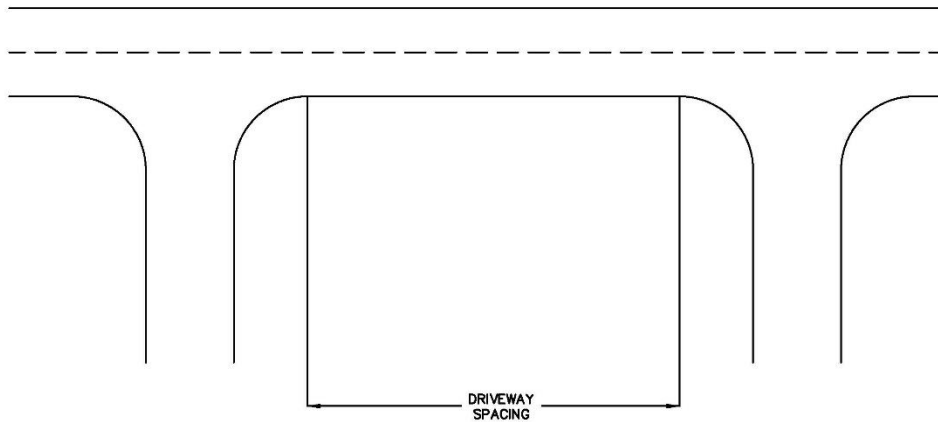
STANDARD DETAILS

SIDEWALK

REV. DATE:
ORIG. DATE: NOV 2020

SCALE: N.T.S.

DETAIL NO.
SIDEWALK



SPACING CRITERIA FOR ROADS AND COMMERCIAL DRIVEWAYS

POSTED SPEED, MPH	MINIMUM SPACING, FT
25	125
30	125
35	150
40	185
45	230
50	275
55	350



FRANKLIN COUNTY, GEORGIA

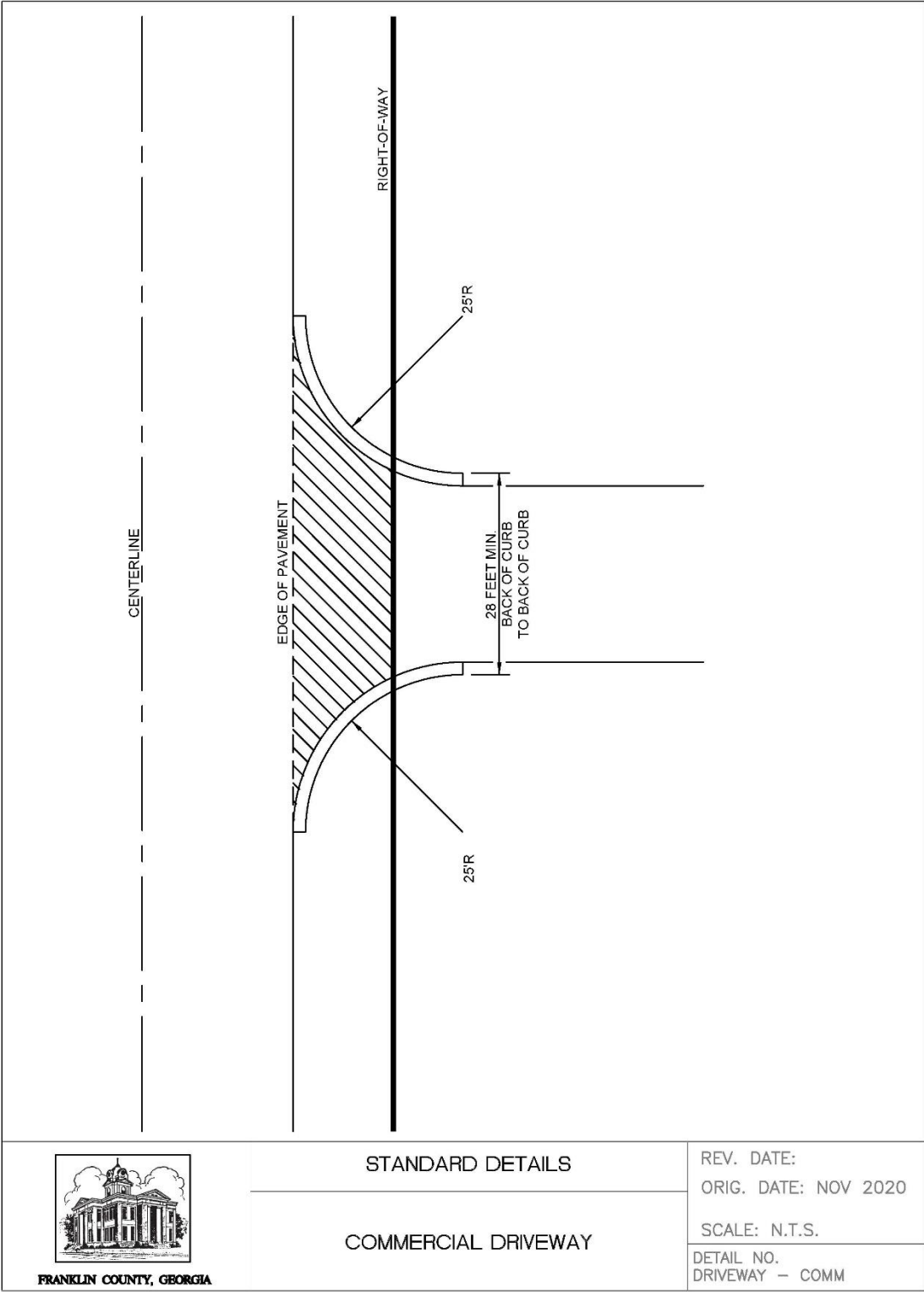
STANDARD DETAILS

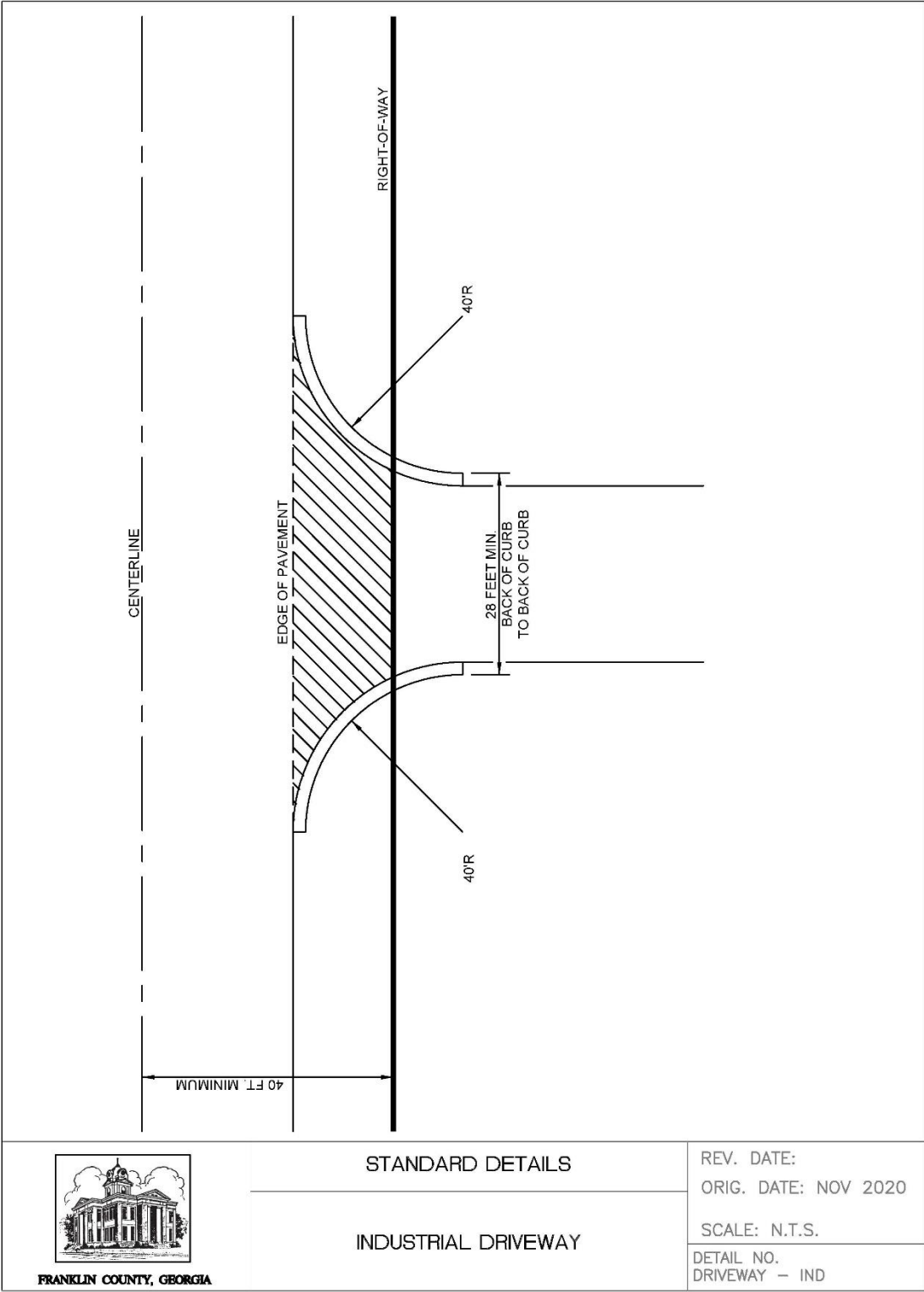
ROAD/COMMERCIAL DRIVEWAY
SPACING

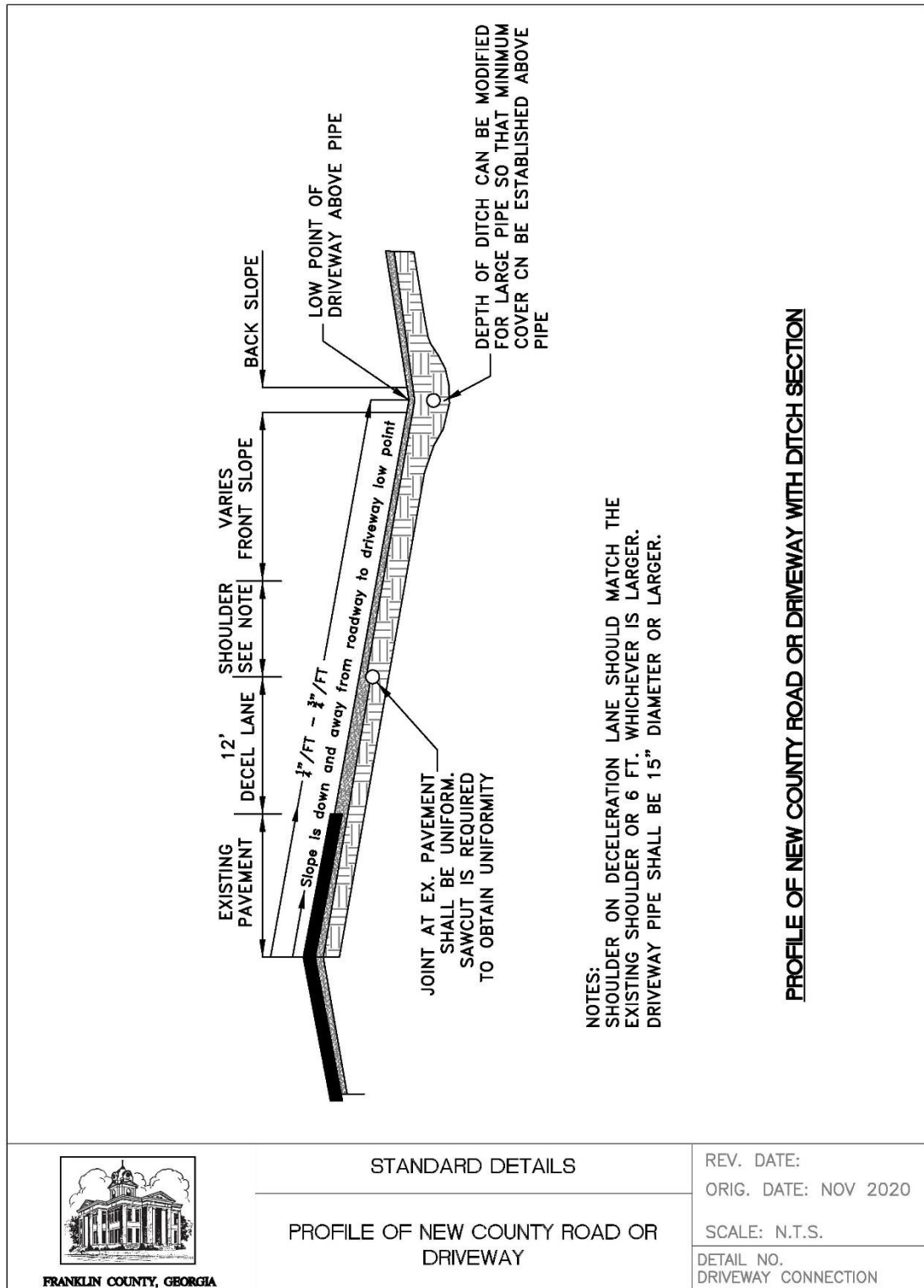
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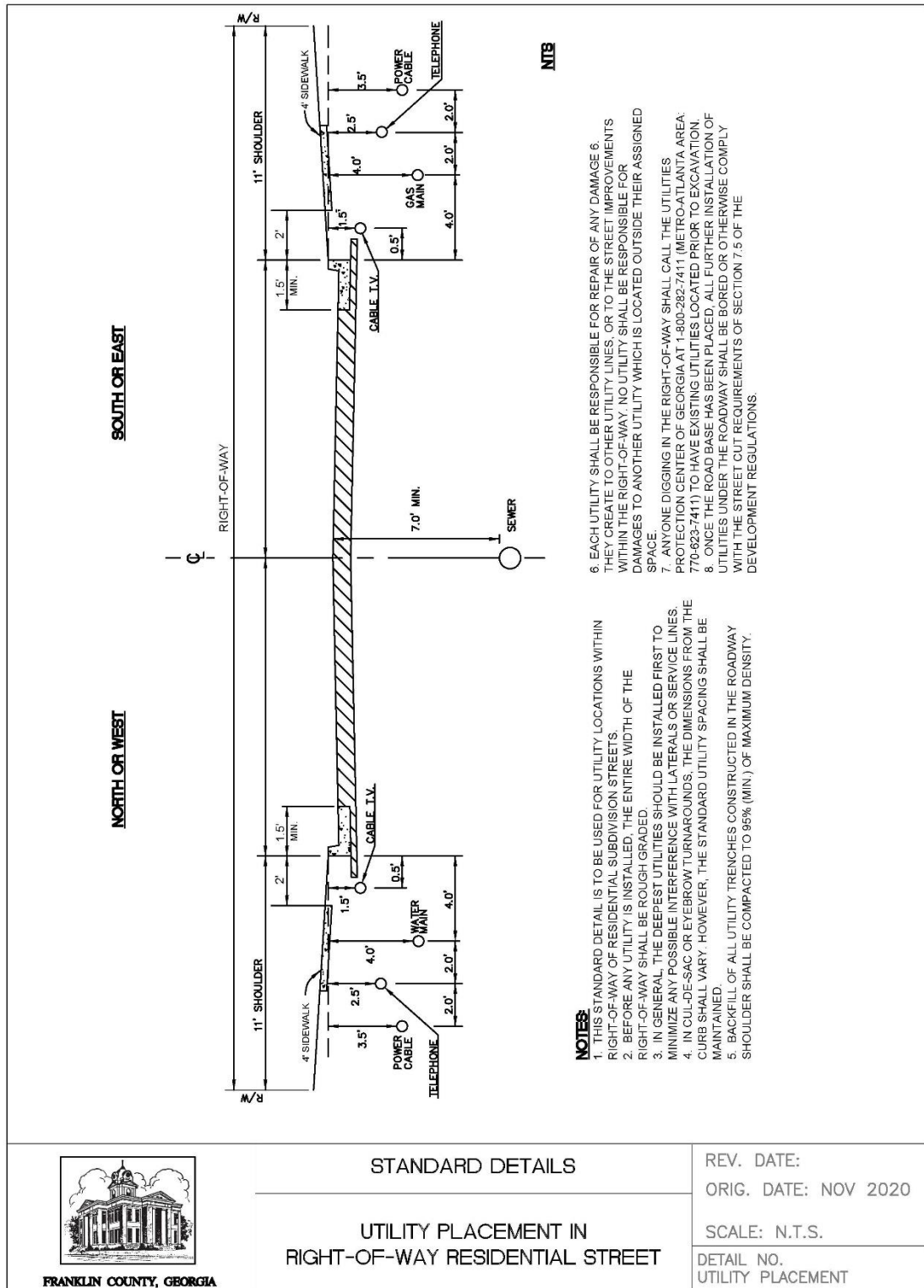
SCALE: N.T.S.

DETAIL NO.
DRIVEWAY SPACING









ARTICLE 8-8
DESIGN AND IMPROVEMENT REQUIREMENTS FOR PARKING LOTS

- Sec. 8-801. Applicability.
- Sec. 8-802. Plans and development permit required.
- Sec. 8-803. Vehicular circulation.
- Sec. 8-804. Backing movements prohibited.
- Sec. 8-805. Distance of parking space from right of way.
- Sec. 8-806. Improvement setback.
- Sec. 8-807. Demarcation.
- Sec. 8-808. Parking space angle aisles and access aisle dimensions.
- Sec. 8-809. Parking lot surfacing.
- Sec. 8-810. Curbing.
- Sec. 8-811. Parking lot drainage.
- Sec. 8-812. Lighting.

Sec. 8-801. Applicability.

This article shall apply to construction of any new parking lot containing 5 or more spaces, and to the expansion of an existing parking lot by 5 or more parking spaces.

Sec. 8-802. Plans and development permit required.

- (a) Construction of a new parking lot containing 5 or more spaces, or the addition of 5 or more spaces to an existing parking lot, shall require issuance of a development permit.
- (b) To ensure compliance with this article, parking and circulation plans shall include the number of spaces provided, the minimum parking spaces required, the location of entrances, exits, aisles, curbing where required, landscaping, screening, surface materials, provisions for drainage and other specifications necessary to ensure compliance with this article.

Sec. 8-803. Vehicular circulation.

Efficient and easily recognized vehicular circulation routes within a development are vital and shall be provided. Internal vehicle circulation shall be designed or redesigned in a manner that avoids conflicts between through-traffic (i.e., traffic flowing into and out of the site) and local traffic (i.e., traffic through parking areas). Interior vehicular circulation shall also be facilitated by the following means:

- (a) Considering the entire parcel and its anticipated development, rather than simply a particular project, in formulating and approving access plans;
- (b) Avoiding dead-end parking areas;

- (c) Visually orienting the driver with a regular, logical system of interior driveways and roadways;
- (d) Identifying entrance drives with small entry signs; and
- (e) Preventing vehicles from driving across or through designated larger parking areas by placing raised landscaped dividers or walkways between parking aisles.

Sec. 8-804. Backing movements prohibited.

Except for parcels of land serving one-family or two-family dwellings, all areas devoted to off-street parking shall be so designed such that no vehicle is required to back into a public street.

Sec. 8-805. Distance of parking space from right of way.

Except for parcels of land devoted to one-family or two-family dwellings, no parking space shall be located or accessed directly from a driveway within the first 40 feet of the driveway back from the street right-of-way line.

Sec. 8-806. Improvement setback.

Except for parcels of land devoted to one-family or two-family dwellings, off-street parking areas shall be set back from front, side, and rear property lines by at least 5 feet. Unenclosed off-street parking for single-family and two-family dwellings and agricultural uses shall not be subject to compliance with this section.

Sec. 8-807. Demarcation.

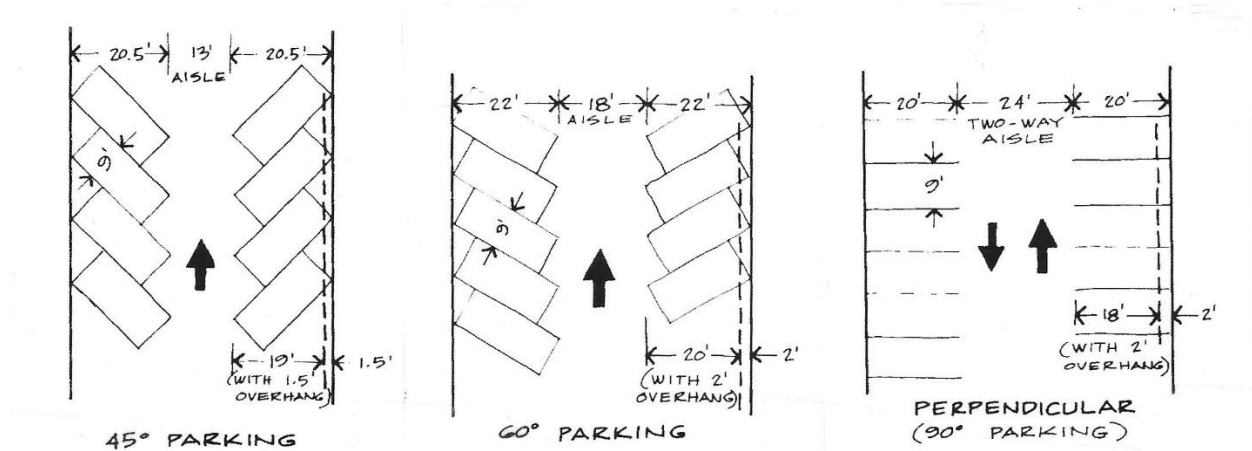
- (a) Every paved parking space shall be clearly demarcated by lines painted on or otherwise applied to the parking lot surface.
- (b) One-way traffic aisles, where utilized, must be clearly marked either with directional arrows on the pavement at each intersection with another aisle, driveway, or street entrance, or by traffic directional signs.
- (c) The zoning administrator may require the installation of concrete parking “stops” or other improvement to avoid encroachment of a vehicle onto landscaped areas.

Sec. 8-808. Parking space angle aisles and access aisle dimensions.

- (a) Access aisles in parking lots serving parking spaces shall be perpendicular (90°) to the access aisle when serving two-way traffic (see figure).
- (b) Parking spaces may be permitted with 60-degree or 45-degree angles to the access aisle, if one-way travel is required. Parking space angles less than 45 degrees to the access aisle

are not allowed, except where the zoning administrator authorizes parking spaces that are parallel to the access aisle.

(c) Access aisle dimensions are required as provided in the following figure:



Sec. 8-809. Parking lot surfacing.

- (a) Except as provided otherwise in this section, all off-street parking areas and all access drives for customer, visitor, and employee automobile parking serving uses other than single-family and two-family dwellings and agricultural uses shall be improved with a paved surface consisting of a minimum of a 6-inch graded aggregate base overlaid with a 2-inch Type B binder and a 1½-inch Type E or F asphalt surface.
- (b) The zoning administrator may authorize other paving materials such as pervious pavers.
- (c) The zoning administrator or may allow driveway approaches and parking lots to be graveled in rural character areas and in any areas where water quality effectiveness would be enhanced with use of alternative improvement materials. The zoning administrator may also waive paving requirements for portions of institutional, commercial and/or industrial developments where parking is primarily for storage uses or employer parking, but such waiver shall not be made for frequently used customer parking or handicapped parking required by state accessibility codes.

Sec. 8-810. Curbing.

Curbs meeting city specifications for vertical curbing shall be installed around the periphery of every parking lot, and shall extend along both sides of every access drive between the parking lot and the street or another parking lot or loading area, as applicable; provided, however, that the zoning administrator may waive the curbing requirement for unpaved parking areas and in cases where water quality effectiveness would be enhanced with use of infiltration devices, biofiltration swales, and other low impact development techniques in lieu of required curbs.

Sec. 8-811. Parking lot drainage.

Storm water drainage plans, including grading plans, shall be submitted to and approved by the zoning administrator as a part of and prior to the issuance of a development permit.

Sec. 8-612. Lighting.

- (a) Any lights used to illuminate parking areas shall be arranged, located or screened to direct light away from any adjoining residential uses. “Shoe box” (full cutoff) lighting fixtures on poles shall be utilized for this purpose.
- (b) Light poles should be located in landscaped strips. Where this cannot be accomplished, light poles must be placed on a reinforced concrete pedestal to protect them from damage or being knocked over.

CHAPTER 9 BUFFERS, TREE PROTECTION AND LANDSCAPING

ARTICLE 9-1 GENERAL PROVISIONS

- Sec. 9-101. Purpose and Intent.
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- Sec. 9-405. Contents of tree protection and landscaping plans.
- Sec. 9-406. Maintenance of landscaping.
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- Sec. 9-408. Deferral of installation.

ARTICLE 9-1 GENERAL PROVISIONS

- Sec. 9-101. Purpose and Intent.
- Sec. 9-102. Reference to requirements.
- Sec. 9-103. Definitions.

Sec. 9-101. Findings, purposes and intentions.

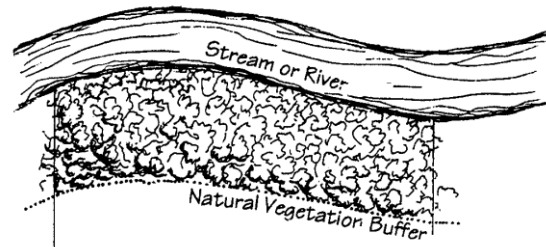
- (a) Trees provide food and shelter for wildlife; reduce noise, glare and provide wind breaks; purify the air through transpiration; intercept airborne particulate matter and reduce some air pollutants; provide oxygen and reduce the level of carbon monoxide in the air; provide vital roles in erosion control, soil conservation, and the reduction in stormwater runoff;

moderate the climate; increase property values; provide aesthetic amenities; and improve the quality of water.

- (b) This chapter is adopted with the purpose of establishing standards to protect trees during the time of development from damage and indiscriminate removal.
- (c) This chapter is also adopted with the intention of providing details for implementation of buffer and screening requirements of the Franklin County zoning regulations.

Sec. 9-102. Reference to requirements.

- (a) Buffers are required in certain instances by the Franklin County zoning regulations, including but not limited to Screening and buffers may be established in between incompatible zoning districts.
- (b) Stream buffers are imposed by state law and Article 8 of this development code (minimum 25-foot state stream buffers). Stream buffers are also established for river corridor and water supply watershed areas established as environmental protection districts in the Franklin County zoning regulations.



Sec. 9-103. Definitions.

ANSI 300 Standards: The generally accepted (consensus) industry standards for tree care practices, developed by the Tree Care Industry Association and written by a committee called the Accredited Standards Committee A300. These standards are based on current research and sound practice for writing specifications to manage trees, shrubs, and other woody plants.

Landscape plan: A graphic and written document containing criteria, specifications and detailed plans to arrange and modify the effects of natural features. A landscape plan consists of a site plan showing the boundaries of the property and the location of proposed plant materials, in relation to surroundings and improvements, along with a planting schedule and any additional specifications required by the zoning administrator.

Landscaped open space: That portion of a given lot, not covered by buildings, parking, access and service areas, or detention ponds, that is designed to enhance privacy and the amenity of the development by providing open spaces and/or landscaping features, screening and buffering for the benefit of the occupants or those in neighboring areas, or a general appearance of openness. Landscaped open space may include, but need not be limited to, grass lawns, decorative planting, berms, walls and fences, pervious walkways, ornamental objects such as fountains, statues and other similar natural and man-made objects, wooded areas, and water courses, any or all of

which are designed and arranged to produce an aesthetically pleasing effect within the development.

Landscaping: Shrubs, vines, turf, ground cover and other landscape materials which are utilized to enhance the aesthetic and functional qualities of a site.

Opaque: Impenetrable to view.

Screening: An opaque visual screen with a height of at least 6 feet.

Shrub: A self-supporting woody plant that normally reaches a height of less than 15 feet.

Tree: Any living, self-supporting woody perennial plant which normally obtains a trunk diameter of at least 2 inches and a height of at least 10 feet, and typically has one main stem or trunk and many branches.

Tree protection area: An area designated for the purpose of saving natural trees, preserving the root system of natural trees and/or preserving natural buffers; tree protection areas include the critical root zones of all trees to be protected, as well as the above-ground portions of the trees.

Turf: Ground cover composed of one or more species of perennial grass that is grown as a permanent lawn.

Xeriscaping: Landscaping characterized by the use of vegetation that is drought-tolerant or low water use.

ARTICLE 9-2 BUFFERS

Sec. 9-201. No disturbance of buffers.

Sec. 9-202. Screening and other buffer specifications.

Sec. 9-201. No disturbance of buffers.

- (a) Minimum 25-foot wide, state-imposed stream buffers shall not be disturbed except by variance issued by the Director of the Environmental Protection Division of the Georgia Department of Natural Resources, or if otherwise allowed to be encroached upon by state soil erosion law. No local variance shall be granted to waive or modify minimum state-imposed stream buffers.
- (b) Where a locally imposed buffer is required to be left in its natural state, said buffer shall remain undisturbed, except where necessary to add vegetation to meet screening or other requirements, unless encroachments or grading are specifically authorized by the zoning administrator.

- (c) Unless encroachments or grading are specifically authorized, or unless a variance is granted, existing trees within a required buffer shall not be removed.

Sec. 9-202. Screening and other buffer specifications.

- (a) Where a buffer is required to provide screening, said require buffer shall provide and maintain screening, as defined, with a natural buffer of existing vegetation, i.e., one that provides an opaque visual screen with a height of at least 6 feet on a continuous, year-round basis.
- (b) Where the full width of the required buffer does not exist or where existing vegetation is sparse such that it does not meet the screening standard, the buffer shall be replanted at the required minimum width.
- (c) Natural buffers may contain deciduous vegetation but shall contain evergreen trees suitable to local growing conditions that will provide an opaque visual screen during all seasons of the year.
- (d) Unless existing vegetation provides the required screening or another alternative that meets the requirements for opaque visual screening is approved by the zoning administrator, one evergreen tree, with a minimum height of 4 feet at planting, with branches touching the ground shall be planted for each 30 feet of buffer length, for each 10 feet of required buffer width. Rows of evergreen trees shall be staggered. Evergreen screening shrubs planted 4 feet on center shall also be used where necessary to provide the required screening.
- (e) All required buffers shall be shown on site plans, grading plans, and landscaping plans submitted for development permitting. All required buffers shall also be shown on preliminary and final subdivision plats.

**ARTICLE 9-3
TREE PROTECTION**

- Sec. 9-301. Tree protection required.
- Sec. 9-302. Designation of tree protection areas.
- Sec. 9-303. Tree protection fencing required.
- Sec. 9-304. Prohibitions within tree protection areas.
- Sec. 9-305. Tree damage.

Sec. 9-301. Tree protection required.

Tree protection requirements of this article shall be applied to every activity that requires the issuance of a development permit under this development code, except for activities otherwise exempted from development permitting by this development code.

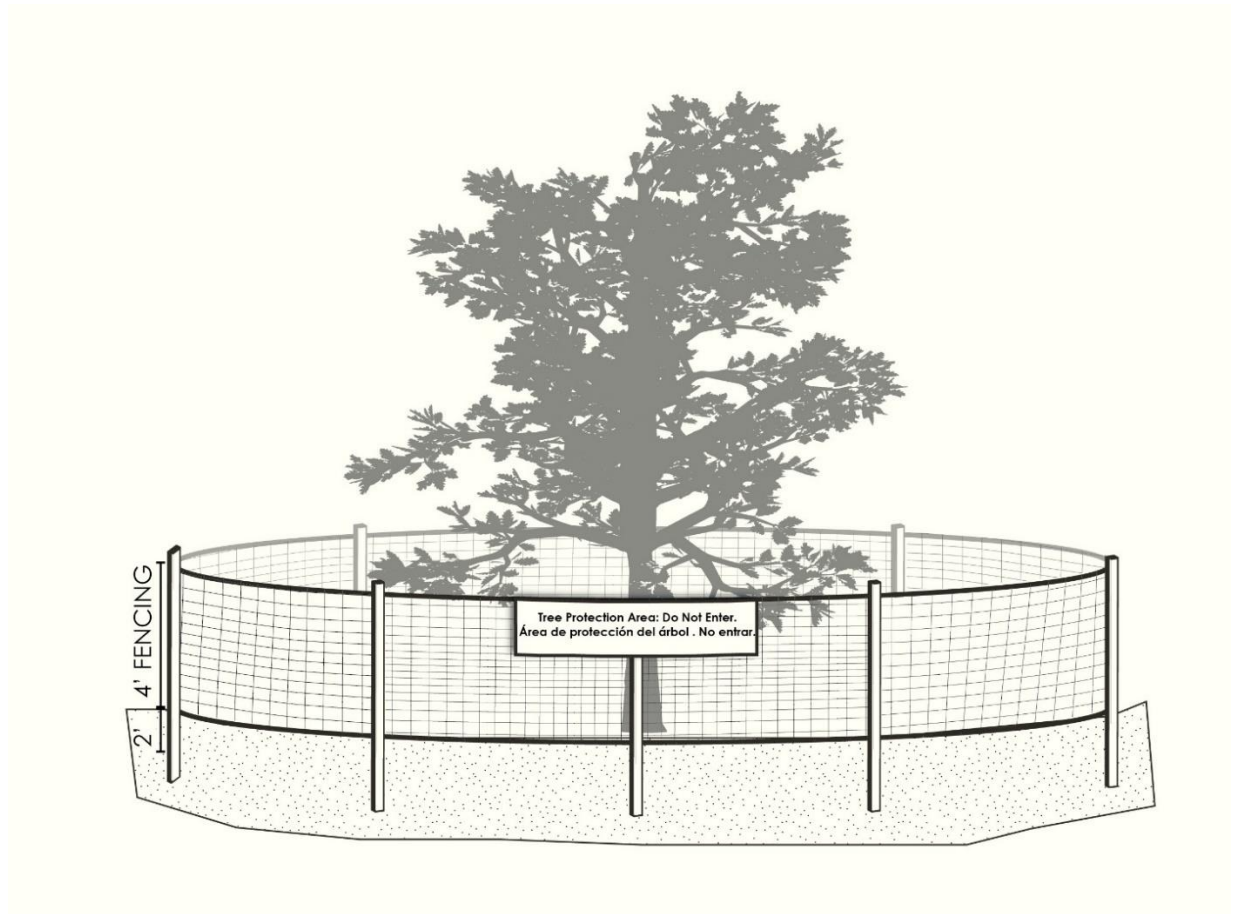
Sec. 9-302. Designation of tree protection areas.

The following areas shall be designated as tree protection areas, within which it shall be unlawful to remove trees unless specifically provided otherwise by this development code:

- (a) **Stream buffers.** Stream buffers required by state law and this development code shall be designated and delineated as tree protection areas on site plans, grading plans, landscaping plans, preliminary plats, and final plats.
- (b) **Zoning buffers.** Natural buffers when required by the Franklin County zoning regulations shall be designated and delineated as tree protection areas on site plans, grading plans, landscaping plans, preliminary plats, and final plats.
- (c) **Existing trees to be retained.** Land developers and subdividers will be required to consider designing land developments and subdivisions in a way that protects existing trees to the maximum extent possible, while allowing for reasonable development of the site. Where a development site or subdivision has existing trees outside of required stream buffers and zoning buffers, and such trees are to be retained, the critical root zones around all such trees to be retained shall be designated and delineated as tree protection areas on site plans, grading plans, landscaping plans, preliminary plats, and final plats as tree protection areas.

Sec. 9-303. Tree protection fencing required.

- (a) **Protection.** Trees protection areas shall be actively protected during land disturbance and land development with tree protection fencing, installed at the boundaries of all tree protection areas prior to any land development or land disturbance activity.
- (b) **Barrier required.** Tree fencing shall be a minimum of 4 foot in height and comprised of chain-link fencing, orange laminated plastic fencing supported by posts, wooden post and rail fencing, or other equivalent barrier (see figure below).
- (c) **Duration.** Tree protection fencing required by this section shall remain in place until land development and construction activities are complete, or a certificate of development completion is issued, or until authorization is given by the zoning administrator to remove the tree protection fencing.



Tree Protection Detail

Sec. 9-304. Prohibitions within tree protection areas.

Except as specifically authorized in this article, tree protection areas shall remain in a natural, undisturbed condition; activities related to development within a tree protection area shall be prohibited. This specifically includes prohibition of the following within a tree protection area:

- (a) vehicle or equipment parking, storage or traffic;
- (b) materials or supplies storage;
- (c) placement of temporary or permanent structures;
- (d) equipment maintenance or washout;
- (e) wounding of tree trunks; wounding or breakage of limbs or branches greater than four inches in diameter; topping or other improper pruning, such as stub cuts or flush cuts;
- (f) fires or excessive heat from equipment exhausts;
- (g) site or lot clearing or grubbing;

- (h) soil excavation or soil cuts or fills;
- (i) grading; trenching; tilling; soil compaction;
- (j) top dressing with fill or soil greater than two inches in depth; and
- (k) paving.

The zoning administrator may require that this section of the development code appear verbatim on tree protection and landscaping plans.

Sec. 9-305. Tree damage.

When trees are required to be designated as lying within tree protection areas, any tree within a tree protection area that is damaged during land disturbance, land development, or building or site construction shall be treated according to ANSI 300 standards. If damage necessitates removal of a tree, it shall be replaced with a tree or trees of similar species and value.

**ARTICLE 9-4
LANDSCAPING**

- Sec. 9-401. Obstructions to sight visibility.
- Sec. 9-402. Approval of plant materials.
- Sec. 9-403. General landscaping requirements.
- Sec. 9-404. Plans.
- Sec. 9-405. Contents of tree protection and landscaping plans.
- Sec. 9-406. Maintenance of landscaping.
- Sec. 9-407. Inspection.
- Sec. 9-408. Deferral of installation.

Sec. 9-401. Obstructions to sight visibility.

- (a) All landscaping and trees planted adjacent to street rights of way and driveway intersections with rights of way must be installed in a manner that maintains minimum vision clearances on the adjacent right of way and the driveway approach.
- (b) No shrub or tree with heights of between 2½ feet and 12 feet shall be located within 20 feet of the intersection of the right-of-way lines of streets, roads, highways or railroads, or within 20 feet of the intersection of a street right-of-way and either edge of a driveway.
- (c) No landscaping shall be allowed that obstructs or impairs the vision of any vehicle operator at the intersection of any public rights-of-way, at any entrance onto or exit from a public road, or any other location where said obstruction would create a hazard to life or property.

Sec. 9-402. Approval of plant materials.

The zoning administrator is authorized to promulgate and publish and amend from time to time a list of approved plant species. Specific landscaping, trees, and buffer material are subject to the approval of the zoning administrator.

Sec. 9-403. General landscaping requirements.

- (a) **Native plants.** The use of native plants is encouraged.
- (b) **Invasive species.** Invasive or potentially invasive plants are prohibited.
- (c) **Xeriscaping and water conservation.** Xeriscaping is encouraged. Ground covers should be used to supplement landscaping in appropriate areas to reduce extensive grass lawns that require regular watering in drought conditions.
- (d) **Trees.** Trees selected for planting must be free from injury, pests, disease, nutritional disorders or root defects, and must be of good vigor in order to assure a reasonable expectation of survivability.
- (e) **Diversity.** No more than 50% of trees or shrubs planted on any given site shall consist of any one species.
- (f) **Grass.** Grass lawn areas should be sodded. However, if grass seed must be used, it shall be a variety suitable to the area that produces complete coverage.
- (g) **Artificial landscaping.** No artificial plants, trees, turf, or other vegetation shall be installed.
- (h) **ANSI 300 standards.** Landscaping shall meet the requirements of ANSI 300 unless otherwise approved by the zoning administrator.
- (i) **Curb Stops.** A curb or wheel stop shall be provided along interior parking lot landscape islands, perimeter landscape strips, and landscapes adjacent to street rights-of-ways, to prevent cars from encroaching on trees, shrubs, and landscapes, as approved by the zoning administrator.

Sec. 9-404. Plans.

- (a) For any land disturbance, land development, or building subject to the requirements of this article, buffer, tree protection and landscaping plans are required to be submitted with any application for a development permit, or for a building permit for new construction of buildings.

- (b) Buffer, tree protection and landscaping plans shall be required for only that phase of development for which the development permit or building permit is being requested.

Sec. 9-405. Contents of tree protection and landscaping plans.

These regulations do not require plans to show existing trees, shrubbery or other existing vegetation on plans. However, if the retention or planting of trees and/or shrubs is required or provided, then tree protection and landscaping plans shall meet the following minimum requirements:

- (a) A site plan with property boundaries, proposed buildings, parking areas, loading areas, required buffers, utility easements if any, and other pertinent information as may be required by the zoning administrator. The site plan shall show the location of all trees, shrubs, and landscaping proposed to be planted. This requirement shall not necessitate showing individual trees retained or existing vegetation.
- (b) A planting schedule for all trees, shrubs, and ground covers proposed, with scientific name and common names of each species, the total number of each species planted, and total numbers of trees. Trees and shrubs shall be indicated on the plan using symbols, and the symbols must appear in the planting schedule.
- (c) Standard details and notes with regard to planting instructions.

Sec. 9-406. Maintenance of landscaping.

- (a) Plants that are diseased, damaged beyond point of survival, or are dead shall be removed and replaced with a plant of the same species, variety or cultivator, as approved by the zoning administrator.
- (b) All landscape materials shall be maintained and shall be kept clear of refuse and debris.

Sec. 9-407. Inspection.

An inspection shall be made by the zoning administrator of all landscape plantings to assure compliance with plan requirements prior to approval of a certificate of development completion or a certificate of occupancy.

Sec. 9-408. Deferral of installation.

The zoning administrator may authorize the delay of planting in cases of drought or inappropriate season for planting, in which case the zoning administrator shall require a bond or other appropriate surety in an amount equal to the estimated costs of the landscaping deferred.

CHAPTER 10

UTILITIES, DRAINAGE AND ENCROACHMENT

ARTICLE 10-1 UTILITIES

- Sec. 10-101. Generally.
- Sec. 10-102. Water generally.
- Sec. 10-103. Water mains.
- Sec. 10-104. Well water.
- Sec. 10-105. Community water system.
- Sec. 10-106. Fire hydrants.
- Sec. 10-107. Wastewater generally.
- Sec. 10-108. Connection to public sewerage system.
- Sec. 10-109. Alternative wastewater systems.
- Sec. 10-110. Septic tank.
- Sec. 10-111. Oversizing of water and sewer mains.
- Sec. 10-112. Drainage.
- Sec. 10-113. Gas, electric and other utilities.

ARTICLE 10-2 DRAINAGE AND STORMWATER REQUIREMENTS

- Sec. 10-201. Findings.
- Sec. 10-202. Definitions.
- Sec. 10-203. System maintenance.
- Sec. 10-204. Location of stormwater detention facilities.
- Sec. 10-205. Specifications for stormwater detention facilities.
- Sec. 10-206. Design responsibility.
- Sec. 10-207. Storm drainage pipe slope.
- Sec. 10-208. Reference to state standards.
- Sec. 10-209. Drainage formula.
- Sec. 10-210. Storm events to be utilized.
- Sec. 10-211. Catch basin location.
- Sec. 10-212. Subdrainage.
- Sec. 10-213. Certification.
- Sec. 10-214. Bridges.
- Sec. 10-215. Riprap.
- Sec. 10-216. Exit velocities.
- Sec. 10-217. Breach analysis.
- Sec. 12-218. Cross drain pipes.
- Sec. 10-219. Stormwater ditches.
- Sec. 10-220. Storm drainage materials and installation.
- Sec. 10-221. Minimum clearances.
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ARTICLE 10-3 ENCROACHMENT

- Sec. 10-301. Utility encroachment permit required.
- Sec. 10-302. Utility encroachment permit procedure.
- Sec. 10-303. Incomplete permit application.
- Sec. 10-304. Permit review and decision.
- Sec. 10-305. Permit commencement, expiration and extension.
- Sec. 10-306. Permit default.
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- Sec. 10-308. Utility accommodation policy and standards.

**ARTICLE 10-1
UTILITIES**

- Sec. 10-101. Generally.
- Sec. 10-102. Water generally.
- Sec. 10-103. Water mains.
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- Sec. 10-105. Community water system.
- Sec. 10-106. Fire hydrants.
- Sec. 10-107. Wastewater generally.
- Sec. 10-108. Connection to public sewerage system.
- Sec. 10-109. Alternative wastewater systems.
- Sec. 10-110. Septic tank.
- Sec. 10-111. Oversizing of water and sewer mains.
- Sec. 10-112. Drainage.
- Sec. 10-113. Gas, electric and other utilities.

Sec. 10-101. Generally.

No development permit or subdivision plat shall be approved by the zoning administrator until all improvements, if required by this article or development code generally, have been constructed or installed in a satisfactory manner and approved by the zoning administrator and public utility providers with jurisdiction, as applicable.

Sec. 10-102. Water generally.

- (a) All habitable buildings shall be connected to a water system (which may be a well) capable of providing water for health and emergency purposes, including adequate fire protection.
- (b) No building permit shall be issued for any building within a subdivision, or for the development of land, if there is not present to the lot in question or to the land development an adequate water supply. In the case of a lot served by an onsite well, the well shall be drilled/bored prior to issuance of a building permit.

Sec. 10-103. Water mains.

- (a) When a public water main is accessible, the subdivider or land developer shall install water supply facilities, including fire hydrants, that meet or exceed the specifications of the county and the water service provider. Water mains within subdivisions and land developments must be provided with water main connections to each lot in the subdivision and each land development.
- (b) The size of water mains shall be justified by hydraulic analysis performed by a professional engineer.
- (c) Easements shall be provided for water mains, and such easements shall be at least 20 feet wide.

Sec. 10-104. Well water.

- (a) If a public water supply is not available to the subdivision or land development at the time of constructing improvements for a subdivision or land development, then the subdivider or developer shall provide an adequate alternative water source and an adequate water storage facility.
- (b) In subdivisions or land developments with a residential density of one unit per acre or less and when a public water system is not available, individual wells may be used in a manner so that an adequate supply of potable water will be available to every lot in the subdivision or to the land development.
- (c) When individual wells are proposed to be used for water supply, water samples shall be submitted to, and individual wells shall be approved by, the Franklin County Environmental Health Department. Approvals shall be submitted to zoning administrator prior to final subdivision plat for a subdivision or development permit approval for a land development.

Sec. 10-105. Community water system.

- (a) If a public water supply is not available to the subdivision or land development at the time of constructing improvements for a subdivision or land development, then the subdivider or developer shall provide an adequate alternative water source and an adequate water storage facility.
- (b) Any community water system may be permitted, subject to compliance with applicable state requirements.

- (c) The community water system plan shall be approved by the Franklin County Environmental Health Department and/or a letter of approval from the Georgia Department of Natural Resources shall accompany the final plat or land development application.

Sec. 10-106. Fire hydrants.

- (a) Fire hydrants shall be required for all nonresidential land developments and all subdivisions except those permitted to be served by individual on-site wells. Fire hydrants with appropriate water pressure at appropriate intervals throughout the subdivision or land development shall be provided by the subdivider or land developer as required by the fire department or fire service district with jurisdiction.
- (b) The location and construction of fire hydrants shall be in accordance with standard specifications of the water provider and the fire department or fire service district with jurisdiction.

Sec. 10-107. Wastewater generally.

- (a) All habitable buildings and buildable lots shall be served by an approved means of wastewater collection and treatment. Each subdivision and land development shall be served by adequate sewage disposal facilities.
- (b) No building permit shall be issued for any building within a subdivision or for the development of land, if there is not present throughout the subdivision or to the land development an adequate system of wastewater collection and treatment.

Sec. 10-108. Connection to public sewerage system.

- (a) When a public sanitary sewerage system is reasonably accessible, as determined by the public health officer and zoning administrator, the subdivider or land developer shall connect with same and provide sewers accessible to each lot in the subdivision or to each land development. If a public sanitary sewer is reasonably accessible, it shall be unlawful to connect any new habitable building upon any such property to an individual sewage disposal system.
- (b) Design and engineering of sanitary sewers shall be in accordance with the specifications of the sewer service provider. Sanitary sewers shall be located within street rights-of-ways unless topography dictates otherwise.
- (c) When located outside a right of way, easements shall be provided for sanitary sewer lines, and such easements shall be at least 20 feet wide.

Sec. 10-109. Alternative wastewater systems.

If sanitary sewer is not reasonably available at the time of the development of the subdivision or land development, and if sanitary sewer is not anticipated to be available within a period of three

years to serve the subdivision or land development in question, then on-site septic tanks, an oxidation pond, or another method of treatment of sanitary sewerage may be approved and shall be installed by and at the expense of the subdivider, land developer, or lot purchaser, in conformity with the requirements of the Franklin County Environmental Health Department.

Sec. 10-110. Septic tank.

- (a) Where individual onsite wastewater disposal systems are proposed and allowed, individual lot sizes and widths must exhibit appropriate regard for the public health, drainage, and maintenance characteristics on the site. Additionally, detailed soil tests may be required in order to verify the ability of the lots to safely contain and dispose of septic system effluent. All septic tanks and onsite wastewater disposal systems are subject to the approval of the Franklin County Environmental Health Department.
- (b) Soil tests shall be required for each lot in a major subdivision prior to preliminary plat approval. The zoning administrator may waive the requirement to provide soil tests for any minor subdivision, provided that a note is placed on the plat requiring such soil test prior to issuance of a building permit.

Sec. 10-111. Oversizing of water and sewer mains.

The subdivider or land developer shall construct such oversized water and sanitary sewer improvements that the utility provider or county determines necessary, provided that the subdivider or land developer shall not be obligated for the additional cost of such improvements that are not uniquely required for that subdivision or land development, and provided the subdivider or land developer agrees to a proposal by the county to share in the cost arrangements for over-sizing such improvements. A formula may be developed by the county to provide for a sharing of the cost of such improvements needed to serve the subdivision or land development when certain of the improvements are necessary to serve future subdivisions or land developments in the vicinity.

Sec. 10-112. Drainage.

- (a) An adequate drainage system, separate and independent of any sanitary sewer system and including any necessary ditches, pipes, culverts, intersectional drains, drop inlets, etc., shall be provided for the proper drainage of all surface water for all subdivisions and land developments.
- (b) Sizing and location of all drainage structures shall be the responsibility of a registered professional engineer or land surveyor, and construction shall be in accordance with the specifications of the county (see Article 10-2 of this chapter).
- (c) The county may require the use of on-site control methods such as retention or detention to mitigate the stormwater and drainage impacts of a proposed subdivisions or land development. The zoning administrator shall not approve any preliminary plat of a subdivision or construction plans for any land development that does not make adequate provision for storm and floodwater runoff.

- (d) No building permit shall be issued for any building within a subdivision or for the development of land, if there is not present throughout the subdivision or land development an adequate system of drainage and stormwater management.
- (e) When located outside a right of way, easements shall be provided for drainage, and such easements shall be at least 20 feet wide.

Sec. 10-113. Gas, electric and other utilities.

- (a) All utility facilities, including but not limited to gas, electric power, telephone, cable television, and broadband shall be located underground throughout the subdivision or land development. Whenever existing utility facilities are located above ground and outside a public road right of way within subdivisions with lots of less than one acre, they shall be removed and placed underground.
- (b) Easements shall be provided for utilities, private and public, and such easements shall be at least 20 feet wide.

**ARTICLE 10-2
DRAINAGE AND STORMWATER REQUIREMENTS**

- Sec. 10-201. Findings.
- Sec. 10-202. Definitions.
- Sec. 10-203. System maintenance.
- Sec. 10-204. Location of stormwater detention facilities.
- Sec. 10-205. Specifications for stormwater detention facilities.
- Sec. 10-206. Design responsibility.
- Sec. 10-207. Storm drainage pipe slope.
- Sec. 10-208. Reference to state standards.
- Sec. 10-209. Drainage formula.
- Sec. 10-210. Storm events to be utilized.
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- Sec. 10-212. Subdrainage.
- Sec. 10-213. Certification.
- Sec. 10-214. Bridges.
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- Sec. 10-216. Exit velocities.
- Sec. 10-217. Breach analysis.
- Sec. 12-218. Cross drain pipes.
- Sec. 10-219. Stormwater ditches.
- Sec. 10-220. Storm drainage materials and installation.
- Sec. 10-221. Minimum pipe specifications.
- Sec. 10-222. Driveway culverts.

Sec. 10-201. Findings.

- (a) Land development projects and other land use conversions, and their associated changes to land cover, permanently alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, which in turn increase flooding, stream channel erosion, and sediment transport and deposition.
- (b) Land development projects and other land use conversions also contribute to increased nonpoint source pollution and degradation of receiving waters.
- (c) The impacts of post-development stormwater runoff quantity and quality can adversely affect public safety, public and private property, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters.
- (d) These adverse impacts can be controlled and minimized through regulation of stormwater runoff quantity and quality from land development by the use of structural facilities as well as nonstructural measures, such as the conservation of greenspace.

Sec. 10-202. Definitions.

Bioretention: A practice to manage and treat stormwater runoff by using a conditioned planting soil bed and planting materials to filter runoff stored within a shallow depression. The method combines physical filtering and adsorption with biological processes.

Channel: A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

Clean Water Act: The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Construction activity: Activities subject to the Georgia Erosion and Sedimentation Control Act or NPDES General Construction Permits. These include construction projects resulting in land disturbance. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Conveyance: An aboveground or underground natural or man-made drainage feature, that provides for the collection and movement of stormwater, and shall include but not be limited to concrete or metal pipes, ditches, depressions, swales, roads with drainage systems, highways, county streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, drainage channels, reservoirs, rights of way, storm drains, culverts, street gutters, oil/water separators, modular pavements and other similar drainage structures.

Detention: The temporary storage of stormwater runoff in a stormwater management facility for the purpose of controlling peak discharge.

Detention facility: A detention basin or structure designed for temporary storage of stormwater runoff and gradual release of stored water at controlled rates.

Drainage: A general term applied to the removal of surface or subsurface water from a given area either by gravity or by pumping; most commonly applied to surface water.

Drainage easement: An easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the terms of the drainage easement.

Drainage structure: A device composed of a virtually non-erodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for stormwater management, drainage control or flood control purposes.

Drainage system: The surface and subsurface system for the removal of water from the land, including both the natural elements of streams, marshes, swales and ponds, whether of an intermittent or continuous nature, and the man-made element which includes culverts, ditches, channels, detention facilities and the storm sewer system.

Dry well: A small, excavated pit backfilled with aggregate, usually pea gravel or stone. Dry wells function as infiltration systems used to control runoff from building rooftops. Another special application of dry wells is modified catch basins, where inflow is a form of direct surface runoff. Dry wells provide the majority of treatment by processes related to soil infiltration, including absorption, trapping, filtering, and bacterial degradation.

Erosion and sedimentation control plan: A plan designed to minimize the accelerated erosion and sediment runoff at a site during land disturbance activities.

Extended detention: The detention of stormwater runoff for an extended period, typically 24 hours or greater.

Filter strip: Typically, a band of close-growing vegetation, usually grass, planted between pollutant source areas and a downstream receiving waterbody. Vegetation can filter sediment from runoff. Thus grass strips can be used to remove sediment from surface runoff. Vegetation also slows the velocity of runoff and helps maintain the infiltration capacity of a soil.

Infiltration: The process by which stormwater runoff percolates into the subsoil.

Infiltration trench: An excavated trench that has been back-filled with stone to form a subsurface basin. Stormwater runoff is diverted into the trench and is stored until it can be infiltrated into the soil, usually over a period of several days. An infiltration trench may include pretreatment such as vegetated filter strips or grassed swales.

Level spreader: Typically, an outlet designed to convert concentrated runoff to sheet flow and disperse it uniformly across a slope to prevent erosion. Level spreaders can be used to convey

sheet flow runoff from lawn areas within graded areas to bioretention facilities and transition areas.

Low-impact development: The integration of site ecological and environmental goals and requirements into all phases of urban planning and design from the individual lot level to the entire watershed. In the context of this article, low-impact development is a set of stormwater design practices that are non-structural stormwater controls, specifically stormwater better site design practices.

National Pollutant Discharge Elimination System (NPDES) stormwater discharge permit: A permit issued by the Georgia EPD under authority delegated pursuant to 33 USC § 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Natural, undisturbed conditions: For redevelopment projects or where there are no flooding concerns, this term shall mean the condition of the site immediately prior to the implementation of the proposed project.

New development: A land development activity on a previously undisturbed site that has been maintained in a natural state.

Nonpoint source pollution: A form of water pollution that does not originate from a discrete point such as a sewage treatment plant or industrial plant discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction and subsurface disposal as well as from urban runoff sources.

Nonstructural stormwater management practice or nonstructural practice: Any natural or planted vegetation or other nonstructural component of the stormwater management plan that enhances stormwater quantity and/or quality control or other stormwater management benefits and includes, but is not limited to, riparian buffers, greenspace areas, overland flow filtration areas, natural basins and vegetated channels.

Off-site facility: A stormwater management facility located outside the boundaries of a development site.

On-site facility: A stormwater management facility located within the boundaries of a development site.

Permeable: Soil or other material that allows the infiltration or passage of water or other liquids.

Pollutant: Anything that causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous

liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; process waste water and wash water; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; and noxious or offensive matter of any kind.

Pollution: The man-made or man-induced alteration of the chemical, physical, biological, thermal and radiological integrity of water.

Regional stormwater management facility or regional facility: Stormwater management facilities designed to control stormwater runoff from multiple properties where the owners or developers of the individual properties may assist in financing the facility and the requirement for on-site stormwater management facilities is either eliminated or reduced.

Stormwater management: The collection, conveyance, storage, treatment and disposal of stormwater runoff in a manner intended to prevent increased flood damage, stream bank channel erosion and habitat and water quality degradation, and to enhance and promote public health, safety and general welfare.

Sec. 10-203. System maintenance.

- (a) It shall be the responsibility of the developer to maintain all drainage and stormwater management facilities required by approved preliminary plats or development plans during construction and for a two-year maintenance period following approval of a final subdivision plat or issuance of a certificate of development project completion, as applicable. The developer shall be responsible for removing temporary structures or facilities at the completion of the construction.
- (b) The owner of the property shall be responsible for maintaining the drainage and permanent stormwater management facilities identified by the stormwater management plan to remain after construction is complete, following the two-year maintenance period, until or unless maintenance responsibilities are assigned to a homeowner's or property owner's association.
- (c) Should an owner or developer, or other responsible party such as a homeowner's association, fail to maintain drainage or stormwater management facilities in a state of service intended by the stormwater management plan, then the zoning administrator shall notify the responsible party in writing of the deficiencies and specific minimum maintenance requirements to remedy such deficiencies.
- (d) If the responsible party fails to perform the required maintenance work within a reasonable period of time (30 days maximum), then the owner shall be in violation of this development code.

Sec. 10-204. Location of stormwater detention facilities.

- (a) In residential subdivisions, any detention facility must be located on a separate lot and owned by a homeowners' association, which shall be responsible for its maintenance and continuing operation after release of responsibilities by the owner/developer as provided in this article. The lot need not meet minimum lot size requirements for the subdivision or the zoning district in which it is located.
- (b) In nonresidential subdivisions, any detention facility may be located on a separate lot and owned by a property owners' association, which shall be responsible for its maintenance and continuing operation; or located on each lot within the subdivision and constructed when the lot is developed.
- (c) In multi-family residential and nonresidential development projects, detention facilities shall be provided for each development. The owner of the property shall be responsible for maintenance and continuing operation of the facilities.
- (d) Stormwater detention facilities serving two or more developments may be approved by the zoning administrator, provided that private ownership of the facilities and provisions for their perpetual maintenance and continuing operation are clearly established in a written agreement or other manner acceptable to the zoning administrator.

Sec. 10-205. Specifications for stormwater detention facilities.

- (a) Stormwater detention facilities shall provide adequate capacity to accommodate the stormwater runoff from the subdivision lots or land development(s) it serves, as determined by a registered professional engineer, landscape architect, or registered land surveyor subject to approval by the County.
- (b) Unless constructed with 3:1 or lesser slopes and designed as an amenity feature to the subdivision or land development, all stormwater detention facilities shall be surrounded by fencing with a minimum height of 4 feet with a lockable gate for access. If chain link fencing is utilized, it shall be vinyl coated.
- (c) A drainage easement with a minimum width of 20 feet shall be required surrounding all stormwater detention ponds.

Sec. 10-206. Design responsibility.

Sizing and location of all existing and proposed drainage structures shall be the responsibility of a registered professional engineer, landscape architect, or registered land surveyor subject to approval by the County. A registered engineer shall certify the storm drain pipe sizes.

Sec. 10-207. Storm drainage pipe slope.

Storm drainage pipes shall be sloped so as to maintain a minimum velocity of 3 feet per second (fps) so that sediment will not collect.

Sec. 10-208. Reference to state standards.

- (a) Storm sewer catch basins, drop inlets, manholes, and junction boxes shall be designed by the developer's engineer to GDOT Standards and subject to final approval by the County.
- (b) GDOT Standard 1030D (or most current) shall be used in determining class (concrete) or gauge of pipe under fill, method of backfilling and pipe installation.

Sec. 10-209. Drainage formula.

- (a) Drainage formula used in determining size of drainage structure shall be determined by the developer's engineer, landscape architect, or registered land surveyor according to accepted engineering practice, subject to approval of the County.
- (b) Catch basins shall be installed based on the gutter spread calculations.

Sec. 10-210. Storm events to be utilized.

The 25-year storm event shall be used in designing the storm drains. In cases where a spring, creek, or other watercourse traverses the property, the 100-year storm event will be used for design.

Sec. 10-211. Catch basin location.

Catch basins shall be located outside of intersection radii unless unusual circumstances cause undue hardship, in which case the County may waive this requirement.

Sec. 10-212. Subdrainage.

Subdrainage will be installed to control the surplus ground water by intercepting sidehill seepage or by lowering or regulating the ground water level where such conditions exist.

Sec. 10-213. Certification.

A certification by the supplier of the pipe specifications for each pipe may be required before installation.

Sec. 10-214. Bridges.

Bridges shall be designed for a 100-year storm event.

Sec. 10-215. Riprap.

Provide riprap at all downstream discharge points of storm drains. The area of riprap required shall be six (6) times the pipe diameter for the length and two (2) times the pipe diameter for the width.

Sec. 10-216. Exit velocities.

Exit velocities from storm drain pipe for the 25-year storm may be required based on exit velocity calculations.

Sec. 10-217. Breach analysis.

If it is proposed to make a new or existing lake a part of a subdivision, or if the subdivision is located downstream from a water impoundment, the developer shall be required to submit a breach analysis and show the dam breach zone on the plans.

Sec. 10-218. Cross drain pipes.

- (a) Cross drain pipes shall be no less than 15 inches in size when under the street. No storm drain pipe running parallel to the existing primary road shall be located beneath the proposed acceleration/deceleration lanes. The County may modify or waive this requirement if unusual circumstances exist such as topography.
- (b) Maximum continuous length of pipe shall be 300 feet for pipes less than 42 inches.
- (c) Junction boxes having access to the pipe shall be constructed to meet the requirements of GDOT Standard 1030D (or most current).

Sec. 10-219. Stormwater ditches.

All man-made ditches between storm drain pipes and downstream of storm drain pipe shall be designed by a registered professional engineer, landscape architect, or registered land surveyor. The ditch profile and cross-sections shall be shown on the plans as reviewed by the County. The plans shall show the velocity and flow at each cross-section. Stormwater velocity shall not exceed five (5) fps unless the ditches are lined.

Sec. 10-220. Storm drainage materials and installation.

- (a) Table 10-2-1 titled “Selection Guidelines for Storm Sewer Piping,” sets out guidelines for the use of storm sewer pipes by pipe material and type of installation.

Table 10-2-1
Selection Guidelines for Storm Sewer Piping

Type of Pipe Installation	Reinforced Concrete Pipe	Corrugated Steel AASHTO M-36		Corrugated Aluminum AASHTO M=196	Plastic AASHTO M 294	Reinforced Concrete Box Culvert
		Aluminized Type II CMP	Bituminous Coated CMP	Aluminum Alloy CMP	Corrugated High Density Polyethylene Smooth Lined	Per Georgia DOT Standards
Longitudinal (grade less than 10%)	Yes	Yes	Yes	Yes	See Note 1	n/a
Longitudinal (grade 10% or more)	No	Yes	Yes	Yes	See Note 1	n/a
Cross Drain, Local Street	Yes	Yes	Yes	Yes	No	n/a
Cross Drain, Collector or Arterial Street	Yes	No	No	No	No	n/a
Cross Drain, Flowing Stream	Yes	See Note 3	No	No	No	n/a
Cross Drain, 25-year Flow > 200 cfs Fill Depth > 18 feet	See Note 2	See Notes 2 and 3	No	See Note 2	No	Yes

Note 1: Corrugated high density polyethylene pipe, smooth lined type “S”, can only be used for residential driveway applications and must be manufactured and installed in strict compliance with Georgia DOT Standard 1030-P. HDPE applications shall not exceed 36 inches in diameter.

Note 2: Reinforced concrete box culverts are required under excessive flow and/or fill depth conditions. Approved pipe materials may be utilized in some instances, based on the County engineer’s assessment of existing conditions and future maintenance requirements.

Note 3: The addition of a Type “A” full bituminous coating is required. (AASHTO M-190)

- (b) Only reinforced concrete pipe shall be used within street rights-of-way for arterial roads, and major and minor collectors. Concrete pipe shall not be used on grades exceeding 10%. Metal pipe may be used within the rights-of-way of local streets and for driveway culverts. Metal pipe shall either be corrugated steel (AASHTO M-36) with aluminized Type II or bituminous coating, or corrugated aluminum alloy pipe (AASHTO M-196).
- (c) Pipe installation shall conform to GDOT Standard Specifications for construction of roads and bridges. Before any traffic over a storm drain is allowed, the developer shall provide an adequate depth and width of compacted backfill to protect the structure from damage or displacement. The developer shall remove any debris or silt that constricts the flow through a pipe as often as necessary to maintain drainage. All pipe structures shall be cleaned before the work is accepted. Any damage or displacement that may occur due to traffic or erosion shall be repaired or corrected at the developer’s expense.
- (d) Trench construction for storm drainage pipe shall be in accordance with GDOT Standard 1030D (or most current).
- (e) Backfilling of trenches shall be accomplished immediately after the pipe is laid. The fill around the pipe shall be placed in layers not to exceed 6 inches with each layer being thoroughly compacted. All material shall have an in place density of 98% modified proctor to a depth of 6 inches below the finished grade, and 95% modified proctor at depths greater than 6 inches below the finished grade. Compaction requirements shall be

attained by the use of mechanical compaction methods. Each layer of backfill shall be placed loosely and thoroughly compacted in place.

- (f) All backfill shall be non-plastic in nature, free from roots, vegetative matter, waste, construction material or other objectionable material. Said material shall be capable of being compacted by mechanical means and shall have no tendency to flow or behave in a plastic manner under the tamping blows.
- (g) Material deemed by the county as unsuitable for backfill purposes shall be removed and replaced with selected backfill material.
- (h) Water shall not be permitted to rise in trenches that are not backfilled after the pipe has been placed.

Sec. 10-221. Minimum pipe specifications.

All pipes shall be installed in accordance with manufacturers recommendations and GDOT standards.

Sec. 10-222. Driveway culverts.

- (a) Where a wet weather drainage ditch exists between the proposed road and 20 feet into the lot, the design professional shall size the driveway culvert as if the driveway were at the lowest point on that lot. The construction plans shall show the minimum driveway pipe size required.
- (b) Driveway culverts may be any of the types of pipe materials approved for longitudinal pipe installation.
- (c) The inlet and outlet end of all driveway culverts shall have either flared-end sections or concrete headwalls that meet the standards of Georgia Department of Transportation 1120 or 1125.

**ARTICLE 10-3
ENCROACHMENT**

- Sec. 10-301. Utility encroachment permit required.
- Sec. 10-302. Utility encroachment permit procedure.
- Sec. 10-303. Incomplete permit application.
- Sec. 10-304. Permit review and decision.
- Sec. 10-305. Permit commencement, expiration and extension.
- Sec. 10-306. Permit default.
- Sec. 10-307. Termination of permit.
- Sec. 10-308. Utility accommodation policy and standards.

Sec. 7-301. Utility encroachment permit required.

- (a) It shall be unlawful for any utility to excavate or to construct, install, maintain, renew, remove or relocate facilities in, on, along, over or under the public rights of way of the county without a utility encroachment permit from the zoning administrator in accordance with the terms of this article. The zoning administrator shall have an administrative role in assisting the city with processing utility encroachment permit applications.
- (b) The requirement to obtain a utility encroachment permit may be waived by the zoning administrator in cases where utility work contemplated within the public rights of way of the county is shown on construction plans for a private development that has been reviewed and approved by the zoning administrator and a development permit has been issued in accordance with applicable provisions of this development code.
- (c) This section shall not be construed as requiring a separate utility encroachment permit for a driveway or for installation of a storm drainage culvert if such driveway or storm drainage culvert is authorized by the zoning administrator under a separate permit or authorization pursuant to this development code.

Sec. 10-302. Utility encroachment permit procedure.

Utility encroachment permits shall be obtained from the zoning administrator upon application made on forms prescribed by the zoning administrator. The written application shall include the following:

- (a) The name and address of the utility;
- (b) The nature, extent, and location of any work proposed to be done, along with satisfactory plans as attachments showing in detail the location of the proposed facility or operations as described in the permit application. The plans shall show the size or capacity of facilities to be installed; their relationship to street features such as right-of-way lines, pavement edge, structures, etc., horizontal and vertical clearance to critical elements of the roadway and any other information necessary by the county engineer or zoning administrator to evaluate the impact on the street and its operation;
- (c) The name and address of the person or firm who is to do such work;
- (d) The name, street address, email address if applicable and telephone and facsimile numbers of one or more facilities representative(s).
- (e) The projected starting and finishing dates for the work;
- (f) An indemnity bond or other acceptable security, if required by the zoning administrator, in an amount to be set by the county to pay any damages to any part of the county road

system or other city property or to any county employee or member of the public caused by activity or work of the utility performed under authority of the permit issued;

- (g) A copy, if requested, of the registrant's certificate of authority (or other acceptable evidence of authority to operate) from the Georgia Public Service Commission and/or the FCC and any other similar approvals, permits, or agreements;
- (h) A copy, if requested, of the service agreement, if applicable or other legal instrument that authorizes the utility to use or occupy the right of way for the purpose described in the application;
- (i) The application shall be accompanied by a permit review fee, as established by the master fee schedule of the county.

Sec. 10-303. Incomplete permit application.

If a permit application is incomplete, the zoning administrator shall notify the applicant and shall provide a reasonable period of time in which to revise the application.

Sec. 10-304. Permit review and decision.

- (a) Unless the permit application is extraordinarily complicated and extensive, in which case more time may be taken, the zoning administrator shall have 30 calendar days from the posted application submission deadline to review the permit application for compliance with the requirements of this division and to evaluate the application in terms of the impact of work proposed in the permit with regard to the following: impacts on safety, visual quality of streets, traffic flow, other users of the right of way; and the difficulty and length of time of the project.
- (b) The zoning administrator shall issue the requested permit if there are no concerns with regard to the criteria of this article. The zoning administrator may place conditions of approval on any permit issued. If there are concerns with issuing the requested permit, the zoning administrator shall indicate those concerns or objections in writing to the applicant and deny the requested permit.
- (c) Any applicant aggrieved of a decision to deny a utility encroachment permit under the provisions of this division may file in writing and sent via certified mail an appeal with the zoning administrator, who shall schedule the appeal in accordance with procedures of this development code for appeal of administrative decisions.

Sec. 10-305. Permit commencement, expiration and extension.

- (a) Each permit issued by the zoning administrator shall have a set commencement and expiration dates based on information provided in the applicant's permit application. When the construction under any permit is completed, the utility shall notify the zoning

administrator. The permit shall remain in place until construction or activity authorized under the permit is completed or until its expiration date unless the utility is in default.

- (b) If work is not begun within six months of the date of permit issuance, the permit will automatically expire.
- (c) The zoning administrator is authorized but shall not be obligated to grant an extension to a permit prior to expiration, upon application, and provided that a permit review fee required for a permit application is paid.

Sec. 10-306. Permit default.

The zoning administrator may find a utility in default and give written notice of default to a utility if it is determined that a utility has:

- (a) Violated any provision, requirement, or condition of a utility encroachment permit, or any law of the county, state, or federal government;
- (b) Attempted to evade any provision or requirement of this division;
- (c) Practiced any fraud or deceit upon the county; or
- (d) Made a material misrepresentation or omission of fact in its permit application.

Sec. 10-307. Termination of permit.

If a utility fails to cure a default within 20 calendar days after such notice is provided to the utility by the county, then such default shall be a material breach and the county may exercise any remedies or rights it has at law or in equity to terminate the permit. If the zoning administrator decides there is cause or reason to terminate, the following procedure shall be followed:

- (a) The zoning administrator shall serve a utility with a written notice of the reason or cause for proposed termination and shall allow a utility a minimum of 20 calendar days to cure its breach; and
- (b) If the utility fails to cure within 20 calendar days, the county may declare the permit terminated.

Sec. 10-308. Utility accommodation policy and standards.

- (a) The document known as “utility accommodation policy and standards,” promulgated and published by the Georgia Department of Transportation Division of Operations, Office of Utilities, dated 2016, and as may be amended from time to time, is hereby adopted in its entirety as if fully set forth in this article, as minimum required standards.

- (b) A copy of the “utility accommodation policy and standards” shall be maintained by the county clerk and shall be available for public inspection.
- (c) References in the “utility accommodation policy and standards” to state personnel, agencies, and fees shall be interpreted, where required, as meaning the Franklin County equivalents.
- (d) Any conflicts between the provisions of this article and the “utility accommodation policy and standards” shall be resolved in favor of the “utility accommodation policy and standards.”

CHAPTER 11 FLOOD DAMAGE PREVENTION

CHAPTER 11-1 GENERAL PROVISIONS

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**DIVISION I
GENERAL PROVISIONS**

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- Sec. 11-107. Basis for area of special flood hazard.

Sec. 11-101. Authority.

Chapter IX, Section II of the Constitution of the State of Georgia and Section 36-1-20(a) of the Official Code of Georgia Annotated have delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

Sec. 11-102. Findings.

- (a) The flood hazard areas of Franklin County, Georgia are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- (b) These flood losses are caused by the occupancy in flood hazard areas of uses vulnerable to floods, which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages, and by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities.
- (c) The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of Franklin County, or by any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

Sec. 11-103. Purposes.

It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions applicable in Franklin County designed to:

- (a) Require that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;
- (b) Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion;
- (c) Control filling, grading, dredging and other development which may increase flood damage or erosion;
- (d) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands; and
- (e) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters.

Sec. 11-104. Objectives.

The objectives of this chapter are to:

- (a) Protect human life and health;
- (b) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains
- (c) Help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas,
- (d) Minimize expenditure of public money for costly flood control projects;
- (e) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (f) Minimize prolonged business interruptions, and;
- (g) Insure that potential homebuyers are notified that property is in a flood area.

Sec. 11-105. Applicability.

This chapter shall apply to all areas of special flood hazard within the county.

Sec. 11-106. Definitions.

Unless specifically defined below, words or phrases used in this section shall be interpreted so as to give them the meaning they have in common usage and to give this section its most reasonable application.

Accessory structure: A structure having minimal value and used for parking, storage and other non-habitable uses, such as garages, carports, storage sheds, pole barns, hay sheds and the like.

Addition (to an existing building): Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by an independent perimeter load-bearing wall, shall be considered “new construction.”

Administrator: The zoning administrator of Franklin County, Georgia.

Appeal: A request for a review of the zoning administrator’s interpretation of any provision of this chapter.

Area of shallow flooding: A designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet, and/or where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area of special flood hazard: The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. In the absence of official designation by the Federal Emergency Management Agency, Areas of Special Flood Hazard shall be those designated by the local community and referenced in this chapter.

Base flood: The flood having a one percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE): The elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30, and VE that indicates the water surface elevation resulting from a flood that has a one percent chance of equaling or exceeding that level in any given year.

Basement: That portion of a building having its floor sub grade (below ground level) on all sides.

Building: Any structure built for support, shelter, or enclosure for any occupancy or storage.

Critical facility: Any public or private facility, which, if flooded, would create an added dimension to the disaster or would increase the hazard to life and health. Critical facilities include: structures or facilities that produce, use, or store highly volatile, flammable, explosive, toxic, or water-reactive materials; hospitals and nursing homes, and housing for the elderly, which are likely to contain occupants who may not be sufficiently mobile to avoid the loss of life or injury during flood and storm events; emergency operation centers or data storage centers which contain records or services that may become lost or inoperative during flood and storm events; and generating plants, and other principal points of utility lines.

Development: Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, and storage of materials or equipment.

Elevated building: A non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

Existing construction: For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the initial Flood Insurance Rate Maps for that community.

Existing manufactured home park or subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management regulations adopted by Franklin County.

Expansion to an existing manufactured home park or subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

Flood or flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal waters; or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Hazard Boundary Map (FHBM): An official map of a community, issued by the Federal Insurance Administration, where the boundaries of areas of special flood hazard have been defined as Zone A.

Flood Insurance Rate Map (FIRM): An official map of a community, issued by the Federal Insurance Administration, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

Flood Insurance Study: The official report by the Federal Insurance Administration evaluating flood hazards and containing flood profiles and water surface elevations of the base flood.

Floodplain: Any land area susceptible to flooding.

Flood proofing: Any combination of structural and non-structural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Freeboard: A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Highest adjacent grade: The highest natural elevation of the ground surface, prior to construction, adjacent to the proposed foundation of a building.

Historic structure: Any structure that is: listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either (1) by an approved state program as determined by the Secretary of the Interior, or (2) directly by the Secretary of the Interior in states without approved programs.

Lowest floor: The lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this section.

Manufactured home: A building, transportable in one or more sections, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Manufactured home park or subdivision: A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Mean sea level: The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

National Geodetic Vertical Datum (NGVD): As corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

New construction: For the purposes of determining insurance rates, structures for which the “start of construction” commenced after the effective date of the initial Flood Insurance Rate Map and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the “start of construction” commenced after the effective date of the first floodplain management ordinance adopted by Franklin County and includes any subsequent improvements to such structures.

New manufactured home park or subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed after the effective date of the first floodplain management ordinance adopted by Franklin County.

North American Vertical Datum (NAVD): Has replaced the National Geodetic Vertical Datum of 1929 in existing and future FEMA Flood Modernization Maps.

Recreational vehicle: A vehicle, which is built on a single chassis; 400 square feet or less when measured at the largest horizontal projection; designed to be self-propelled or permanently towable by a light duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Start of construction: The date the development permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of the structure such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, and includes the placement of a manufactured home on a foundation. (Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of buildings appurtenant to the permitted structure, such as garages or sheds not occupied as dwelling units or part of the main structure. (NOTE: accessory structures are NOT exempt from any ordinance requirements). For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure: A walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank.

Subdivision: The division of a single lot into two or more lots for the purpose of sale or development.

Substantial damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

Substantial improvement: Any reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during a 5-year period, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure prior to the “start of construction” of the improvement. Note: The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures, which have incurred “substantial damage,” regardless of the actual amount of repair work performed.

For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include (1) those improvements of a structure required to comply with existing violations of state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions and which have been identified by the Administrator or his or her designee, and not solely triggered by an improvement or repair project, or (2) any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.”

Substantially improved existing manufactured home parks or subdivisions: Where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

Variance: A grant of relief from the requirements of this chapter, which permits construction in a manner otherwise prohibited by this section.

Violation: The failure of a structure or other development to be fully compliant with the community’s floodplain management regulations. A structure or other development without the elevation certificate, or other certifications, or other evidence of compliance required by this ordinance is presumed to be in violation until such time as that documentation is provided.

Sec. 1007. Basis for area of special flood hazard.

- (a) **Flood insurance study.** The areas of special flood hazard identified by the Federal Emergency Management Agency in its Flood Insurance Study (FIS), for Franklin County, Georgia and incorporated areas effective September 26, 2008, with accompanying maps and other supporting data and any revision thereto, are adopted by reference and declared a part of this chapter.
- (b) **Flood insurance rate maps.** The flood insurance rate maps for Franklin County, Georgia and incorporated areas effective September 26, 2008, are adopted as if fully contained within this chapter and shall be the basis for determining areas of special flood hazard.

- (c) **Additional areas of special flood hazard.** Areas of special flood hazard may also include those areas known to have flooded historically or defined through standard engineering analysis by governmental agencies or private parties but not yet incorporated in a Flood Insurance Study.
- (d) **Repository.** The repository for public inspection of the Flood Insurance Study (FIS), accompanying maps and other supporting data and the Flood Insurance Rate Maps is the office of the county clerk, Franklin County.

ARTICLE 11-2 PERMITTING REQUIREMENTS

- Sec. 11-201. Permit required.
- Sec. 11-202. Permit procedures.
- Sec. 11-203. Specific information required – application stage.
- Sec. 11-204. Specific information required – construction stage.

Sec. 11-201. Permit required.

No development activity shall commence within an area regulated by this chapter until and unless a flood area permit shall have been approved by the zoning administrator. No development activity shall be approved unless it conforms with the provisions of this chapter prior to the commencement of any development activities. No building or structure shall be constructed within an area regulated by this chapter until and unless a flood area permit or building permit, or both if required shall have been approved by the zoning administrator. No building or structure shall be approved unless it conforms with the provisions of this chapter prior to the construction of said building or structure.

Sec. 11-202. Permit procedures.

Application for a flood area permit shall be made to the zoning administrator on forms furnished by the department prior to any development activities, and may include, but not be limited to the following: plans in sufficient number as specified by the department, drawn to scale showing the elevations of the area in question and the nature, location, dimensions, of existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities.

Sec. 11-203. Specific information required – application stage.

The following information is required at the application stage:

- (a) Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all proposed structures;
- (b) Elevation in relation to mean sea level to which any non-residential structure will be flood-proofed;

- (c) Design certification from a registered professional engineer or architect that any proposed non-residential flood-proofed structure will meet the flood-proofing criteria of this chapter; and
- (d) Description of the extent to which any watercourse will be altered or relocated as a result of a proposed development.

Sec. 11-204. Specific information required – construction stage.

The following information is required at the construction stage:

- (a) For all new construction and substantial improvements, the permit holder shall provide to the zoning administrator an as-built certification of the regulatory floor elevation or flood-proofing level immediately after the lowest floor or flood proofing is completed. Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When flood proofing is utilized for non-residential structures, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same.
- (b) Any work undertaken prior to submission of these certifications shall be at the permit holder's risk. The zoning administrator shall review the above referenced certification data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being allowed to proceed. Failure to submit certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project

ARTICLE 11-3
PROVISIONS FOR FLOOD HAZARD REDUCTION

- Sec. 11-301. General standards.
- Sec. 11-302. Elevated buildings.
- Sec. 11-303. New construction and/or substantial improvements.
- Sec. 11-304. Non-residential construction.
- Sec. 11-305. Manufactured homes.
- Sec. 11-306. Recreational vehicles.
- Sec. 11-307. Floodway.
- Sec. 11-308. Building standards for streams without established base flood elevations and/or floodway (A-zones).
- Sec. 11-309. Standards for areas of special flood hazard (Zones AE) with established base flood elevations without designated floodways.
- Sec. 11-310. Standards for areas of shallow flooding (AO Zones).
- Sec. 11-311. Subdivisions.
- Sec. 11-312. Critical facilities.

Sec. 11-301. General standards.

In all areas of special flood hazard the following provisions are required:

- (a) **Anchoring.** New construction and substantial improvements of existing structures shall be anchored to prevent flotation, collapse or lateral movement of the structure.
- (b) **Flood-resistant materials.** New construction and substantial improvements of existing structures shall be constructed with materials and utility equipment resistant to flood damage.
- (c) **Construction methods and practices.** New construction or substantial improvements of existing structures shall be constructed by methods and practices that minimize flood damage.
- (d) **Heating and air conditioning.** All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (e) **Manufactured homes.** Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State requirements for resisting wind forces.
- (f) **Water supply.** New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

- (g) **Sewage systems.** New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- (h) **On-site sewage disposal systems.** On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (i) **Nonconformities.** Any alteration, repair, reconstruction or improvement to a structure, which is not compliant with the provisions of this ordinance, shall be undertaken only if the non- conformity is not furthered, extended or replaced.

Sec. 11-302. Elevated buildings.

- (a) In all areas of special flood hazard, all new construction or substantial improvements of existing structures that include any fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed so as to be an unfinished or flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.
- (b) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
 - 1. Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - 2. The bottom of all openings shall be no higher than one foot above grade; and,
 - 3. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both direction.
- (c) So as not to violate the “lowest floor” criteria of this chapter, the unfinished or flood resistant enclosure shall only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area, and
- (d) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

Sec. 11-303. New construction and/or substantial improvements.

In all areas of special flood hazard the following provisions are required for new construction and/or substantial improvements:

- (a) Where base flood elevation data are available, new construction and/or substantial improvement of any structure or manufactured home shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation.

Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with standards of this chapter for “elevated buildings.”

- (b) All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be elevated at or above three feet above the base flood elevation.

Sec. 11-304. Non-residential construction.

- (a) New construction and/or the substantial improvement of any structure located in A1-30, AE, or AH zones, may be flood-proofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to three (3) feet above the base flood elevation, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy.
- (b) A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the zoning administrator as set forth in this chapter.

Sec. 11-305. Manufactured homes.

Where base flood elevation data are available:

- (a) All manufactured homes placed and/or substantially improved on: (1) individual lots or parcels, (2) in new and/or substantially improved manufactured home parks or subdivisions, (3) in expansions to existing manufactured home parks or subdivisions, or (4) on a site in an existing manufactured home park or subdivision where a manufactured home has incurred “substantial damage” as the result of a flood, must have the lowest floor including basement, elevated no lower than three feet above the base flood elevation.
- (b) Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision may be elevated so that either: the lowest floor of the manufactured home is elevated no lower than three feet above the level of the base flood elevation; or the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.
- (c) All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

Sec. 11-306. Recreational vehicles.

All recreational vehicles placed on sites must either:

- (a) Be on the site for fewer than 180 consecutive days;
- (b) Be fully licensed and ready for highway use, (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or
- (c) The recreational vehicle must meet all the requirements for “new construction,” including the anchoring and elevation requirements of this chapter.

Sec. 11-307. Floodway.

Located within areas of special flood hazard established in this Chapter are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:

Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase in flood levels or floodway widths during a base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof.

Sec. 11-308. Building standards for streams without established base flood elevations and/or floodway (A-zones).

Located within the areas of special flood hazard established in this chapter, are streams for which no base flood data have been provided (A-Zones), or where base flood data have been provided but a floodway has not been delineated. When base flood elevation data or floodway data have not been provided in accordance with this section, then the administrator shall obtain, review, and reasonably utilize any scientific or historic base flood elevation and floodway data available from a Federal, State, or other source, in order to administer the provisions of this chapter. Only if data are not available from these sources, then the following provisions apply:

- (a) No encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet, whichever is greater, measured from the top of the stream bank, unless certification by a registered professional engineer is provided demonstrating that such encroachment shall not result in more than a one foot increase in flood levels during the occurrence of the base flood discharge.

- (b) In special flood hazard areas without base flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three feet above the highest adjacent grade at the building site. (NOTE: Require the lowest floor to be elevated one foot above the estimated base flood elevation in A-Zone areas where a limited detail study has been completed). Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of this section for “elevated buildings.”
- (c) All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be elevated no less than three feet above the highest adjacent grade at the building site.
- (d) The administrator shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.

Sec. 11-309. Standards for areas of special flood hazard (Zones AE) with established base flood elevations without designated floodways.

Located within the areas of special flood hazard established in this chapter, where streams with base flood elevations are provided but no floodways have been designated (Zones AE), the following provisions apply:

- (a) No encroachments, including fill material, new structures or substantial improvements shall be located within areas of special flood hazard, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
- (b) New construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with this chapter.

Sec. 11-310. Standards for areas of shallow flooding (AO Zones).

Areas of special flood hazard established in this section may include designated “AO” shallow flooding areas. These areas have base flood depths of one to three feet above ground, with no clearly defined channel. The following provisions apply:

- (a) All new construction and substantial improvements of residential and non-residential structures shall have the lowest floor, including basement, elevated to the flood depth number specified on the Flood Insurance Rate Map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least three feet above the highest adjacent grade. Openings sufficient to

facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of this chapter for “elevated buildings.” The administrator shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.

- (b) New construction or the substantial improvement of a non-residential structure may be flood-proofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to the specified FIRM flood level plus two feet, above highest adjacent grade, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the official as set forth in this paragraph and as required in this chapter.
- (c) Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

Sec. 11-311. Subdivisions.

- (a) All subdivision and/or development proposals shall be consistent with the need to minimize flood damage.
- (b) All subdivision and/or development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
- (c) All subdivision and/or development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (d) For subdivisions and/or developments greater than fifty lots or five acres, whichever is less, base flood elevation data shall be provided for subdivision and all other proposed development, including manufactured home parks and subdivisions. Any changes or revisions to the flood data adopted herein and shown on the FIRM shall be submitted to FEMA for review as a Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Amendment (CLOMA), whichever is applicable. Upon completion of the project, the developer is responsible for submitting the “as-built” data to FEMA in order to obtain the final LOMR.

Sec. 11-312. Critical facilities.

Critical facilities shall not be located in the 100-year floodplain or the 500-year floodplain. All ingress and egress from any critical facility must be protected to the 500-year flood elevation.

**ARTICLE 11-4
VARIANCES AND APPEALS**

- Sec. 11-401. Variance procedures.
- Sec. 11-402. Criteria and conditions for variances.
- Sec. 11-403. Conditional approval permitted.
- Sec. 11-404. Actions following variance approval.

Sec. 11-401. Variance procedures.

- (a) The Franklin County Board of Commissioners shall hear and decide requests for appeals or variance from the requirements of this chapter. Procedures for consideration of variances to the requirements of this chapter shall be the same as provided in this development code for variances generally.
- (b) The Franklin County Board of Commissioners shall hear and decide appeals when it is alleged an error in any requirement, decision, or determination is made by the zoning administrator, in the enforcement or administration of this chapter. Procedures for consideration of appeals shall be the same as provided in this development code for appeals of administrative decisions, generally.
- (c) Any person aggrieved by the decision of the Franklin County Board of Commissioners may appeal such decision to the Superior Court of Franklin County, as provided in Section 5-4-1 of the Official Code of Georgia Annotated.

Sec. 11-02. Criteria and conditions for variances.

The provisions of this chapter are minimum standards for flood loss reduction; therefore, any deviation from the standards must be weighed carefully. In reviewing requests for variances, the Franklin County Board of Commissioners shall consider all technical evaluations, relevant factors, and the following standards in addition to others in this ordinance. A variance shall be issued only when consistent with the following criteria and conditions:

- (a) A finding of good and sufficient cause is made.
- (b) A determination is made that failure to grant the variance would result in exceptional hardship.
- (c) A determination is made that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- (d) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

- (e) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (f) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum to preserve the historic character and design of the structure. In the instance of an historic structure, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.
- (g) Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this chapter are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.

Sec. 11-403. Conditional approval permitted.

Upon consideration of the factors listed above and the purposes of this ordinance, the Franklin County Board of Commissioners may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.

Sec. 11-404. Actions following variance approval.

- (a) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance will be commensurate with the increased risk to life and property resulting from the reduced lowest floor elevation.
- (b) The zoning administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

**ARTICLE 11-5
ADMINISTRATION AND LEGAL STATUS PROVISIONS**

- Sec. 11-501. Administration.
- Sec. 11-502. Abrogation and greater restrictions.
- Sec. 11-503. Warning and disclaimer of liability.
- Sec. 11-504. Penalties for violation.

Sec. 11-501. Administration.

The zoning administrator is hereby appointed to administer and implement the provisions of this chapter. Duties of the zoning administrator shall include, but shall not be limited to the following:

- (a) Review proposed development to assure that the permit requirements of this chapter have been satisfied.
- (b) Review proposed development to assure that all necessary permits have been received from governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. Require that copies of such permits be provided and maintained on file.
- (c) Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding.
- (d) When base flood elevation data or floodway data have not been provided in accordance with this chapter, then the administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other sources in order to administer the provisions of this chapter.
- (e) Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new or substantially improved structures in accordance with this chapter.
- (f) Review and record the actual elevation, in relation to mean sea level to which any new or substantially improved structures have been flood-proofed, in accordance with this chapter.
- (g) When flood-proofing is utilized for a structure, the administrator shall obtain certification of design criteria from a registered professional engineer or architect in accordance with this chapter.
- (h) Make substantial damage determinations following a flood event or any other event that causes damage to structures in flood hazard areas.
- (i) Notify adjacent communities and the Georgia Department of Natural Resources prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).
- (j) For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to the FEMA to ensure accuracy of community flood maps through the letter of map revision process. Assure flood carrying capacity of any altered or relocated watercourse is maintained.
- (k) Make interpretations of this chapter. In the interpretation and application of this Chapter all provisions shall be: considered as minimum requirements; liberally construed in favor of the county, and; deemed neither to limit nor repeal any other powers granted under state statutes. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the administrator shall make the necessary

interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this chapter. In the interpretation and application of this ordinance all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the county, and; (3) deemed neither to limit nor repeal any other powers granted under state statutes.

- (1) All records pertaining to the provisions of this chapter shall be maintained in the office of the county clerk and shall be open for public inspection.

Sec. 11-502. Abrogation and greater restrictions.

This chapter is not intended to repeal, abrogate, or impair any existing ordinance, easements, covenants, or deed restrictions. However, where this chapter and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Sec. 11-503. Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of Franklin County, or by any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

Sec. 11-504. Penalties for violation.

Failure to comply with the provisions of this chapter or with any of its requirements, including conditions and safeguards established in connection with grants of variance shall constitute a violation. Any person who violates this ordinance or fails to comply with any of its requirements shall be subject to the provisions of the Code of Franklin County and this development code relative to violations. Nothing herein contained shall prevent Franklin County from taking such other lawful actions as is necessary to prevent or remedy any violation.

ARTICLE 12
RESERVED FOR FUTURE USE

ARTICLE 13
RESERVED FOR FUTURE USE

ARTICLE 14
ADMINISTRATION AND ENFORCEMENT

ARTICLE 14-1 ADMINISTRATION

- Sec. 14-101. Responsible administrator.
- Sec. 14-102. Responsibilities of the administrator.
- Sec. 14-103. Delegation.
- Sec. 14-104. Amendment of development code.
- Sec. 14-105. Variances.
- Sec. 14-106. Appeals of administrative decisions.

ARTICLE 14-2 INTERPRETATION

- Sec. 14-201. Use of figures and examples for illustration.
- Sec. 14-202. Use of words or phrases.
- Sec. 14-303. Relationship to other regulations.

ARTICLE 14-3 ENFORCEMENT

- Sec. 14-301. Definitions.
- Sec. 14-302. Enforcement generally.
- Sec. 14-303. Authority to enter property and inspect.
- Sec. 14-304. Notice of violation.
- Sec. 14-305. Stop work order.
- Sec. 14-306. Cease and desist order.
- Sec. 14-307. Violations.
- Sec. 14-308. Service of citation.
- Sec. 14-309. Referral of violation to county attorney.
- Sec. 14-310. Violation a misdemeanor.
- Sec. 14-311. Failure to obtain a development permit for land-disturbing activity.
- Sec. 14-312. Civil monetary penalties.
- Sec. 14-313. Additional remedies.

ARTICLE 14-1
ADMINISTRATION

- Sec. 14-101. Responsible administrator.
- Sec. 14-102. Responsibilities of the administrator.
- Sec. 14-103. Delegation.
- Sec. 14-104. Amendment of development code.
- Sec. 14-105. Variances and appeals.
- Sec. 14-106. Appeals of administrative decisions.

Sec. 14-101. Responsible administrator.

The zoning administrator, as appointed by the Franklin County Board of Commissioners is responsible for the supervision and execution of all administrative functions of this development code, unless otherwise specified. This development code shall be administered, interpreted, and enforced by the zoning administrator, who shall have all of the duties and authority with respect to this development code as provided in the various chapters, articles and sections of this development code, and those necessarily implied by said provisions.

Sec. 14-102. Responsibilities of the administrator.

Functions and duties of the zoning administrator include but are not limited to the following:

- (a) **Forms, procedures, and guidelines.** Promulgate administrative procedures, guidelines, application forms, and schedules with deadlines and meeting dates for various applications required by this development code; and
- (b) **Fee schedule initiation.** Periodically propose and update fee schedules for various applications and permits required by this development. Said fee schedule proposed by the zoning administrator shall not become binding until adopted by the Franklin County Board of Commissioners by resolution; and
- (c) **Administrative application processing.** Receive, review and approve, conditionally approve or deny applications for minor subdivisions, boundary line adjustment, lot combination, development permit, building permit, and any other procedure of this development that requires an application be filed with the zoning administrator and administratively decided by the zoning administrator; and
- (d) **Inspections program.** Execute a program of inspections of land development, as required to implement this development code. The zoning administrator or designee will periodically inspect the sites of land-disturbing activities for which development permits have been issued to determine if the activities are being conducted in accordance with the approved plans; and
- (e) **Enforcement program.** Execute a program of enforcement of this development code and other codes assigned to the zoning administrator for enforcement; and
- (f) **Interpretation.** Interpret the provisions of this development code, where uncertainty exists; and
- (g) **Other.** Tend to other administrative details not inconsistent with the provisions of this development code, and to implement the provisions of this development code.

Sec. 14-103. Delegation.

- (a) The zoning administrator may delegate administrative functions, powers, and duties assigned by this development code to other staff as may be appropriate, without the need to separately authorize such delegation by formal action, including but not limited

to code enforcement and building permitting and inspections. Such delegation shall not be considered necessary if the

- (b) Franklin County Board of Commissioners has arranged for code enforcement and/or building permitting and inspections to be provided by an approved private vendor.

Sec. 14-104. Amendment of development code.

- (a) The Franklin County Board of Commissioners may amend this development code in a manner consistent with this section. Before enacting such amendment to this development code, the Franklin County Board of Commissioners may but is not obligated to seek a recommendation from the
- (b) Franklin County Planning Commission on the proposed amendment. The Franklin County Board of Commissioners may but shall not be required to hold a public hearing on an amendment to this development code.

Sec. 14-105. Variances.

- (a) Upon application by the subdivider or land developer and after review by the Planning Commission, the Franklin County Board of Commissioners shall be authorized to grant a variance or variances to the strict requirements of this development code for good cause shown, where owing to special or unique circumstances, a literal interpretation of the development code would cause unnecessary hardship or practical difficulty.
- (b) The Franklin County Board of Commissioners may but shall not be required to seek a recommendation from the Franklin County Planning Commission on the proposed variance request. The Franklin County Board of Commissioners may but shall not be required to hold a public hearing on an application for variance to this development code.
- (c) The Franklin County Board of Commissioners may approve or disapprove the proposed variance, or it may approve the application with conditions.

Sec. 14-106. Appeals of administrative decisions.

- (a) Any person aggrieved by an interpretation or decision of the zoning administrator in the administration or enforcement of this development may file an application to appeal that decision to the Franklin County Board of Commissioners.
- (b) If any person desires to appeal a decision or action of the zoning administrator in the administration or enforcement of this development code, he or she shall file an appeal application with the zoning administrator within 30 days of the date of the action or decision being appealed.
- (c) Upon receipt of said application, the zoning administrator shall arrange a date and time before the Franklin County Board of Commissioners on which the appeal shall be heard and shall notify the applicant in writing. The application for an appeal shall include

specific information regarding the nature of the appeal, the basis for the appeal, statute or code references, and supporting documentation submitted with the appeal application.

- (d) The Franklin County Board of Commissioners may approve the appeal or disapprove it. The Board shall have all the powers of the zoning administrator and to that end may issue or direct the issuance of any permit.

ARTICLE 14-2 INTERPRETATION

Sec. 14-201. Use of figures and examples for illustration.

Sec. 14-202. Use of words or phrases.

Sec. 14-203. Relationship to other regulations.

Sec. 14-201. Use of figures and examples for illustration.

Figures, examples, or explanatory text associated with defined terms or regulatory paragraphs in this development code are provided for illustration only and do not limit or change the meaning of the term as defined or the requirements of the regulation as written.

Sec. 14-202. Use of words or phrases.

For the purpose of this development code, the following shall apply to the use of words and phrases:

- (a) Words used in the present tense include the future tense. Words used in the singular tense include the plural tense, and words used in the plural tense include the singular tense. The masculine person “he” or “his” also means “her” or “hers.”
- (b) References to the “county” and to the Franklin County Board of Commissioners and any public officials or appointed bodies of the county not otherwise named by political jurisdiction or defined in this development code shall always mean Franklin County, Georgia, and its governing body, appointed or employed officials, and appointed bodies.
- (c) The word “person” is intended to include any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of this State, any interstate body or any other legal entity.
- (d) The words “shall,” “will,” “is to” and “must” are always mandatory and not discretionary, while the word “may” is permissive.
- (e) The word “and” indicates that all of the conditions, requirements or factors so connected must be met or fulfilled, while the word “or” indicates that at least one condition, requirement or factor so connected must be met.
- (f) The term “such as” is intended to introduce one or more examples in illustration of

a requirement or point, and is intended to mean “including but not limited to the following.”

- (g) The word “day” means a calendar day unless otherwise specified as a work day, excluding official county holidays.
- (h) The word “used” or “occupied” as applied to any land or building shall be construed to include the words “intended,” “arranged,” or “designed to be used or occupied.”
- (i) All words and phrases are to be interpreted within the context of the sentence, paragraph, subsection, section and article in which they occur.
- (j) Words and phrases not defined in this development code shall be construed to have the meaning given by common and ordinary use, the meaning of which may be further clarified by definition of the word or phrase in a dictionary of the English language in current circulation.
- (k) Definitions are clearly identified as such and are located throughout this development code in the articles or sections to which they most readily refer. All definitions, regardless of location within an article of this development code, apply equally to the use of such terms throughout the development code. In the case where two definitions conflict, the zoning administrator shall determine which definition applies, depending on the specific context.

Sec. 14-203. Relationship to other regulations.

The requirements of this development code are in addition to the requirements of other ordinances, rules, regulations and other provisions of law, and where any provision of this development code imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

**DIVISION III
ENFORCEMENT**

- Sec. 14-301. Definitions.
- Sec. 14-302. Enforcement generally.
- Sec. 14-303. Authority to enter property and inspect.
- Sec. 14-304. Notice of violation.
- Sec. 14-305. Stop work order.
- Sec. 14-306. Cease and desist order.
- Sec. 14-307. Violations.
- Sec. 14-308. Service of citation.
- Sec. 14-309. Referral of violation to county attorney.
- Sec. 14-310. Violation a misdemeanor.
- Sec. 14-311. Failure to obtain permit.
- Sec. 14-312. Civil monetary penalties.
- Sec. 14-313. Additional remedies.

Sec. 14-301. Definitions.

Occupancy: The purpose for which a building or portion thereof is utilized or occupied.

Occupant: Any individual living or sleeping in a building, or having possession of a space within a building.

Operator: Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

Owner: Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Person: An individual, corporation, partnership or any other group acting as a unit.

Sec. 14-302. Enforcement generally.

- (a) Any action or inaction that violates the provisions of this development code or the requirements of an approved plan or permit may be subject to the enforcement actions outlined in this chapter.
- (b) Any action or inaction that violates the provisions of this development code or the requirements of an approved plan or permit and that is continuous with respect to time is deemed a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described in this division shall not prevent such equitable relief.

Sec. 14-303. Authority to enter property and inspect.

- (a) The zoning administrator and code enforcement officer shall have the power to conduct such investigations as may reasonably be deemed necessary to assure or compel compliance with the requirements and provisions of this development code, and for that purpose is authorized to enter at reasonable times upon any property for the purpose of investigation and inspection.
- (b) No person shall refuse entry or access to any authorized representative or agent of the county who requests entry for the purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.

Sec. 14-304. Notice of violation.

- (a) If, through inspection, it is deemed that a person engaged in land-disturbing activities or engaged in a land use has failed to comply with this development code generally,

or has failed to comply with an approved plan or permit, or with conditions of rezoning approval or development permit conditions, or with any other provisions of this development code, a written notice to comply shall be served upon that person responsible for the violation, and the property owner, if different, and the occupant of the property if different.

- (b) The notice shall set forth the section or sections of this development code which have been violated and the measures necessary to achieve compliance and shall state the time within which such measures must be completed. If the person responsible fails to comply within the time specified, he shall be deemed in violation of this development code.
- (c) Any person found to be in violation of this development code shall be deemed to have forfeited any required performance bond if required to post one under the provisions of this development code.

Sec. 14-305. Stop work order.

- (a) Whenever the zoning administrator or code enforcement officer finds any work regulated by this development code being performed in a manner contrary to the provisions of this development code the zoning administrator or code enforcement officer is authorized to issue a stop work order.
- (b) A stop work order shall be issued in writing and shall be given to the owner of the property, to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.
- (c) All stop work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred.
- (d) Where an emergency exists, the zoning administrator or code enforcement officer shall not be required to give written notice prior to stopping the work.
- (e) Any person who shall continue to work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine or penalties as prescribed in this chapter and as otherwise provided or prescribed by law.

Sec. 14-306. Cease and desist order.

The zoning administrator or code enforcement officer shall order discontinuance of illegal use of land, buildings or structures; removal or relocation of illegal buildings or structures or of illegal additions, alterations or structural changes; discontinuance of illegal work being done; or shall take any other appropriate or necessary action to ensure compliance with or to prevent violation of the provisions of this development code.

Sec. 14-307. Violations.

- (a) Upon continuing noncompliance, or initially in the case of an immediate threat to the public health or safety, the zoning administrator, code enforcement officer, county attorney, and any appointed county solicitor shall all have authority to prosecute violations in court.
- (b) Prosecutions for violations of any provision of this development code shall be upon accusation by the county attorney or such other attorney as the Franklin County Board of Commissioners may designate.

Sec. 14-308. Service of citation.

- (a) A citation for or accusation of a violation of this development code shall be served by at least one of the following:
 - 1. Posting a copy of it on the door of the premises where the alleged violation occurred; and
 - 2. Mailing a copy of it by registered or certified mail or statutory overnight delivery to the owner of such premises at the address of record maintained by the applicable tax commissioner. The certificate of mailing to the accused shall constitute prima-facie evidence of compliance with this requirement; and
- (b) Service of a citation shall not be authorized until there has been at least one attempt at personal service on the accused at the address of record of the accused as maintained by the applicable tax commissioner or of the accused's registered agent as maintained by the Secretary of State, provided that such attempt at personal service shall only be required if the accused resides or has a registered agent in this state.
- (c) Prosecutions for violations of this development code upon citations shall be commenced by the completion, signing, and service of a citation by any agent of the county who is authorized by the Franklin County Board of Commissioners to issue citations.

Sec. 14-309. Referral of violation to county attorney.

Any violation alleged under this development code may be referred by the zoning administrator or code enforcement officer to the county attorney for investigation, citation and enforcement.

Sec. 14-310. Violation a misdemeanor.

Violation of any provision of this development code, including violation of conditions of approval established in connection with grants of variance or plat or plan approval, shall constitute a misdemeanor.

Sec. 14-311. Failure to obtain a permit.

If any person commences any land-disturbing activity requiring a development permit as prescribed in this development code without first obtaining said permit, the person shall in addition to all other available remedies be subject to revocation of his authorization for the conduct of a business and associated work activities within the jurisdictional boundaries of the county.

Sec. 14-312. Civil monetary penalties.

- (a) Any person violating any provision of this development code, permitting or plan conditions or stop work order shall be liable for a civil penalty or fine not to exceed \$1,000.00 per day, but in no event less than \$300.00.
- (b) Each day the violation continues shall constitute a separate offense.
- (c) Any civil penalties imposed pursuant to this development code shall be payable to the county, shall commence on the date of issuance of any stop work order, cease and desist order or other notice of noncompliance and shall not be affected by the filing of any appeal.
- (d) Any civil penalty imposed pursuant to this article may, at the discretion of the county, be waived or reduced if, in the discretion of the county, the violator has taken sufficient and timely curative and corrective action.
- (e) No land-disturbance or development permits, inspections, building permits or certificate of occupancies, will be granted to any person who has an outstanding fine for violating this development code.
- (f) Any person who violates any provisions of this development code, the rules and regulations adopted pursuant hereto, or any permit condition or limitation established pursuant to this development code or who negligently or intentionally fails or refuses to comply with any final or emergency order of the zoning administrator or code enforcement officer issued as provided in this development code shall be liable for a civil penalty not to exceed \$1,000.00 per day.

Sec. 14-313. Additional remedies.

Nothing contained in this division shall prevent the county from taking such other lawful actions as are necessary to prevent or remedy any violation, such as injunction, mandamus or other appropriate action.