

CHAPTER 28 - SUBDIVISIONS

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ARTICLE I. IN GENERAL

Sec. 28-1 Designation, Citation of Chapter

This chapter shall be known as and may be cited as the "Land Subdivision Regulations, City of Winder, Georgia" ("Subdivision Ordinance").

Sec. 28-2 Definitions

For the purpose of this chapter, certain words or terms are defined as follows. All other words not defined below shall have their customary dictionary meanings.

All words used in the present tense include the future tense. All words in the plural number include the singular number, and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word "shall" is intended to be mandatory.

Alley. A privately owned access drive located in the rear of a single or multifamily residential unit that provides residents with vehicular access.

As-built plans. Detailed construction plans showing completed improvements as constructed.

City. The of Winder, Georgia.

City Council. The City Council of Winder, Georgia. The term "City Council" shall be synonymous with the term "Council."

Corner lot. A lot which abuts two or more streets at their intersection, or upon a curved street, provided that the two sides of the lot intersect to form an interior angle of not more than 135 degrees.

Covenant. An agreement or detailed restrictions which runs with the land placed on lots and recorded of record with the clerk of Superior Court.

Cul-de-sac. A dead-end street where there is room for a vehicle to turn at a circular end.

Dead-end street. A street with no outlet at one end.

Easement. A right granted by a property owner to the general public, a public utility, the city or a private individual or corporation for the use or access to a portion of an owners land(s). The use of the easement must be specific and designated

as "public or private," depending on the nature of its use.

Improvements. The physical changes to land(s) which are necessary to make properties useable, this includes without limitation, the installation of water and sewer facilities, grading, paving of streets, hydrants, sidewalks, trails, utilities, drainage and detention systems and other public facilities/amenities.

Lot. Recorded parcel(s) or tract(s) of land(s) held in common or single ownership. In order to meet this definition of "lot", a parcel must meet all applicable requirements of this chapter and the City's zoning ordinance.

Plan, concept/conceptual. A draft drawing of a development showing proposed improvements to a parcel or tract of land. Such a plan does not require all the standards required in this chapter for a preliminary or final plat, nor does it constitute a submitted preliminary plan unless all requirements of this chapter are complied with.

Plat. A map or plan representing a subdivided parcel of land or combination of lands prepared for the purpose of installing and/or finalizing existing and proposed elements of a site to be developed; this would include preliminary and final plat/plans.

A. Preliminary plat/plan: A plan showing the detailed design and layout of a subdivision of land, prepared for the purpose of development and which includes all improvements and meets all requirements specified in this chapter.

B. Final plat/plan: A plat of a subdivision unit, or phase of development with legal description of all lots, easements, open space and right-of-way sufficient to reproduce the plat in the field, and which meets the requirements of the Georgia Plat Act of 1978. The final plat is intended for legal recording of lots, right-of-way, easements, and restrictive covenants.

Public hearing. Meetings announced and advertised in advance in accordance with the Georgia Planning Act of 1989 and open to the public, where the public is given an opportunity to participate in the discussions of the meeting.

Public utilities. Gas, water, sewer, electrical, communication and similar services that are

provided to the public through the city, county, and/or a corporate entity, that is regulated and is a service provided for the benefit of public's health, safety and welfare.

Public utility facilities. Buildings and structures including generating and switching stations, poles, lines, pipes, pumping stations, antennas, transmitters, valves, and all other structures related to the furnishing of utility services in the city.

Sewer. Collection lines, pipes or conduit that transports effluent, sewage or stormwater runoff from a generating source to a treatment facility or receiving body of water.

Sight distance. The distance measured from a vehicle's eye height, measured from the eye height of a motorist to a specific distance.

Street. The term "street" or "streets" means, relates to, and includes streets and avenues, boulevards, roads, highways, expressways, lanes, alleys and other ways.

Subdivider. An individual, firm, association, syndicate, partnership, corporation, trust, or any other legal entity (or their agent), that undertakes the activities covered by these regulations. Inasmuch as the subdivision plat is merely a necessary means to the end of assuring a satisfactory development, the term "subdivider" is intended to include the terms "developer" and "builder" even though the persons involved in successive stages of the project may vary.

Subdivision. A division of a tract or parcel of land into two or more lots, building sites, or divisions for the purpose (whether immediate or future) of conveyance, transfer, improvement, sale, legacy or building development. Subdivision includes all division of land involving a new street or a change in existing streets, as well as resubdivision. Subdivision also refers to the process of subdividing or to the land or areas subdivided.

Subdivision, major. Any subdivision which does not qualify as a minor subdivision.

Subdivision, minor. The subdivision of a tract of land existing prior to the adoption of this ordinance which does not create more than three lots and which does not require the construction of a new street or the widening of an existing street, the provision of stormwater drainage facilities (other than driveway culverts), or the

construction or improvement of any public utilities.

Zoning Administrator. The City Administrator or their designee.

Sec. 28-3 Scope and Purpose

The provisions of this chapter shall govern all subdivision of land within the corporate limits of the City of Winder, in accordance with the City's Zoning Ordinance, stormwater and environmental ordinances, and all other applicable city ordinances that govern the development of land. The provisions of this chapter have been enacted for the following purposes:

- A. To encourage the development of an economically sound and stable community;
- B. To assure the provision of utilities, infrastructure, public facilities, and other public improvements essential to service new land developments.
- C. To assure that public improvements will be constructed according to safe and enduring standards.
- D. To assure safe and efficient traffic access and circulation, both vehicular and pedestrian, by development of a coordinated street network in relation to existing and planned streets, adjoining residential and nonresidential developments, and public facilities.
- E. To provide for the acceptance of land for public rights-of-way.
- F. To assure that developments are environmentally sensitive and protect of the city's natural elements, and that the potential for natural or manmade hazards or disasters is lessened.
- G. To assure, in general, the wise development of areas in harmony with the Comprehensive Plan; and
- H. To secure equitable handling of all subdivision plans by providing uniform procedures and standards for observance both of the subdivider and the City.

Sec. 28-4 Authority

This chapter is adopted by the City pursuant to authority granted by the constitution and laws of the State of Georgia.

Sec. 28-5 Compliance

No person shall create a subdivision without complying with the provisions of this chapter.

No residential or nonresidential final plat/plan of a development shall be recorded by the Barrow County Clerk of Superior Court unless the same has been approved as provided herein.

No building permits shall be issued or improvements or services authorized or installed in any unapproved development.

Sec. 28-6 Conflict with Other Laws

When the provisions of this chapter specify more restrictive standards than required by any other statute, the requirements of this chapter shall govern. Whenever the provisions of any other statute require more restrictive standards, the provisions of such statute shall govern.

Sec. 28-7 Violation

Violation of the provisions of this chapter or failure to comply with any of its requirements shall be punished by a fine of \$1,000.00 for each violation. Each day during which a violation or failure or refusal to comply continues shall be a separate violation.

Sec. 28-8 Approval Prerequisite to Recording of Plat

No subdivision plat shall be recorded by the Barrow County Clerk of Superior Court unless it has been given final approval per the procedures of this chapter.

Sec. 28-9 Approval Prerequisite to Sale or Transfer of Lots

The subdivider of any land within the municipality who transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land before such plat has been approved per the procedures of this chapter and recorded in the office of the Barrow County Clerk of Superior Court shall be guilty of a misdemeanor.

Sec. 28-10 Private Streets Prohibited

All new streets must be public and must be constructed to the standards of public streets as required by this Chapter. Every lot (except cottage court lots) and every cottage court site must have frontage on a public street. Alleys may not be used to satisfy this requirement.

Sec. 28-11 Street Classifications

Streets are classified according to the function that they serve as well as the type, speed, and volume of traffic they will carry. For the purposes of this chapter, the classifications of streets shall be according to the Federal Highway Administration procedures, or for existing streets, as designated by the Georgia Department of Transportation (GDOT).

Sec. 28-12 Reserved

Sec. 28-13 Reserved

Sec. 28-14 Reserved

Sec. 28-15 Reserved

Sec. 28-16 Reserved

ARTICLE II. PLATS

Sec. 28-17 Review

The Zoning Administrator shall review all preliminary and final plats and may consult with the appropriate City and County Departments to inform their review.

Sec. 28-18 Preapplication Meeting

The subdivider is urged to consult early and informally with the Zoning Administrator. The subdivider may submit sketch plans and information about existing conditions on the site and nearby, as well as the proposed layout of the subdivision. The purpose of this preapplication meeting is to familiarize applicants with the development process and the applicable ordinances and regulations necessary to guide a development. No fees shall be charged for this review.

Sec. 28-19 Submission of Preliminary Plat

Following the preapplication meeting, the subdivider shall submit to the Planning Department a preliminary plat including all of the following information and a filing fee, the amount of which shall be available in the office of the Planning Department. The City Council may alter this fee from time to time. The Zoning Administrator shall forward all preliminary plat applications for major subdivisions to the Planning Board.

- A. Proposed subdivision name or identifying title and acreage to be subdivided.
- B. Name and address of owner of record, subdivider, and owners of adjoining property.
- C. Date and north point.
- D. Contours at intervals not greater than 2 feet and such street cross sections and profiles as may be required by the Planning Board.
- E. Exact boundaries of the tract to be subdivided, by distances and bearings.
- F. Existing and proposed easements and their approximate location, widths and distances.
- G. Names and dimensions of existing and proposed streets and alleys on and adjacent to the tract.
- H. Location and type of existing and proposed sewerage and storm drainage and water

supply facilities and other utilities on or adjacent to the tract, showing proposed connections.

- I. Lot lines with approximate dimensions and lot numbers.
- J. Sites, if any, and their acreage, to be reserved or dedicated for public uses.
- K. The preliminary plat shall be drawn clearly and legibly at a scale of 1 inch equals 200 feet or larger. If the complete plat cannot be shown on one sheet, it may be shown on more than one sheet with an index map on a separate sheet of the same size.
- L. Vicinity map showing location of subdivision and its relationship to the rest of the city and surrounding countryside. This may be shown at a smaller scale than is used generally for the subdivision plat.

Sec. 28-20 Notice, Hearing on Preliminary Plat for Major Subdivisions

The Planning Board shall hold a public hearing on the preliminary plat for all major subdivisions. Notice of time and place of such hearing shall be advertised in a newspaper of general circulation in the city at least fifteen days before such public hearing is held.

Sec. 28-21 Action on Preliminary Plat

The Zoning Administrator shall review the preliminary plat of a minor subdivision for conformance with the rules and regulations of this chapter, and the requirements of the zoning ordinance, and shall take into consideration the general requirements of the community and the best use of the land to be subdivided. The Zoning Administrator may approve, disapprove, or approve the preliminary plat subject to modifications. The Zoning Administrator may indicate the specific changes required, and the amount of public improvements or the amount of the performance bond which it will require as a prerequisite to the approval of the final plat.

The Planning Board shall review the preliminary plat of a major subdivision for conformance with the rules and regulations of this chapter, and the requirements of the zoning ordinance, and shall take into consideration the general requirements of the community and the best use of the land to be subdivided. The Planning Board may approve,

disapprove, or approve the preliminary plat subject to modifications.

Approval of a preliminary plat shall not constitute approval of the final plat. Rather, it shall be deemed an expression of approval of the layout submitted on the preliminary plat as a guide to the preparation of the final plat which will be submitted for approval.

If action by the Zoning Administrator (in the case of minor subdivisions) or Planning Board (in the case of major subdivisions) is not taken within 90 days of the date of submission, the preliminary plat of a subdivision shall be considered approved. The subdivider, however, may waive the ninety-day time and consent to an extension of time.

If construction described in the preliminary plat application has not commenced within 18 months from the date of preliminary plat approval, the preliminary plat approval shall expire.

Sec. 28-22 Prerequisites to Submission of Final Plat

After approval of the preliminary plat and before approval of the final plat, there shall be filed with the City certificates as to the satisfactory completion of all improvements required, and for any requirements not so completed, a certificate by the City Attorney as to the sufficiency of the bond or agreement offered in lieu thereof. Prior to the approval of the final plat, the performance and maintenance agreement required by Sec. 28-24 shall be provided.

Sec. 28-23 Submission of Final Plat

The subdivider shall submit to the Zoning Administrator the final plat of the subdivision along with a letter requesting review and approval of the final plat.

The final plat of a subdivision shall conform to and meet the specifications of the preliminary plat and certain additional specifications as follows:

- A. Exact location and description of survey monuments.
- B. Exact locations, widths and names of all streets and alleys within and immediately adjoining the plat.

- C. Street center lines showing angles of deflection, angles of intersection, radii and lengths of tangents.
- D. Lot lines with dimensions to the nearest one-tenth and bearings.
- E. Lots numbered in numerical order and blocks lettered alphabetically.
- F. Locations and dimensions of all improvements constructed or installed.
- G. Private covenants or restrictions, if any, shall either be recorded on the final plat or on a separate identified document submitted with the final plat.

Sec. 28-24 Performance and Maintenance Agreement

- A. Development performance and maintenance. Before approval of the final plat, the owner shall file a final development performance and maintenance agreement with the city as a prerequisite to the approval of a final plat or issuance of a certificate of occupancy for any part of a project included in the development permit. The development performance and maintenance agreement shall be in a form as required by the city and shall include the following:
 - 1. Any final required landscaping improvement or other improvements yet to be completed. Such improvements shall be completed in accordance with a schedule acceptable to the city.
 - 2. Maintenance of the public streets, drainage facilities, water system improvements and sanitary sewer improvements and easements for 24 months after the date of approval of the final plat. Repairs shall be made by the owner for any deficiencies identified by the city with any of such streets, facilities, improvements or easements within, said 18-month period or the surety bond may be called by the city to complete same.
 - 3. Indemnification of the city against all liability for damages arising as a result of errors or omissions in the design or construction of the

development for a period of ten years.

B. Performance and maintenance surety bond.

1. The performance and maintenance surety bond may be in the form of cash deposited with the city, or a bond issued by a surety acceptable to the city, or an irrevocable letter of credit from a local financial institution, all in a form acceptable to the city.
2. Performance and maintenance surety bonds shall, in all cases, be provided in an amount established by the city. The maintenance bond period shall be not less than 18 months from the approval of the final plat. The performance bond for the completion of the required improvements shall not exceed the time period agreed to by the city for completion of the improvements pursuant to Sec. 28-24Sec. 28-24A.1.
3. In cases where the maintenance surety and performance surety are to cover a second phase or any other later stage of a development project governed by this article, said sureties shall be required to be extended in amount and application to cover the original phase of the project in addition to said later phase for the same period of application as set out in Sec. 28-24A.2 if the later phase will utilize the same entrance street as that used by the original phase of the project.

Sec. 28-25 Recording of Final Plat

Within 30 days after the subdivider submits all documents required with the final plat to the Planning Department, the Zoning Administrator shall communicate to the Mayor in writing that the plat meets all the requirements of this Chapter and other applicable City and State ordinances. The Mayor shall review and either approve or disapprove the final plat for all major subdivisions. The Zoning Administrator shall review and either approve or disapprove the final

plat for all minor subdivisions. If disapproved, written notice of the reasons for disapproval shall be sent to the subdivider who may then correct the deficiencies and resubmit the final plat for approval. Upon approval of the final plat of a subdivision, the subdivider shall have the plat recorded in the office of the Clerk of the Superior Court of Barrow County. The subdivider shall have the responsibility for payment of the recording fee.

Sec. 28-26 Appeals

Appeals of any decision regarding a preliminary plat may be made to the City Council by filing a written notice of appeal with the Zoning Administrator within 10 days after the date of the decision being appealed. The Zoning Administrator shall place the appeal on the Council agenda at a regular or called meeting of the Council which shall be held within 45 days after the appeal is received by the clerk. The Council shall take final action at such meeting or the decision of the Planning Board shall stand, unless the subdivider consents to an extension of time for the Council's decision.

The City Council may, on its own initiative, review and approve, modify, or disapprove any preliminary plat decision by the Planning Board or Zoning Administrator by filing a written notice of review with the City Clerk within 15 days after the decision of the Planning Board. The City Clerk shall send a copy of the notice of review by hand delivery or certified mail to the subdivider. The City Clerk shall place the matter on the Council agenda at a regular or called meeting of the Council which shall be held within 45 days after the notice of review is received by the Clerk. The Council must take final action at such meeting or the decision of the Planning Board or Zoning Administrator shall stand, unless the subdivider consents to an extension of time for the Council's decision.

Sec. 28-27 Reserved

Sec. 28-28 Reserved

Sec. 28-29 Reserved

Sec. 28-30 Reserved

Sec. 28-31 Reserved

ARTICLE III. MINIMUM STANDARDS OF DESIGN AND CONSTRUCTION

Sec. 28-32 Scope of Article Provisions

Subdividers shall observe the general requirements and design standards of land subdivision specified in this article.

Sec. 28-33 Variances to Standards of this Article

The Zoning Administrator is authorized to grant administrative variances to the standards provided in this article as long as the proposed design conforms to professional best practices of the American Association of State Highway and Transportation Officials (AASHTO).

Sec. 28-34 Name of Subdivision

The name of the subdivision shall not duplicate or too closely approximate the name of any other subdivision within the City of Winder or Barrow County.

Sec. 28-35 Acceptance of Dedication of Street, Other Public Grounds

The approval of a subdivision plat by the Planning Board shall not be deemed to constitute or affect an acceptance by the municipality of the dedication of any street or other public grounds shown upon the plat.

Sec. 28-36 Lots

- A. Lots in a subdivision shall front upon a public street. Lot lines shall be generally perpendicular to street lines. These restrictions shall not be construed to apply to cottage court developments that have frontage on a public street but contain individual cottage court lots without public street frontage.
- B. Lot dimensions shall meet the requirements of the zoning ordinance for the district or districts in which the subdivision is located. Corner lots shall be increased in size wherever necessary in order to provide that any structure to be placed thereon shall conform to the minimum setback line of each street as required in the comprehensive zoning ordinance.

Sec. 28-37 Blocks

The intent of these block standards is to provide a well-connected street network. Large blocks with limited connectivity discourage walking,

contribute to street congestion and add driving distance that can negatively impact emergency services. New streets should be designed to consider future development.

The maximum block perimeter shall be as specified in the following table. A block is bounded by a public or private right-of-way (not including an alley). Block perimeter is measured along the edge of the property adjoining the public or private right-of-way, except for the measurement of dead-end streets, which are measured from intersecting centerlines.

Zoning District	Maximum Block Perimeter (feet)
A-1	n/a
R-1	5,000
R-1A	3,000
R-1B	3,000
R-2	3,000
R-3	3,000
MH	3,000
G	n/a
B-1	5,000
B-2	5,000
I	5,000
MU	2,000
DT	2,000

The Zoning Administrator may modify the block perimeter requirements when they are not feasible due to steep slopes in excess of 25%, limited access highways, waterways, preexisting development, stream buffers, cemeteries, open space, or easements.

Sec. 28-38 Access

The intent of the access standards is to provide safe and convenient vehicular and pedestrian access within developments and between adjacent developments and to lessen traffic congestion and increase connectivity.

Lots must be arranged to allow for the opening of future streets and must provide access to those areas not presently served by streets. No subdivision may be designed to completely eliminate street access to adjoining parcels of land without current street access.

Where a development adjoins unsubdivided land, stub streets within the new subdivision must be installed to meet the maximum block perimeter. The stub street right-of-way, pavement and curbing must extend to the boundary of the abutting property to the point where the connection to the anticipated street is expected.

If a stub street exists on an abutting property, the street system of any new subdivision must connect to the stub street to form a through street.

The Zoning Administrator may eliminate the requirement for a stub street or require pedestrian-only access when steep slopes in excess of 25%, limited access highways, waterways, stream buffers, cemeteries, open space or easements would make the provision of a stub street infeasible, or where a nonresidential use is located adjacent to a proposed residential subdivision.

Sec. 28-39 Street Names and Addresses

Street names and address numbers in subdivisions shall require the approval of Barrow County GIS.

Sec. 28-40 Street Design Standards

The geometric design standards and grade requirements shall be as specified in the AASHTO Policy on Geometric Design of Highways and Streets (latest edition) and the Manual on Uniform Traffic Control Devices (MUTCD) for Streets and Highways (latest edition).

Street jogs with center line offsets of less than 125 feet shall not be permitted in a subdivision.

Dead-end or cul-de-sac streets in an R-2 or R-3 subdivision shall not be greater in length than 400 feet as measured from the nearest street intersection. In all zones, cul-de-sacs shall be provided at the closed end with a turnaround having property line radius of at least 60 feet with a back curb radius to be 40 feet.

Street intersections in a subdivision shall be as nearly at right angles as possible. No such street intersection shall be at an angle of less than 60 degrees unless approved by the Zoning Administrator.

Curb radii at street intersections in a subdivision shall be at least 15 feet. Where the angle of street intersection in a subdivision is less than 90 degrees, a radius of at least 20 feet shall be required.

Sec. 28-41 Driveway Slope

The maximum slope for all driveways shall be 10%.

Sec. 28-42 Easements

Easements across lots or centered on rear or side lot lines in a subdivision shall be provided where necessary for utilities or drainage. Any stormwater pipes located in drainage easements to be dedicated to the city shall be constructed of concrete.

Sec. 28-43 Entrance Requirements

- A. The entrance to all subdivisions containing 30 or more lots shall be constructed in accordance with Subdivision Entrance Detail A which is on file with the City and is incorporated herein by reference, except that no deceleration lane shall be required except where required by GDOT or where the Zoning Administrator deems that it is necessary to avoid adverse effects to the safety of the public and traffic flow.
- B. The location of any entrance to any subdivision is subject to Zoning Administrator approval, taking into account safety and traffic flow considerations.
- C. The Zoning Administrator may require a site distance certification for subdivision entrances.
- D. The Zoning Administrator may require additional entrance(s) to a subdivision, taking into account safety and traffic flow considerations.

Sec. 28-44 Reserved

Sec. 28-45 Reserved

Sec. 28-46 Reserved

Sec. 28-47 Reserved

Sec. 28-48 Reserved

ARTICLE IV. IMPROVEMENTS

Sec. 28-49 Approval of Preliminary Plat Prerequisite to Construction

Construction of improvements in a subdivision shall not commence until the preliminary plat has been approved.

Sec. 28-50 Improvements to be Installed by Subdivider

A subdivider shall be required to install or have installed at his expense the following improvements:

- A. Monuments: Iron pin monuments at least ½ inch in diameter, and 24 inches long at all points on boundary lines of lots where there is a change in direction, and at all lot corners.
- B. Streets. Ninety-five percent compaction is required on all streets. Developer will be responsible for the cost of the independent tests. The location and schedule of the compaction tests will be determined by city officials. In addition, a street shall be constructed of the following:
 1. Eight inches gravel base.
 2. Two inches asphalt base.
 3. One and one-half inches topping asphalt.

No final grading or paving of the street, or construction or installation of utilities in the bed of a street shall be permitted until the grade has been officially established.

No paving shall begin until the compacted base has been inspected and approved by the official representative of the city and underground utilities installed and approved.

The Planning Department shall maintain a set of standard drawings on file for consultation and distribution. These drawings shall illustrate details of construction and design of streets and other elements related to the development of land in accordance with this ordinance.

- C. Water mains. Where a public water main is within 1,500 feet of the subdivision at its nearest point, the subdivider shall connect with such water main. In such cases, mains of at least 6 inches shall be required. The subdivider shall be responsible for the costs

of all taps and extensions to existing municipal facilities.

Where a public water main is not reasonably accessible as determined by the City of Winder Water Department, the subdivider shall provide an individual water supply according to the standards of the Barrow County Health Department.

A water plan showing the size and location of all proposed new water line additions as well as the location of all proposed valves, hydrants, and other appurtenances as well as any other information that may be required by the city of the state environmental protection division shall be submitted to the city for approval. All construction of water system improvements shall be performed in accordance with city approved construction methods, policies and material specifications at the expense of the developer.

- D. Sanitary sewers. Wherever a public sanitary sewer is within 1,500 feet of the subdivision at its nearest point and connection by gravity flow is feasible, the subdivider shall connect with such sanitary sewer and provide a connection for each lot. The size of the mains shall be at least 8 inches. The subdivider shall be responsible for the costs of all taps, lift pump stations, manholes and extensions to existing municipal facilities.

Where sanitary sewers are not available, an oxidation pond, septic tank or other disposal device designed and installed according to standards of the Barrow County Health Department may be permitted.

A sewer plan showing the size and location of all proposed new sewer lines (including depth) as well as the location of all valves, manholes and other appurtenances as well as other information that may be required by the city or the state environmental protection division shall be submitted to the city for approval. All construction of sewer system improvements shall be in accordance with city approved construction methods, policies and material specifications at the expense of the developer.

The subdivider shall be responsible for the cost of operation and maintenance of any

sewer lift pump station installed in a subdivision from the date of installation until five years after 80% of units have received occupancy in all phases of the subdivision. The subdivider shall enter into a written agreement with the city setting forth the cost to be paid and the terms of payment.

- E. Each subdivision shall be designed to retain the first inch of rainfall to the maximum extent practicable, consistent with the Georgia Stormwater Management Manual (latest edition). The Zoning Administrator may approve alternate standards that manage stormwater with sustainable or light impact development practices. Any stormwater pipe to be installed in current city right-of-ways, or stormwater pipes designed and proposed for a future project (residential, commercial or industrial projects) where the roads are to be dedicated to the city or storm water pipes that are to be located in drainage easements to be dedicated to the city, shall be constructed of concrete.
- F. Curbs and gutters. Concrete curbs and gutters shall be required in all subdivisions. All curbs shall be standard 6 inch high back curbing. Driveways will be cut into the curb after the location of the driveway has been determined. The driveway shall be constructed of concrete with a minimum thickness of 4 inches.
- G. Street lamps. Street lighting shall be installed by the developer. Street lamps shall be placed at each entrance, intersection and dead-end cul-de-sac. Additional street lamps shall be installed at intervals of not less than 250 feet as needed. A street lighting plan shall be submitted to the City of Winder Planning Department for approval. All pole costs and other installation costs shall be paid for by the developer. In addition, all street light operational costs shall be paid for by the developer for a period of one year after the acceptance of the final plat by the City.
- H. Sidewalks. All subdivisions shall have sidewalks installed on both sides of the street. Sidewalks shall be made of concrete and shall have a minimum width of 5 feet and a minimum thickness of 4 inches. Sidewalks shall be located a minimum of 5 feet from the back of the curb and gutter. The area between the sidewalk and the back of curb

must be landscaped with sod and may include street trees, mailboxes, and other streetscape elements. Two rows of sod must also be installed on the private property side of the sidewalk. A sidewalk shall also be installed along the portion of the development fronting on any existing public street, except where there is no existing sidewalk along the same side of the street within 1,000 feet.

- I. Soil erosion. Soil erosion and sedimentation control plans as well as plans for storm water control shall be submitted in accordance with Chapter 24 of this Code.
- J. As-built drawings. Final as-built drawings will be furnished by the developer and must include any pre-existing infrastructure not otherwise documented by the City. As-built drawings will be required for any variation from the preliminary approved plans, including the following:
 - 1. Changes in the sewer profiles from the preliminary approved plans.
 - 2. Changes in the street profiles from the preliminary approved plans.
 - 3. Changes in the storm drain profiles from the preliminary approved plans.
 - 4. Changes in the location of catch basins as shown on the preliminary approved plans.
 - 5. Changes in the location of any utilities as shown on the preliminary approved plans including water, gas, sewer, storm drain, power, cable, TV and telephone.

Sec. 28-51 Improvements to be Installed by City

The city shall install the following improvements in a subdivision:

- A. Street name markers. Street name markers shall be provided at the corners of all street intersections.

Sec. 28-52 Variances, Other Improvements

The Zoning Administrator may authorize an administrative variance to the requirements of this article where a subdivider can show that the application of these regulations would cause unnecessary hardship if strictly adhered to and where in the opinion of the Zoning Administrator

a departure may be made without destroying the intent of such provisions.

Sec. 28-53 Reserved

Sec. 28-54 Reserved

Sec. 28-55 Reserved

Sec. 28-56 Reserved

Sec. 28-57 Reserved