

LAND SUBDIVISION REGULATIONS
FOR
AUGUSTA, GEORGIA

Development Document #3

Augusta Richmond County Planning Commission
Updated – June 2008

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LAND SUBDIVISION REGULATIONS FOR
AUGUSTA, GEORGIA

AN ORDINANCE regulating the subdivision of land in Augusta, Georgia; requiring and regulating the preparation and presentation of Development Plans and Final Plats for such purpose; establishing minimum subdivision design standards; requiring minimum improvements to be made or guaranteed to be made by the subdivider; setting forth the procedure to be followed by the Planning Commission in applying these rules, Regulations, and standards; and prescribing penalties for the violation of these rules, Regulations, and standards; and for other purposes.

BE IT ORDAINED by the Augusta Commission, Augusta, Georgia, that::

WHEREAS, the Augusta Commission was authorized by the Home Rule Provision of the Constitution of the State of Georgia of 1983 to: Establish planning commissions; provide for the preparation and amendment of overall plans for the orderly growth and development of municipalities and counties; provide for the regulation of structures on mapped streets, public building sites, and public open spaces; repeal conflicting laws; and for other purposes; and

WHEREAS, the Planning Commission, created and organized under the terms of the aforementioned Home Rule Provision, has made a study and analysis of the areas of Augusta, Georgia and the said study and analysis now are complete and Land Subdivision Regulations for the purposes described in the title of this Ordinance are now ready for adoption; and

WHEREAS, the Augusta Commission has held a public hearing on the proposed Land Subdivision Regulations in compliance with Local Ordinances.

THEREFORE, BE IT ORDAINED by the Augusta Commission as follows:

ARTICLE I

General

Section 100. Short Title. This Ordinance shall be known and may be cited as the "Subdivision Regulations of Augusta, Georgia. It is included by reference in the Augusta-Richmond County Code at Title 8, Chapter 3.

Section 101. Jurisdiction. These Regulations control the subdivision of land within Augusta, Georgia.

Section 102. Content. These Regulations require and regulate the preparation of Development Plans and Final Plats for the subdivision of land; establish minimum design standards for subdivisions, streets, and improvements; set forth the procedure to be followed in applying these Regulations; provide penalties for violation of the Regulations; and set forth other matters pertaining to the development of land.

Section 103. Purpose. The various sections of the Ordinance are adopted for the following purposes, among others:

- A. To encourage the development of an economically sound and stable community so as to help conserve and protect the natural, economic, and scenic resources of Augusta, Georgia.
- B. To assure the provision of required streets, utilities, and other facilities and services to new land developments to help prevent and reduce the traffic congestion and hazards which results from narrow or poorly aligned streets.
- C. To assure the adequate provisions of safe and convenient traffic access and circulation, both vehicular and pedestrian to help insure that all building lots will be accessible to fire fighting equipment and other emergency service vehicles.
- D. To encourage the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, and other public purposes.
- E. To help eliminate the costly maintenance problems which develop when streets and lots are laid out without proper consideration being given to the drainage characteristics of the tract of land at the time the land is being subdivided into streets and lots.
- F. To expedite the proper provision of a full range of housing choice to and for all the citizens.

G. To help prevent the spread of urban blight and slums and to promote a safe and healthy environment.

H. To assure adequate identification of property on the public records.

I. To encourage, in general, the wise development of the community in harmony with the Comprehensive Plan, and for other purposes.

Section 104. Application. Within the jurisdiction of these Regulations, except as hereinafter provided, no subdivision shall be made, platted, or recorded for purpose of sale, nor shall parcels resulting from such subdivision be sold or offered for sale, unless such subdivision meets all the requirements of these Regulations and has been approved by the Planning Commission and Augusta, Georgia. The owner or the agent of the owner of any land to be subdivided in Augusta, Georgia, who transfers or sells or agrees to sell or negotiates to sell such land by reference to or by exhibition of or by other use of a plat of subdivision of such land before such plat has been approved by the Planning Commission and the Commission and has been recorded in the office of the Clerk of Superior Court shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in the Augusta-Richmond County Code § 1-6-1; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transfer or other document used in the process of selling or transfer shall not exempt the transaction from such penalties. The Commission, through its enforcing agent, may enjoin such transfer or sale or agreement by appropriate action.

Section 105. Exemptions. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are in compliance with the standards of these Regulations and all other Ordinances and Resolutions of Augusta, Georgia, shall not be defined as subdivisions and shall be exempt from the requirements of this Ordinance.

The Executive Director of the Planning Commission may also exempt from the requirements of Article II the following types of subdivisions:

- The division of any tract of land that is in one individual ownership into ten (10) lots or less, provided that in such cases no new streets, street rights-of-way, or street dedications are involved, provided that the street the property is fronting on must be a street that is officially deeded to the Augusta, Georgia; provided further that no utility, drainage, or other easements are found necessary; and no new or residual parcels are created which do not conform to the requirements of these Regulations. Such exempted subdivisions must be accompanied by whatever supportive documentation shall be required by the Executive Director. The subdivider shall disclose ownership or financial interest in any lands that adjoin the subject property, and if there are plans to further subdivide any of this property then they shall be disclosed in the form of an Overall Concept Plan. If the Overall Concept Plan includes more than sixteen total lots or more than eight flagpole lots then the subdivider shall conform to Articles II, III and IV. In no case shall more than sixteen lots be subdivided from a parent parcel within any ten year period without

conforming to Articles II, III and IV. At the discretion of the Executive Director, compliance with Articles II, III and IV in whole or in part may be required.

- The public or private acquisition of strips of land for the widening or opening of streets.
- The trading or exchanging of portions of previously platted and recorded properties which are contiguous and which necessitate the creation of parcels not conforming to the requirements of these Regulations provided that a statement is placed on the plat to be recorded to the effect that such parcels are not created as individual building lots, and are not approved as such, and that no building permit shall be issued for construction on such parcels.

Section 106. Definitions. Words and phrases used in these Regulations shall have the meaning or meanings set forth as follows. Words or phrases not herein defined shall have their customary dictionary meanings where such meanings are not inconsistent with the context and intent of these Regulations. When not inconsistent with the context and intent of these Regulations, words used in the singular shall include the plural and words used in the present tense shall include the future. The terms "shall" or "will" are mandatory, the word "may" is permissive.

Building: A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals, or chattels. When separated without connections, each portion of such building shall be deemed a separate building.

Building Line, Front: A line parallel to the front property line in front of which no structure shall be erected between the front building line and the front property line.

Building Line, Rear: A line parallel to the rear property line, behind which no structure shall be erected between the rear building line and the rear property line.

Building Line Setback: The distance between the building line and the right-of-way line/property line in a district, lot, tract, or parcel of land.

Building Line, Side: A line parallel to each side property line beyond which no structure shall be erected between the side building line and the side property line.

Building, Main: "Main Building" means a building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building on the lot on which the same is situated. Main building, when used with reference to ground coverage, shall mean the dimensions of the dwelling with the porches and garages excluded.

Building Permit: A written permit issued by the Chief Building Official of Augusta, Georgia.

Commission: The Augusta Commission.

Contractor: The developer or subdivider or his representative whether doing work on a contract basis or working directly for the developer or subdivider.

Development Plan: A tentative subdivision plan, in lesser detail than the Final Plat, indicating the approximate proposed layout of a subdivision as a basis for consideration prior to preparation of the Final Plat.

Director: The Executive Director of the Augusta-Richmond County Planning Commission.

Dwelling: Any building or portion thereof which is designed or used exclusively for residential purposes.

Easement: A grant by the property owner for use by the public, a corporation, or person(s) of a strip of land for specified reasons.

Engineer: Shall mean the duly designated Engineer of the Commission to perform the duties of engineer as herein specified, or the Director of Public Works of Augusta, Georgia.

Final Plat: A complete and exact subdivision plat prepared for official recording as required by these Regulations.

Frontage: The distance for which property abuts one side of a street, road, highway, or other public way measured along the dividing line between the property and such road, highway, or other public way.

Hardship (Variance): A hardship is a relaxation or variance of the terms of this Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in unnecessary and undue hardship.

Health Department: The Richmond County Health Department.

Improvements: Those physical additions and changes to the land that may be necessary to produce usable and desirable lots.

Land or Territory Subdivisions: A parcel or tract of land, the dimensions of which are shown on a map or filed with the Clerk of Superior Court of Richmond County, Georgia, as of the date of the adoption of this Ordinance.

Lot, Corner: A lot which abuts on two or more streets and/or roads at their intersection, or upon a curved street, provided that the two sides of the lot, or the tangents to the curve of the street line at its starting points at or within the side lines of the lot, intersect to form an interior angle of not more than 135 degrees.

Lot Depth: The distance between front and rear lot lines. If two opposite sides of said lot are not parallel, the depth shall be deemed to be the mean distance between the front and rear lot lines.

Lot, Double Frontage: A continuous (through) lot of the same depth as the width of a block containing two (2) tiers of lots and which is accessible from both of the streets upon which it fronts.

Lot, Interior: A lot which is not a corner lot.

Lot of Record: A parcel of land the dimensions of which are shown on a map on file with the Clerk of Superior Court of Richmond County, Georgia, or in common use by City Officials, and which actually exists as so shown, or any part of such parcel held in a recorded ownership separate from the ownership of the remainder thereof.

Lot Width: The width of the lot measured at the front building setback line.

Lot Line, Front: The front lot line of an interior lot separating the lot from the fronting street right-of-way. The front lot line of a corner lot shall be the lot line upon which the principal building entrance will front.

Lot Line, Rear: The rear lot line boundary opposite and more or less parallel to the front lot line. The rear lot line of an irregular or triangular lot shall be for the purpose of this Ordinance a line not less than ten feet long, lying wholly within the lot and parallel to and the farthest distance from the front lot line.

Lot Line, Side: A side lot boundary line that is not a front lot line nor a rear lot line. A side lot line separating a lot from a street line is an exterior side lot line. Any other side lot line is an interior side lot line.

Master Plan (Comprehensive Plan): Any legally adopted part or element of the Comprehensive or Master Plan. This may include, but is not limited to: the Zoning Ordinance, Subdivision Regulations, Community Facilities Plan, Transportation Plan, and Capital Improvements Program.

Natural Grade: The elevation of the ground adjoining the building.

Nonconforming Use: Any use that does not conform to the Regulations for the district in which it is situated as of the effective date of adoption of this Ordinance.

Official Map: An Official Map of Augusta, Georgia, showing the location of streets, public building sites, and public open spaces theretofore existing and established by law as public streets, public building sites or public open spaces. This may include mapped boundary lines of future streets, public building sites, public parks, playground or other public open space areas or of existing sites or areas that are to be expanded. The Official Map may include the whole or any part or parts of Augusta, Georgia.

Paving Width: That portion of a paved street that is permanently covered with asphalt or any other accepted hard surface treatment.

Person: Any individual, firm, partnership, business trust, co-partnership, corporation, company, association, joint stock association or body politic, and includes any trustee, receiver, assigns or other similar representative thereof.

Planned Unit Development: A design to provide for small and large scale developments incorporating a single type or a variety of residential and related uses which are planned and developed as a unit. Such development may consist of individual lots or it may have common building sites.

Planning Commission: The Augusta-Richmond County Planning Commission.

Planting Strip: The portion of the street between the curb and the property line exclusive of the area occupied by the sidewalk.

Roadway: That portion of a road which is improved, designed, or ordinarily intended for vehicular use. Divided roads and roads with frontage or access roads have more than one roadway. On undivided roads without frontage roadways or access roads, the roadway width lies between the curb lines or between the pavement edges, whichever is appropriate.

Shoulder: That portion of a roadway from the outer edge of the paved surface or the curb to the inside edge of the ditch or gutter or original ground surface.

Sidewalk: That portion of a street or road available exclusively for pedestrian traffic.

Sign: Any words, lettering, parts of letters, figures, numbers, phrases, sentences, emblems, devices, designs, trade names, or trademarks by which anything is made known such as are used to designate an individual, a firm, an association, a corporation, a profession, a business, or a commodity or products, which are visible from any public highway and used to attract attention.

Single-tier Lot: A lot which backs upon a limited-access highway, a railroad, a physical barrier, a major arterial, a nonresidential use and to which access from the rear of the lot is usually prohibited.

Sketch Plan: General freehand drawing of the tentative subdivision plat proposal.

Staff: The technical staff of the Planning Commission.

Street: A public thoroughfare, twenty feet or more wide, where public title to land extends between right-of-way lines. Whenever the sense of the law or these Regulations so require, the word "street" shall include avenue, drive, circle, road, highway, or similar terms as they are generally understood.

Streets, Arterial: Higher order, interregional streets that convey traffic between centers. There should be no curb parking and ideally there would be limitations on access to frontage properties. Most traffic would not have origins or destinations within the immediate area traversed.

Streets, Collector: Streets that connect minor streets to higher order streets, either collectors or arterials. Such streets function to promote free traffic flow, therefore curb parking should be prohibited and special building setbacks and/or lot width should be required. Collectors should be designed so as not to be attractive as shortcuts by traffic that has neither an origin or destination within a neighborhood or an immediate area traversed. Residential collectors should have sidewalks on at least one side. Collector streets should be designed to accommodate a maximum ADT of 3,000.

Streets, Minor or Residential: Streets that provide access to frontage properties and are designed to carry traffic having origins or destinations within the immediate area traversed. Such streets are not designed to interconnect adjoining neighborhoods, subdivisions, or non-residential areas. They should be designed so that no segment has an ADT greater than 500. A loop street may be considered two separate streets but the design ADT at any point shall not exceed 500.

Streets, Residential Collector: The highest order of residential street. Conducts and distributes traffic between lower-order residential streets and higher-order streets (arterials or expressways). Such streets function to promote free traffic flow; therefore, curb parking should be prohibited and special setbacks and/or lot widths should be required. Residential collectors should be designed to prevent use by non-neighborhood traffic. Total traffic volume should not exceed 3,000 ADT.

Street Line or Right-of-way: The dividing line between a lot, its property line or lines, and a public right-of-way; a public street, road or highway; or a private street, road, or highway, over which two or more abutting owners have an easement or right-of-way.

Street Width: The horizontal distance between the right-of-way lines of the street, measured at right angles to the right-of-way lines.

Structure: Anything constructed or erected, the use of which requires more or less permanent or semi-permanent location on the ground or the attachment to something having a permanent location on the ground or water. (The term includes buildings, houses, stores, gasoline pumps, automobile house trailers, advertising signs, billboards, trailers, coaches, mobile homes, commercial mobile units, commercial boats, or structures from which products are vended and similar objects.)

Subdivider: Any person, firm or corporation who subdivides or develops any land deemed to be a subdivision as herein defined.

Subdivision: The division of a lot, tract or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or of building development for purposes other than agricultural. It includes resubdivision and when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

Yard: An unoccupied area of a lot, open and unobstructed from the ground to the sky, except as otherwise provided in the Zoning Ordinance.

Yard, Front: An open space extending the full width of a lot and of a depth measured horizontally at right angles from the front lot line to the front of the structure.

Yard, Rear: An open space extending the full width of a lot and of a depth measured horizontally at right angles from the rear lot line to the rear of the structure.

Yard, Side: An open space extending along the side line of a lot between the front yard and the rear yard and of a width measured horizontally at right angles from the side lot line to the side of the structure.

Variance): A relaxation or variance of the terms of this Ordinance where such variance will not adversely affect public health, safety and welfare, and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in unnecessary hardship for the applicant.

Zoning Ordinance: The Ordinances recommended by the Planning Commission and adopted by the Commission.

ARTICLE II

Procedure for Approval of Subdivision Plats

Section 200. Pre-Application

- A. For tracts or developments which might be expected to ultimately yield 200 or more lots, a subdivider shall submit a Sketch Plan to the Planning Commission prior to the formal filing of an application for approval of a Development Plan. For other tracts or developments, the filing of a Sketch Plan is optional. The Sketch Plan does not require formal application, payment of a fee, or appearance before the Planning Commission. When submitted, the Sketch Plan shall show in simple sketch form the proposed layout of street, roads, and other features in relationship to existing conditions.

The Sketch Plan would be used to assess, among other things, the number of entrances needed for the subdivision and/or the need for a current or future traffic light. It should be noted that adequate traffic control, per the MUTCD and/or the requirement of the Traffic Engineer, is the responsibility of the Developer.

- B. Review of Sketch Plan. All review during the pre-application, or Sketch Plan, process shall be carried out by the Staff of the Planning Commission, with the aid of other City Reviewing Agents as deemed necessary, and no hearing before the Planning Commission is intended to be required by these Regulations during the pre-application procedure. Within 15 days of submission of the Sketch Plan, the Executive Director shall inform the subdivider wherein the plans and data as submitted or as modified do or do not meet the objectives of these Regulations, general design standards, and other rules and regulations. The response from the Executive Director shall also inform the subdivider as to how said objectives may be met. For tracts or developments which might be expected to ultimately yield 200 or more lots overall, the Sketch Plan shall be approved by the Executive Director prior to the formal filing of an application for approval of a Development Plan. After two Sketch Plan submissions to the Executive Director, the subdivider may appeal to the Planning Commission. In no case shall the Sketch Plan be binding on the process for approval of the Development Plan.

Section 201. Approval of Development Plan. The following procedures shall be followed for approving a Development Plan.

- A. No improvements shall commence until the Planning Commission has given approval to the Development Plan and all improvements thereafter shall conform to the Development Plan.
- B. If the proposed water or sewerage system for a subdivision requires the approval of the Georgia Department of Public Health and/or the Georgia Water Quality Control Board, this approval shall be obtained prior to making written application to the Planning Commission for approval of the Development Plan. This approval by the Georgia Department of Public Health and/or the Georgia Water Quality Control

Board shall be in writing and shall accompany the application for approval to the Planning Commission.

- C. Written application for approval of a Development Plan shall be made in the office of the Planning Commission by the subdivider or his authorized representative and shall include all information as specified in Article III and elsewhere in these Regulations.

- D. Ten (10) complete sets and eight (8) copies of sheet number one (1) -- sheet showing lot layout and easements -- of the Development Plan shall be filed with the Planning Commission at the time of application. The Planning Commission shall thereafter forward for review such copies as follows:
 - 1. One (1) copies shall be filed with the Engineering Department.
 - 2. Four (4) copies shall be filed with the Utilities Department if the subdivision is to be served with public water and/or sewer.
 - 3. One (1) copy shall be filed with the Traffic Engineer.
 - 4. One (1) copy shall be filed with the Fire Department.
 - 5. One (1) copy shall be filed with the Soil Conservation Service.
 - 6. One (1) copy shall be filed with the Board of Health, if applicable.
 - 7. One (1) copy of sheet number one (1) shall be filed with the Georgia Power Company or Jefferson Electric, whichever is applicable.
 - 8. One (1) copy of sheet number one (1) shall be filed with Georgia Natural Gas
 - 9. One (1) copy of sheet number one (1) shall be filed with Bellsouth.
 - 10. One (1) copy of sheet number (1) shall be filed with Comcast.
 - 11. One (1) copy of sheet number (1) shall be filed with E-911.
 - 12. One (1) copy of sheet number (1) shall be filed with Georgia Power – Transmissions.
 - 13. One (1) copy of sheet number (1) shall be filed with the Augusta Post Office
 - 14. One (1) copy of sheet number (1) shall be filed with the Augusta GIS Dept.
 - 15. One (1) copy shall be retained by the Planning Commission.

Seven (7) copies shall be submitted. Once the Development Plan has been reviewed and approved and after hearing by the Planning Commission, the Development Plan shall be stamped in accordance with the approval of the Planning Commission, and the copies shall be distributed as follows:

- 1. Two (2) copies shall be returned to the applicant at the Pre-Construction conference
- 2. Three (3) copies shall be retained by the Engineering Department
- 3. One (1) copy shall be submitted to the NPDES Inspector for inspections purposes
- 4. One (1) copy shall be retained by the Planning Commission

- E. Within 30 days of receipt of Development Plans, reports shall be submitted to the Planning Commission by all agencies to which plans are directed, and such reports shall become part of the findings of the Planning Commission. Plans which must be resubmitted due to disapproval(s) from reviewing agencies, will begin another 30 day review period.
- F. Following submission of the Development Plan and all other material(s) submitted for conformity thereof to these Regulations, the Planning Commission shall, within 45 days, take action to approve, to approve with contingencies, or to disapprove the Development Plan. Disapproval may be given based upon failure to comply with any or all requirements of these Regulations. The subdivider may agree in writing to waive the 45 day take action period if the results of the action would cause the Development Plan to be disapproved.

Development Plans disapproved by the Planning Commission for lack of reviewing agency approval must be resubmitted including all applicable forms, fees and number of Plans.

- G. The Executive Director may, at his discretion, approve, approve with contingencies, or disapprove a Development Plan administratively if all the conditions for approval in this Ordinance have been complied with. When administrative approval has been granted, then the Planning Commission shall be notified by placing the approved Development Plan on the next meeting agenda.
- H. The action of the Planning Commission shall be expressed in writing, a copy of which shall be sent to the subdivider. One (1) copy of the notice of action taken shall be retained permanently in the files of the Planning Commission.
- I. Approval of a Development Plan shall not constitute approval of the Final Plat. Such approval shall be deemed an expression of approval of layout and manner of development of a subdivision and an authorization for the subdivider to proceed with development in accordance with the approval granted.
- J. Approval of a Development Plan shall apply for two (2) years. Where a subdivision is being developed in sections, the two (2) years shall be measured from the date of the most recent Final Plat approval granted to a portion of the subdivision. A subdivider may request, and the Planning Commission may grant, an extension of time for good cause; however, an approval of a Development Plan shall never extend for a period of more than five (5) years from the date of first approval. The Planning Commission shall terminate an approval of a Development Plan after two (2) years unless formal request for an extension of time is made.
- K. At the time of application for approval, the subdivider shall pay a fee that has been calculated by the Planning Commission as representative of the cost of processing and administering a Development Plan.

Amended August 2008 - Section 201 D

Section 202. Approval of Final Plat. The procedure for obtaining approval of a Final Plat shall be as follows:

- A. Written application for approval of the Final Plat together with all required exhibits as required herein shall be made in the office of the Planning Commission by the subdivider.

- B. Eight (8) copies of the Final Plat shall be filed with the Planning Commission at the time of application. The Planning Commission shall thereafter file such copies as follows:
 - 1. One (1) copies shall be filed with the Engineering Department.
 - 2. Four (4) copies shall be filed with the Utilities Department if the subdivision is to be served with public water and/or sewer.
 - 3. One (1) copy shall be filed with the Traffic Engineering Department
 - 4. One (1) copy shall be filed with the County Board of Health, if applicable.
 - 5. One (1) copies shall be retained by the Planning Commission.

Two (2) mylars and six (6) copies shall be submitted once the Final Plat has been reviewed and approved and after hearing by the Planning Commission and Augusta Commission, the Final Plat shall be stamped in accordance with the approval of the Commission, and the copies shall be distributed as follows:

- 1. One (1) mylar shall be retained by the Planning Commission
 - 2. One (1) mylar shall be returned to the Developer
 - 3. Two (2) copies shall be retained by the Planning Commission
 - 4. Four (4) copies shall be returned to the Developer

- C. Reports shall be submitted to the Planning Commission by all agencies to which copies are directed, and such reports shall become part of the findings of the Planning Commission. The staff shall only place an application for approval of a Final Plat on the Planning Commission's agenda when all Regulations have been complied with.

- D. The Executive Director may, on behalf of the Planning Commission, approve, approve with contingencies, or disapprove a Final Plat administratively if all the conditions for approval in this Ordinance have been complied with. When administrative approval has been granted, then the Planning Commission shall be notified by placing the approved Final Plat on the next meeting agenda.

- E. The Planning Commission shall take action to recommend approval or denial of a Final Plat. If the recommendation is for denial, then the plat shall not be forwarded to the Commission. If the recommendation is for approval, then the Final Plat shall be forwarded to the Commission for a final decision at the earliest convenience, allowing for normal administrative procedures. A Final Plat may be disapproved for failure to comply with any and all requirements of these Regulations, or for failure to

comply with any other applicable Code, Rule, or Regulation of Augusta, Georgia, or any applicable state law.

- F. Prior to approval of a Final Subdivision Plat by the Commission, the subdivider shall complete all improvements required by the Subdivision Regulations, as amended. All improvements shall be completed in a manner satisfactory to the Planning Commission and the City Engineer. Final Plat approval shall not be granted until the Deed of Dedication and Maintenance Agreement for such improvements has been submitted to the City Engineer.
- G. **Deleted August 2004.**
- H. **Deleted August 2004.**
- I. The City Engineer shall regularly inspect for defects in the construction of required improvements. Upon completion of these improvements, the City Engineer shall file with the Commission a statement either stating that to the best of his knowledge and belief the improvements have been completed in accordance with applicable Regulations or listing the defects in those improvements; provided, however, no such representation shall be deemed a certification or warranty of design or workmanship to any third party and shall not be deemed a waiver of the Commission's right to require corrective work should a defect be discovered or a waiver of sovereign or other immunity . Upon completion of the improvements, the subdivider shall file with the Commission a statement certifying the following:
 - (a) That all required improvements are complete;
 - (b) That these improvements are in compliance with the minimum standards specified;
 - (c) That the subdivider knows of no defects from any cause, in those improvements; and
 - (d) That these improvements to be dedicated are free and clear of any encumbrance or lien.

The subdivider shall also file with the Commission an agreement dedicating such improvements to Augusta, Georgia. If the City Engineer has certified that the required improvements are complete and free of defects, then upon receipt of the other statements and agreements detailed above, the Commission shall accept dedication of those improvements.

Amended August 2008 – Section 202 B
Amended August 2004 - Deleted Sections G & H

- J. Upon acceptance, in accordance with (I), of the dedication of the required improvements, the Commission shall authorize the release of any improvement guarantees. If any portion of the required improvements shall fail to be accepted for dedication in accordance with (I) within the allocated time limit, either for reason of incompleteness or for reason of substandard construction, then the Commission shall declare the guarantee pledged under (G) to be forfeited. Upon receipt of the secured funds, the Commission shall use them to finance the completion of required improvements or the rebuilding of such improvements to proper specification. Unused portions of the bonded amount shall be returned to the surety company.
- K. The actions taken by the Planning Commission and the Commission shall be expressed in writing, copies of which shall be sent to the subdivider. Copies of the notice of action shall be retained in the permanent files of the Planning Commission.
- L. The original of the Final Plat shall be returned to the subdivider and shall show the approval of the Planning Commission over the signatures of the Chairman or Vice-Chairman, the Secretary or Executive Director, and the Commission if final approval is granted.
- M. Effective January 1, 2001, all Final Plats together with Protective Covenants shall be recorded with the Clerk of Superior Court by the subdivider or his authorized agent within 90 days of the date of approval by the Augusta-Richmond County Planning Commission and/or the governing body.
- N. Approval by the Planning Commission of a Final Plat shall not constitute nor affect an acceptance by the City of the dedication of any street or other ground shown on the plat.
- O. All requests for Final Plat approval shall be accompanied by an 18 months maintenance agreement and deed(s) of dedication for all streets, land, easements, storm drainage, sanitary sewer systems and water systems conveying the same to Augusta, Georgia. The form of these documents shall be as approved by the City Attorney. These documents shall be fully executed by the grantor/subdivider with the date blank, to be filled by the Commission with the date of acceptance of the deeds of dedication. Acceptance of streets and other improvements shall be accomplished by executing the deeds of dedication.
- P. A descriptive note providing the following information:
 - 1. Outfall(s) Information – Location, Size and Shape
 - 2. Land Use – Commercial, Industrial, Residential, etc.
 - 3. Acreage of on-site and off-site drainage areas contributing to discharge from development
 - 4. Acreage of Impervious Drainage Area
 - 5. Name of Receiving Drainage Basin
- Q. A descriptive note describing any permanent or temporary Best Management Practices (BMP's) used to impact or target Water Quality.

Section 203. Performance Guarantee.

- A. Generally. If all improvements as required by the Augusta-Richmond County Planning Commission's approval of the Development Plan are not properly installed and constructed in accordance with the required standards prior to the submission of a Final Plat application, the subdivider shall provide to the Executive Director an acceptable Performance Guarantee to assure future installation and construction of the improvements as required. The amount of the Performance Guarantee shall be set by the City Engineer and shall be (in the opinion of the City Engineer) the cost of the remaining improvements plus 25%. To assist the City Engineer in calculation of the Performance Guarantee, a copy of the Contract Document for the project, a copy of all contractors fees paid to date, and a certification from a Professional Engineer stating the value of the work remaining on the site must be submitted to the City Engineer. The cost of any additional surveying, engineering, Final Plats or as-builts (as applicable) must be included in the calculation for the Performance Guarantee.

The Performance Guarantee must be in the acceptable format described in (e) below, accepted by the Planning Commission, and must include a specific, reasonable and satisfactory date for the completion of the necessary improvements. In no case shall the Performance Guarantee be valid for more than one (1) year, nor for less than 90 days.

- B. Return of Guarantee. When the improvements have been completed and approved for conformity with these regulations the Performance Guarantee shall be released and returned. When any portion of the required improvements have been completed and approved, a portion of the Performance Guarantee commensurate with the cost of these completed improvements may be released and returned.
- C. Default of Guarantee. In the event the subdivider fails to install or construct the required improvements during the specific time allotted and in conformity with these regulations, the Performance Guarantee is forfeited to the Augusta, GA to be used for the completion of the improvements.
- D. Extensions of Guarantee. If it appears to the developer that he may not complete construction of required improvements before expiration of his Performance Guarantee, it shall be his obligation, at least sixty (60) days prior to said expiration, to submit an extended Performance Guarantee to the Executive Director of the Augusta-Richmond County Planning Commission. Such extended Performance Guarantee must also be approved by the City Attorney and accepted by the Augusta-Richmond County Planning Commission government staff. Such extension shall be for a period of six (6) months. A maximum of two (2) such extensions shall be allowed.
- E. Acceptable format for Performance Guarantee. Any deviation from the acceptable format below may delay acceptance of this instrument:

STATE OF GEORGIA
CITY OF AUGUSTA
RICHMOND COUNTY

PERFORMANCE GUARANTEE

KNOW ALL MEN BY THESE PRESENTS that we, _____, as principal, and _____, as security, are held and firmly bound unto Augusta, Georgia, as obligee, in the sum of \$ _____, for payment whereof to the obligee, the principal and security bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly to these presents:

Signed, sealed, and dated, this ____ day of _____, 2004.

WHEREAS, application was made to the obligee for approval of a subdivision shown on a Final Plat entitled " _____ ", dated _____, 2004, and filed with the Augusta-Richmond County Planning Commission and said Final Plat was approved upon certain conditions, one of which is that a Performance Guarantee in the amount of \$ _____ be filed with the Augusta-Richmond County Planning Commission to guarantee certain improvements in said subdivision;

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that if the above-named principal shall, within _____ from the date hereof (in no case shall the Performance Guarantee be valid for more than two years), truly make and perform the required improvements and construction of public improvements in said subdivision in accordance with Augusta, Georgia specifications, then this obligation will be void; otherwise it will remain in full force and effect.

It is hereby understood and agreed that in the event any required improvements have not been installed within the term of this Performance Guarantee, the Augusta Commission or the Augusta-Richmond County Planning Commission government staff may thereupon declare this Performance Guarantee to be in default and collect the sum remaining payable thereunder, and upon receipt of the proceeds thereof, Augusta, Georgia shall install such improvements as are covered by the Performance Guarantee.

It is further understood and agreed that when the required improvements have been approved for conformity with these regulations by the Augusta Commission or by the appropriate Augusta, Georgia government staff, the Performance Guarantee shall be released and returned. In addition, if any portion of the required improvements is completed by the principal and approved by the appropriate Augusta, Georgia government staff, a portion of the Performance Guarantee commensurate with the cost of these completed improvements may be released and returned. In no event shall a Performance Guarantee be reduced below twenty-five (25) percent of the principal amount until all improvements have been approved by the appropriate Augusta, Georgia government staff.

Approved and accepted this ____ day of _____, 2004 by the
Augusta Commission

_____(L.S.)
Principal
_____(L.S.)
Security

Chairman

Clerk

The surety as specified herein shall be a corporate surety licensed to do business in the State of Georgia. In lieu thereof, the principal may post an Irrevocable Letter of Credit from a bank licensed to do business by the State of Georgia or any federally insured lending institution.

F. Acceptable format for Irrevocable Letter of Credit. Any deviation from the acceptable format below may delay acceptance of this instrument.

(On Bank Letterhead)

(Date)

IRREVOCABLE LETTER OF CREDIT #

U.S. \$ (Amount)

Augusta-Richmond County Planning Commission
525 Telfair Street
Augusta, GA 30901

RE: (Name of Subdivision or Development)

Gentlemen:

We hereby establish our Irrevocable Letter of Credit # _____ in your favor for (Name and Address of Principal) and thereby undertake to honor your drafts at sight on us after (Date) not exceeding in the aggregate (Dollar Amount). (\$_____). Each such draft must be accompanied by the following documents:

1. A written certificate executed by the appropriate and authorized Augusta, Georgia government staff stating that (Principal) has failed to make the required improvements within the term of the attached Performance Guarantee and that the amount of said draft represents the actual amount of funds due you as a result of his failure to perform as contracted.
2. All drafts drawn under this credit must be marked "Drawn under (Name of Bank)'s Letter of Credit # _____, dated _____, 2004.

This credit is valid until (Date). Drafts drawn hereunder, if accompanied by documents as specified above, will be honored if presented to (Name of Bank) on or before said date at (Address of Bank).

It is further understood and agreed that when the required improvements have been approved for conformity by Augusta, Georgia, this Letter of Credit shall be released and returned. In addition, when any portion of the required improvements has been completed and approved, the Letter of Credit may be reduced by an amount commensurate with the cost of these completed improvements. In no event shall the Letter of Credit be reduced below (Dollar Amount) (\$_____).

Except as otherwise expressly stated herein, this credit is subject to the "Uniform Customs and Practice for Documentary Credit," ICC Publication 290, 1974 Revision.

(Name and Title of Bank Officer)

cc: Principal

Amended August 2004 - Added Entire Section 203

ARTICLE III

Requirements for Development Plans and Final Plats and Provision for Inspection

Section 300. Development Plan - Size and Scale of Drawings. Development Plans shall be drawn to scale no smaller than 1" equals 200'. Where large areas are being planned, they may be drawn on one or more sheets which shall not exceed 24 by 36 inches in size. For small areas being planned, a scale of 1" equals 100' shall be used, provided that the drawing shall not exceed 24 by 36 inches in size.

Section 301. Development Plan - To Show Overall Development.

- A. Even though a subdivider intends to subdivide only a portion of a large tract of land initially, the Development Plan shall show a proposed street and lot layout, contours, drainage plan and other requirements for the entire parcel or tract of land in which such portion is contained. The Planning Commission may waive this requirement upon a finding that such a complete layout is not necessary to carry out the intent and purpose of these Regulations. Notice shall be given if a subdivider requests to change an approved Overall Development Plan after a Final Plat for a section or for the entire development has been approved. The placement of a sign indicating the nature of the change in a conspicuous location on the property not less than 15 days prior to the date of the hearing shall constitute adequate notice.
- B. If a subdivision is proposed to be developed in sections, then the Development Plan for each section must stand on its own merit. All detention/retention, road, and soil erosion control facilities needed to adequately serve a specific section shall be constructed as part of the section that is submitted for approval.

Section 302. Development Plan - Information To Be Included.

- A. The development name, scale, north arrow with reference, date of plan preparation and revision(s) (if any); name, address and telephone number of subdivider; name, address and telephone number of owner; and name, address and telephone number of engineer or surveyor together with his state registration number, seal, and signature.
- B. Site Data to Include:
 - 1. Tax Parcel Number;
 - 2. Zoning Classification;
 - 3. Acreage of the land involved;
 - 4. Acreage of the area to be developed;
 - 5. Total number of lots;
 - 6. Total number of lots to be developed.

- C. The bearings and distances of the perimeter of the land involved with accurate reference to a known point or points such as street intersections, railroad crossings, and/or US Government monuments.
- D. Names of adjacent landowners together with all intersecting boundaries or property lines. Zoning of adjacent property.
- E. Proposed divisions to be created including right-of-way widths, roadway widths, curve data for roadways, proposed utility installations, lot lines with dimensions, lot numbers and block numbers for all lots, sites reserved or dedicated for public uses, and sites for other principal uses (specify maintenance responsibility). Minimum building lines (front, side, and rear), and existing and proposed easements, and clear view easements must be delineated. (as applicable)
- F. Statement as to whether streets are to be private. If private, a draft of the Home Owners Association documents shall be submitted indicating responsibility for maintenance of streets, common areas, parking areas or any other areas of the subdivision not deeded to the Commission.
- G. Dead-end streets, intended to be continued at a later time, shall be provided with a turn-around with a diameter of not less than 60 feet.
- H. Existing streets on and adjacent to the tract (delineate right-of-way and pavement) showing name of street, right-of-way, location, type, width and elevation of surfacing, any legally established centerline elevations, walks, curbs, gutters and culverts. (Connection to State Highways will require permits from GA DOT). Delineate streets that intersect on opposite sides of adjacent roadway.
- I. Proposed street names and existing street names.
- J. All existing physical features of the land, including contours, drainage ditches, streets, and wooded areas. The contour interval shall be two (2) feet unless otherwise approved in advance of application submission by the Department of Public Works, and the Executive Director of the Planning Commission. All contour information shall be based on sea level datum and shall be accurate within one-half contour interval. The Bench Mark, with its description and datum shall be clearly shown on the Plan. Within fifteen (15) days of a written request of the subdivider or his engineer, the Department of Public Works shall provide the subdivider with the Bench Mark within one thousand (1,000) feet of the proposed.
- K. General drainage features and plan of proposed storm drainage facilities with hydrology study (1 set). Provide at least one copy of pipe sizing, detention / retention sizing and other calculations required for review of this plan.
- L. Individual sewerage disposal systems shall be designed and installed in accordance with current Health Department Regulations.

- M. A note shall appear on the Development Plan to the effect that if individual water supply or sewage disposal systems are to be utilized, such information as needed by the Board of Health or other agencies shall be the responsibility of the subdivider.
- N. Plan of proposed water supply with tie to the nearest public water supply. Delineate location of all existing and proposed fire hydrants.
- O. Plan and profile of proposed sanitary sewer with tie to existing sewerage system. Sewer design computations shall accompany the Development Plan furnished to the Department of Public Works.
- P. Street grades and cross-sections must be provided.
- Q. A location map of the subdivision at a scale no smaller than 1 inch is equal to 1,000 shall show the relationship of the proposed subdivision to the surrounding area and the existing community facilities which serve or influence it.
- R. Location of all utilities existing and proposed including water supply and sewerage systems.
- S. Location of all easements existing and proposed.
- T. A Soil Erosion Sediment Control Plan of the proposed development (if larger than 1.1 acre), with hydrology study 1 set. Soils data as provided in the Soil Survey, Richmond County. This information is obtainable from the Soil Conservation Service Office. A statement from the Tax Official's office that ad valorem taxes owed and due have been paid and a SESC checklist must be provided with the submittal.
- U. Heavy outline of 100 year flood plain and note thereof. Any disturbances within flood plain limits must comply with the Flood Damage Prevention Ordinance. If the property is not in a 100 year flood plain, write note stating such.
- V. For lots within a 100 year flood plain, a finished floor elevation (3) feet above 100 year base flood elevation) must be noted on each lot.
- W. A statement of the following: "I am the owner of the property affected by this Subdivision Development Plan. Prior to approval of the Final Plat, I will submit a notarized statement as follows: I certify that the site improvements to be dedicated are complete and in accordance with the approved plans and specifications, that I know of no defects from any cause in the improvements, and that the improvements are free and clear of any encumbrance or lien. This certification will be based on observations of and supervision of construction by me or my representative. I understand that the Final Plat will not be approved until this certification has been made."
- X. The location of known gravesites and cemeteries located on the property. If gravesites or cemeteries are discovered after Development Plan approval but prior to approval of a Final Plat, information must be submitted to the Planning Commission so that the location of such gravesites or cemeteries can be noted on

the Development Plan. The Development Plan must illustrate measures that will be taken to preserve such cemeteries or gravesites including perimeter fencing, a public access easement to a public roadway, and signs as needed to identify the cemetery.

- Y. The location of stop signs (and other traffic control devices as required by the Traffic Engineer) including a statement to the effect that the subdivider shall be responsible for the initial installation of the signs (and other traffic control devices).

A note shall appear on the Development Plan as follows: "Sign Sheeting Requirements for Regulatory, Warning and Guide Signs shall be fabricated using High Intensity, Retroreflective sheeting meeting the American Society of Testing and Materials specifications for D 4956 Type III or higher".

Adequate traffic control, per the MUTCD and/or the requirements of the Traffic Engineer, is the responsibility of the Developer.

- Z. An executed wetland indemnification form provided by the Planning Commission accepting responsibility for activities that would be affected by Section 404 of the Clean Water Act of 1977 and require permitting by the U.S. Army Corps of Engineers;

A delineation of any wetland areas that are shown on the National Wetland Inventory Maps or identified through field studies. Evidence that a preconstruction notification with the Corp. has been filed pursuant to Section 404 of the Clean Water Act, or statements from properly accredited professionals in wetland identification as to why they are not needed must be provided before a development plan/site plan may be approved.

- AA. For any Development Plan that includes wetlands that are shown on the National Wetland Inventory Maps and subject to permitting by the US Army Corps of Engineers under Section 404 of the Clean Water Act of 1977, the following must be submitted:

- Location, dimensions and area of all impervious surfaces, both existing and proposed, on the site.
- The orientation and distance from the boundaries of the proposed site to the nearest bank of an affected perennial stream or water body.
- Location and detailed design of any spill and leak collection systems designed for the purpose of containing accidentally released hazardous or toxic materials.
- Calculations of the amount of cut and fill proposed and cross-sectional drawings showing existing and proposed grades in areas of fill or excavation. Elevations, horizontal scale and vertical scale must be shown on cross-sectional drawings.

- BB. A note to the effect that "Approval of Augusta, Georgia is for the improvements shown on the Development Plan. Any variation from the approved Development Plan must be approved by the City Engineer."

- CC. Statement reserving five foot easements along all side lot lines and ten foot easements along all rear lot lines, unless otherwise shown, for drainage and utilities.

- DD. A fence or indemnity form is required for all detention or retention areas.
- EE. A note to the effect that a preconstruction conference shall be held with the City Engineer or his designated representative prior to beginning construction. This meeting shall be scheduled with the Department of Public Works and Engineering at the time the notification of work commencement is given.
- FF. A note as follows: "The cost of inspection by the City of Augusta's Department of Public Works and Engineering, before or after regular working hours, on Saturdays, Sundays or Legal Holidays, shall be paid for by the individual requesting the inspection at a rate of 1 ½ times the regular salary per hour of the inspector plus 7.65% for the employer's FICA/Medicare match. Approval for the inspection outside of normal working hours shall be obtained from the City Engineer 48-hours in advance. Prior to the commencement of work requiring inspection outside of normal working hours, the individual requesting the inspection shall sign a form which is furnished by the Department of Public Works and Engineering agreeing to pay the overtime. The individual requesting the inspection will be billed by the Department of Public Works and Engineering for payment."
- GG. If the subdivision is to be deeded to the City, add a statement that "All Construction shall meet Augusta Standards and Specifications". If the subdivision is a private subdivision, add the note: "All Construction within Augusta R/W shall meet Augusta Standards and Specifications".
- HH. A descriptive note providing the following information:
1. Outfall(s) Information - Location, Size and Shape
 2. Land Use - Commercial, Industrial, Residential, etc.
 3. Acreage of on-site and off-site drainage areas contributing to discharge from development
 4. Acreage of Impervious Drainage Area
 5. Name of Receiving Drainage Basin
- II. A descriptive note describing any permanent or temporary Best Management Practices (BMP's) used to impact or target Water Quality.
- JJ. A note shall be added to the Development Plan as follows: The Contractor shall be required to have on site a copy of the Georgia Department of Transportation's Standard Specifications and Construction Standard Details, current edition.
- KK. The sight distance and posted speed limit for every access onto an existing public or private roadway must be indicated.
- LL. All structures within 100' of a proposed detention/detention pond shall be delineated.
- MM. The completed GA NDR-NPDES Checklist shall be included with the application.

Amended: May 2008 - 302 Z & 302 MM

Section 303. Development Plan - Utilities, Drainage, and Street Improvements.

- A. Water distribution systems shall be designed to meet the standards set forth in the Water and Sewer System Design Technical Manual. They shall provide an adequate supply of water for domestic and fire purposes, with sufficient pressure in the mains to meet minimum standards for fire purposes at all times in accordance with Underwriter's Standards. A water connection to each lot shall be provided.
- B. Where individual water systems are utilized, they must conform to the standards set forth in the Water and Sewer System Design Technical Manual, and all rules and Regulations of the Board of Health or other applicable laws.
- C. Sewerage systems shall be designed to meet the Standards set forth in the Water and Sewer System Design Technical Manual.
- D. Where individual sewage disposal systems are used, they must conform to the standards set forth in the Water and Sewer System Design Technical Manual and all rules and Regulations of the Board of Health or other applicable laws.
- E. The subdivider shall provide the subdivision with a governmental water supply where governmental water supply is available within one thousand (1,000) feet of the property, unless it can be demonstrated to the Utilities Department that it is economically unfeasible to do so.
- F. The subdivider shall provide the subdivision with a governmental sanitary sewerage system where a governmental sanitary sewerage system is available undred (500) feet of the nearest point of the subdivision unless it can be demonstrated to the Board of Health that it is economically unfeasible to do so.
- G. All approvals of Development Plans shall be accompanied by approval of street plans and profiles and a detailed drainage plan by the Planning Commission and the Department of Public Works. Such plans shall conform to the Street and Road Design Technical Manual and other applicable Regulations.
 - 1. Street plans shall demonstrate conformity with the design and construction guidelines. Copies of street plans, profiles, and typical cross sections shall be submitted with the Development Plan. The street plans and profiles shall show the existing ground surface and proposed street grades, including extensions for a distance of two hundred (200) feet beyond the limits of the proposed subdivision unless access to adjacent property is denied. The proposed typical cross section for the entire right-of-way widths of proposed streets shall be shown. The vertical profile scale shall be 1" equals 10' maximum and the horizontal profile scale shall be 1" equals 100' maximum. The Bench Mark with its description and datum shall be clearly shown on the profile sheet. The street plans shall show curve data based on the arc method.

2. The street plans and profiles shall be accompanied by a drainage plan showing proposed grades and cross sections of ditches and proposed pipe and ditch sizes for the entire tract or parcel.
 3. Stormwater retention facilities must be designed to meet the minimum standards set forth in the Stormwater Management Technical Manual.
- H. The Commission shall not be responsible for any internal subdivision drainage other than as outlined in the Deed of Dedication. The Commission shall not be responsible for off-site acquisition of drainage or utility easements. This does not imply that the subdivider will be responsible for the maintenance of these facilities after they have been deeded to the Commission.

Section 304. Pre-Construction Conference. A pre-construction conference may be required by the City Engineer at his discretion. A notation on the Development Plan will be made to this effect when such a conference is required. Construction pursuant to the Development Plan shall not commence until the conference has been held.

Section 305. Development Plan - Inspection. Every site proposed for a subdivision shall be inspected by the staffs of the Planning Commission, the Department of Public Works, and the Health Department, if individual sewerage systems are to be used, prior to approval of the Development Plan.

Section 306. Final Plat - Size and Scale of Drawings. A Final Plat shall have a maximum sheet size of 18 by 24 inches, and the Final Plat shall be drawn at a scale of 1" equals 100' or larger. When necessary, the plat may be on several sheets accompanied by an index sheet or key map on each sheet showing the entire subdivision.

Section 307. Final Plat - Information to be Included: All requirements of the Georgia Plat Act and:

- A. The courses and distances of the perimeter of the land involved.
- B. Accurate reference to a known point or points such as street intersections, railroad crossings, and/or US Government monuments.
- C. The acreage of the land involved.
- D. Names of adjacent landowners and streets together with all intersecting boundaries or property lines.
- E. Proposed divisions to be created including right-of-way widths with name of street, roadway widths, proposed utility installations, lot lines with bearings and dimensions, acreage of each lot, sites reserved or dedicated for public uses, and sites for other principal uses.
- F. Existing streets on and adjacent to the tract showing name of street, right-of-way width, location, type (public or private) (asphalt or dirt), width and elevation or

surfacing, any legally established centerline elevations, walks, curbs, gutters, culverts, and streets that intersect on opposite side of adjacent roadways.

- G. Proposed street names and existing street names.
- H. The subdivision name, scale, north arrow, date of plan preparation and revision(s) if any; name, address and telephone number of subdivider; name, address and telephone number of owner; and name, address and telephone number of engineer and/or surveyor together with his state registration number, seal and signature.
- I. A location map of the subdivision shall show the relationship of the proposed subdivision to the surrounding area and the existing community facilities which serve or influence it.
- J. All property lines with accurate bearings and distances.
- K. Project data to include: total acreage, total number of lots, minimum lot size, zoning, tax map and parcel number.
- L. Final curve data for all curves based on the arc method. Delineate the location of all points of curvature and tangency.
- M. Lot and Block identification. Lot Numbers and Block Letters shall be shown. Lot Numbers shall be numerical and Block Letters shall be alphabetical.
- N. The engineer's or surveyor's certificate as to the accuracy of the survey and plat. Individual measurement of lots and blocks within the subdivision shall be accurate within a minimum of one (1) part in three thousand (3,000).
- O. When private streets or roads are utilized in a subdivision, the following owner's acknowledgment shall be shown on the Final Plat, (with appropriate language supplied by the Executive Director on each individual plat thereafter in the subdivision) :

"The streets and roads (detention/retention ponds and common areas - as applicable) are the private property of the owner, who has full and perpetual responsibility for their maintenance and repair. The owner releases Augusta, Georgia, from any and all claims, damages, or demands arising on account of or in connection with the design, construction, and maintenance of the streets and roads (detention/retention ponds and common areas - as applicable) as shown hereon. Augusta, Georgia, assumes no liability or duty related thereto, and in no manner approves or assumes liability for the design of the streets and roads (detention/retention ponds and common areas - as applicable) as shown hereon."

A Homeowners Association document must be submitted in recording form indicating responsibility for maintenance of streets, common area, parking areas, or any other areas of the subdivision that apply.

- P. State plane coordinates shall be shown on the plat for at least one property corner. The coordinates and names or descriptions of Augusta and/or geodetic monuments used for control will be noted on the plat with the grid distance and azimuth shown to at least one of the coordinated property corners.
- Q. Statement reserving five foot side easement along all side lot lines and a ten foot easement along all rear lot lines, unless otherwise shown, for drainage and utilities.
- R. Front building setback lines.
- S. Clearview easement typical detail. Clearview easements can be made a part of the street right-of-way.
- T. Location and elevation of 100 Year Flood Plain if applicable. Also state that first floor elevations within the 100 Year Flood Plain shall be three feet above the 100 Year Flood Plain level. FFE's must be shown on each lot located within the 100 Year Flood Plain. If the lot is not in the flood plain, a statement to this effect shall be provided.
- U. Location and delineation of wetlands that are shown on the National Wetland Inventory Maps and subject to permitting by the U. S. Army Corps of Engineers under Section 404 of the Clean Water Act of 1977.
- V. Augusta, GA shall not be responsible for pavement repair or site restoration associated with repair/replacement of a water or sewer line in this private development.

308: SURVEY AND PLAT STANDARDS

- A. The intent of this section is to require certain land parcels, located within reasonable distance from monumented Augusta and/or geodetic control points, to be referenced by field survey to Augusta and/or geodetic control points which are defined by state plane coordinates. In cases where monumented Augusta and/or geodetic control points are not within a reasonable distance as defined in this document, the requirement will be to reference the survey to points which are identifiable on the Augusta orthophoto maps. Property surveys affected by this article will be referenced to their accurate geographical locations, and therefore can be plotted in their correct position on the state-plane-coordinate-based Augusta mapping system.
- B. The following surveys require ties to geodetic control monuments:
 1. Any subdivision of five (5) or more lots total aggregate, including all phases and sections severed from parent parcels at the time of this ordinance, within a one mile traverse distance along public roads of Augusta and/or geodetic control monuments.
 2. Any boundary survey for which the sum of the length of the lines platted is greater than the traverse distance along public roads to Augusta and/or geodetic control.

3. Any subdivision of twenty-five (25) or more lots total aggregate, including all phases and sections severed from the parent parcel at the time of this ordinance, regardless of distance to Augusta and/or geodetic control.
 4. Any non-agricultural industrial/commercial development of 25 or more acres regardless of distance from Augusta and/or geodetic control.
- C. Surveys Exempt From Requirements For Ties To Augusta And/Or Geodetic Control Monuments. It is considered very desirable for surveyors to tie all surveys, whenever possible, to the state plane coordinate system. Nothing in these exemptions is intended to discourage surveyors from tying surveys to the state plane coordinate system.

The following surveys are exempted from the requirement for ties to Augusta and/or geodetic control monuments:

1. Surveys of 5.00 acres or less, such as mortgage surveys, in existing subdivisions initially recorded with the Clerk of Superior Court.
 2. Any survey not specified in "Surveys Requiring Tie To Augusta And/Or Geodetic Control Monuments" as outlined above.
- D. Surveys Requiring Orthophoto Locator Tie. All surveys not included in "Surveys Requiring Tie To Augusta And/Or Geodetic Control Monuments" and not exempted in "Surveys Exempt From Requirement For Ties to Augusta And/Or Geodetic Control Monuments" shall have a "locator tie". A locator tie is defined as a bearing and distance tie from a property corner to a point identifiable on the orthophoto map such as a building corner, a road intersection with a driveway, or other point that can be accurately spotted on the orthophoto.

To support this requirement, Augusta will make copies of the orthophoto maps in digital format available to licensed surveyors and will provide access to these maps in the Tax Assessors Office.

- E. Survey Requirements. Survey requirements specified in this article are only for control survey connections between Augusta and/or geodetic survey monuments and land parcels. Boundary surveys shall be performed in accordance with the State Minimum Standards published by the Georgia State Board of Registration for Professional Engineers and Land Surveyors unless more stringent requirements are specified herein. In so far as possible, control surveys between Augusta and/or geodetic monuments and property boundaries shall be extended from the nearest Augusta and/or geodetic control monuments. Augusta specifications for horizontal control are as follows:
1. Terrestrial Surveys:

- a. If control is extended no more than $\frac{1}{2}$ mile from the control monument to the property boundary, third-order class 1 (1/10,000) specifications shall be followed.
- b. If control is extended more than $\frac{1}{2}$ mile from the control monument to the property boundary, second order class 11 (1/20,000) specifications shall be followed.
- c. Plats to be recorded must bear certification of the class of specifications followed.

2. Global Positioning System (GPS) Surveys:

- a. If GPS is used, procedures shall be followed to ensure survey grade compatibility with the nearest county and/or geodetic control monuments. Survey grade GPS receivers shall be used with a manufacturer's stated accuracy of at least ± 5 cm ± 2 ppm. It is realized that the nearest station may not always be suitable for occupation by GPS because of obstructions, lack of property owner permission, or other reasons. The intent here is to make ties to network stations within 3 to 5 miles from the project and to avoid establishing new coordinates on property corners that will not tie on the ground by conventional surveys to an accuracy of 1/10,000 to existing monuments that already exist in the project area.
- b. Plats to be recorded must bear certification stating the GPS receivers used are of survey grade and have a manufacturer's stated accuracy of at least ± 5 cm ± 2 ppm.

3. Plat Requirements:

- a. State plane coordinates shall be shown on the plat for one property corner. The coordinates and names or descriptions of Augusta and/or geodetic monuments used for control will be noted on the plat with the grid distance and azimuth shown to at least one of the coordinated property corners.
- b. Horizontal ground distances (not grid distances) will be shown on the plat for all segments of the boundary survey. A combined state plane coordinate - sea level reduction factor will be noted on the plat. Area will be based on horizontal ground distances.
- c. All bearings will be referenced to state plane coordinate grid north.

F. Digital Data. For Final Plats containing more than ten lots, digital data must be submitted. The minimum requirements are as follows:

1. The data should conform to the following:
Coordinate System: GA State Plane East
Datum: NAD 83

Units: Feet

2. Documentation for layering scheme should be submitted with the data, unless previously submitted.
3. Data should be in DXF format.
4. Data may be submitted via e-mail, diskette, CD Rom, or 4mm tape.
5. Data must be submitted when the plan is submitted to the Planning Commission for approval.

G. County and or Geodetic Control Monuments.

1. The Augusta Information Technology Department will keep on file the location of all Augusta and/or Geodetic Control Monuments and will provide to the Registered Land Surveyor a location of the nearest Augusta and/or Geodetic Control Monuments to their site or project.
2. Augusta Control Monuments shall be any monumented property corner or control monument that has been tied to published Geodetic Control Monuments and is on file with the Augusta Information Technology Department.

H. Violations of Section 307. Complaints against violators of this article shall be reviewed by a panel of Georgia Registered Land Surveyors that shall be selected by the Planning Commission, before the complaint is filed with the Georgia State Board of Registration for Professional Engineers and Land Surveyors by the Planning Commission, Clerk of Superior Court, or other department.

ARTICLE IV

Design Standards

Section 400. Standards for Streets. Streets shall conform to the design standards set forth in the Street and Road Design Technical Manual, and the following general standards:

- A. A layout of streets as to arrangement, width, grade, character and location shall conform to the latest Transportation Plan in effect, the latest Official Map in effect, to adjoining street systems both planned and proposed, to topographic conditions, natural features and drainage systems to be provided, and to the public convenience and safety.
- B. Minor or residential streets shall be so laid out that their use by through traffic is discouraged.
- C. Where a subdivision abuts or contains an existing or proposed expressway or arterial street, the Planning Commission may require frontage streets, reverse frontage with screen planting, deep lots or other such treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic. "No access" easements may also be required.
- D. Reserve strips or parcels controlling access to streets shall be prohibited.
- E. Alleys shall be permitted only in multifamily, commercial and industrial areas where required to provide for service access such as off-street parking, loading and unloading consistent with and adequate for the uses proposed. Such alleys shall be at least twenty (20) feet in width and shall permit safe and through vehicular movement. With special permission of the Planning Commission, alleys may be permitted in single-family development.
- F. Dead-end streets designed to be so permanently, shall not be longer than one thousand (1,000) feet except where land cannot be otherwise subdivided practicably. The Planning Commission staff shall have the authority to waive this restriction if it is their opinion that it is warranted to do so. All permanent dead-end streets shall be provided at the closed end with a turn-around having a street-property line diameter of not less than eighty (80) feet. Turn-arounds of this nature shall have a paved diameter of not less than sixty (60) feet. Dead-end streets intended to be continued at a later time shall be provided with the same turn-around as required for a permanent dead-end street, but only that portion to be required as right-of-way when the street is continued shall be dedicated and made a public street.
- G. No street names shall be used which will duplicate or be confused with the names of existing streets. Street names proposed by the subdivider shall be subject to check by the Planning Commission and when duplication or confusion occurs, the Planning Commission shall require the subdivider to substitute names free from duplication

and confusion. The Planning Commission shall maintain an up-to-date file of all street names for the guidance of subdividers.

- H. Street right-of-way widths shall be as shown in the Official Road Book and on the Official Map, and for new streets they shall be as follows:

PROPOSED ROADWAY REQUIREMENTS					
CLASSIFICATION	CURB & GUTTER		SHOULDER & DITCH SECTION		
	Right-of-Way	Pavement Width B/C to B/C	Right-of-Way	Pavement Width	Shoulder Width
Minor	60	31	80	24	6
Residential	60	31	80	24	6
Residential Collector	80/60	31	80	24	6
Collector	80	31	80	24	6
Industrial Access	80	31	80	28	6
Arterial	100	53	120	48	8

- I. Each street and road shall be paved or surfaced with a paving or surfacing of a type and strength deemed suitable for the volume and character of traffic to be expected. No street or road shall be provided with less than an all weather surface. The type of roadway surfacing shall be determined from the Roadway Standards.

Section 401. General Standards for Curbing are set forth in the Street and Road Design Technical Manual.

Section 402. Markers

- A. Markers shall be placed on all lot corners. Such corner shall be marked with an iron pipe or pin having a minimum diameter of one-half (1/2) inch. Such iron pipe shall be a minimum of eighteen (18) inches in length and shall be visible above the ground so that any competent engineer or surveyor may retrace the line of the subdivision.
- B. Markers shall be installed prior to the submission of the letter requesting approval for final acceptance of all improvements by the appropriate engineering department.
- C. The location and height of any signs denoting subdivision name or other decorative fixtures shall have prior approval of the Traffic Engineer.
- D. The location and type of all markers used shall be indicated on the Final Plat.

- E. *Street name signs of a suitable design and durable material and lettered on both faces shall be installed by the subdivider on the northeast corner of the every intersection. Wooden signs and wooden posts shall not be used. Sign Sheeting Requirements for Regulatory, Warning and Guide Signs shall be fabricated using High Intensity, Retroreflective sheeting meeting the American Society of Testing and Materials specifications for D 4956 Type III or higher. Any variance from this standard street sign shall be approved by the Traffic Engineer and the Planning Commission. In private subdivisions, all street signs must clearly indicate that the streets are private.*

Section 403. General Standards for Drainage and Utility Easements. Drainage facilities shall conform to the design standards set forth in the Stormwater Management Plan Technical Manual and other Regulations as appropriate.

- A. Easements for drainage or utilities may be required where necessary. Such easements shall be placed along side and/or rear property lines. Redesign of the lot arrangement may be required to meet extreme drainage conditions.
- B. Easements, when required for drainage of the area to be subdivided, shall be of such width as is necessary to permit proper construction and maintenance of the drainage facilities required to drain the area properly. Drainage easements shall be a minimum width of ten (10) feet, provided, however, that easements up to fifty (50) feet may be required, if in the opinion of the Department of Public Works, such easements are necessary in the public interest.
- C. Easements shall center along or be adjacent to a common property line where practicable.
- D. Subdivision development shall not block or obstruct the natural drainage from an adjoining area. Provision of drainage facilities to maintain the established flow of off-site water through any property to be subdivided shall be the responsibility of the subdivider.
- E. Existing natural drainage shall be retained or adequately relocated.
- F. All drainage and utility easements within the subdivision that are intended to be maintained by the Commission shall be deeded to the Commission.

Section 404. Sidewalks

- A. Sidewalks must be provided for on any existing arterial or collector street that is part of any subdivision plan that is adjacent to an existing street that is classified as an arterial or collector in the Highway Functional Classification System within the Augusta-Richmond County Urbanized Area as defined by the Augusta Regional Transportation Study. Where installed, sidewalks shall meet the construction standards of the Traffic Engineer.

Amended : May 2007 – 404 A

May 2004 - Section 402 E

Section 405. Lots. Lots shall conform to the following standards.

- A. The size, width, depth, shape, orientation, and minimum setback lines of lots shall be as required by the Comprehensive Zoning Ordinance for Augusta, Georgia, and shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- B. Lot depth normally shall not exceed two and one-half (2 1/2) times the lot width established in accordance with these Regulations and except in case of hardship, shall never exceed four (4) times that width. This provision shall not apply where the width of a lot equals or exceeds three hundred (300) feet for its entire depth.
- C. Residential lots shall meet the area and dimensional requirements established by the Comprehensive Zoning Ordinance and by the Richmond County Board of Health, and established elsewhere in the Subdivision Regulations. If individual water supply or sewage disposal systems are to be utilized, such information as needed by the Board of Health shall be submitted along with the Development Plan.
- D. Corner lots shall have twenty (20) percent greater width at street property lines than interior lots and shall have extra widths where necessary to permit the establishment of sight areas easements.
- E. Lots which have double frontage (through lots) shall be prohibited except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. An easement, of at least ten (10) feet in width, across which there shall be no right of access shall be required along the rear street property lines of lots abutting such a traffic artery or other disadvantageous use. No right of access across such required easements shall be granted except upon resolution of the Planning Commission.
- F. *All lots shall be provided, by means of streets which have been constructed in conformance with the standards and specifications of the Development Regulations of Augusta-Richmond County, specifically the Land Subdivision Regulations and the Street and Road Design Technical Manual and dedicated in accordance with these Regulations, with access to an existing public street. Where private streets have a recorded provision for maintenance and are controlled by a duly incorporated association, the geometric and right-of-way provisions may be waived by the Planning Commission. The storm drainage and subgrade, base and pavement design standards for public streets shall not be waived for private streets.*
- G. All quadrangular lots, and insofar as practical, all other lots, shall have side lines at right angles to straight street lines and radial to curved street lines.

Amended May 2004 - Section 405 F

- H. Lots for other than residential use shall include sufficient space for off-street parking, loading and unloading, and circulation of traffic unless waived by the Planning Commission.
- I. Lots created after the effective date of this Ordinance shall have ingress and egress by means of a public street or highway, or a private street per 405(J)(1), not less than 25 feet in width to isolated lots (flagpole lots).
- J. Subdivision of land into one or more flagpole lots shall comply with the following requirements:
 - 1. No flagpole lots shall have a width of less than twenty-five (25) feet at any point.
 - 2. No portion of a flagpole lot less than sixty (60) feet in width shall be located within one hundred (100) feet of a street intersection, railroad crossing or stream crossing.
 - 3. Minimum lot size for flagpole lots, excluding portions of lots less than sixty (60) feet in width shall be twenty thousand (20,000) square feet.
 - 4. Flagpole lots, where “flagpoles” are contiguous, shall have a common driveway constructed by the owner to serve all lots for ingress and egress with cross easements thereto extending from the street right-of-way to a point where the lot widens to a width of sixty (60) feet or greater.
 - 5. Common driveways serving two or more lots shall have all-weather surface treatment which is acceptable to the Executive Director in consultation with the Department of Public Works, given the soils, topography, and other site conditions. The all-weather surface of common driveways shall at a minimum have a width of ten feet and a stable shoulder eight feet in width on either side of the all-weather surface. The Executive Director may request a certification from a professional engineer, who may be an employee of Augusta, that a proposed common driveway plan consisting of surface treatment, base, shoulders, and other design considerations is appropriate for the particular site conditions. In situations where extraordinary hardships can be demonstrated, the requirement for an all-weather surface may be waived by the Executive Director in consultation with the Department of Public Works.
 - 6. If a Concept Plan provides for common driveways with all weather surface treatment, then upon approval of such plan, the subdivider shall construct all common driveways per the plan before any Final Plats are submitted.
 - 7. If a Concept Plan provides for common driveways with all-weather surface treatment, then covenants and/or homeowner’s association documents which at a minimum govern maintenance of the common driveway shall be

completed and executed after approval of said Concept Plan but before any Final Plats are submitted.

8. There shall be a minimum distance of 400 hundred (400) feet between common driveways of flagpole lot subdivisions.
9. Common driveways for flagpole lot subdivisions shall serve no more than four (4) lots.
10. Easements providing common driveways for flagpole lots shall be recorded on plats containing such lots.
11. Plats containing flagpole lots shall include the following owner's acknowledgment:

"Easements providing ingress and egress are the private property of the owner, who has full and perpetual responsibility for their maintenance. The owner releases Augusta, Georgia, from any and all claims, damages, or demands arising on account of such easements."

Section 406. Subdivision Name. Every subdivision shall be given a name which shall not duplicate or closely approximate that of any other subdivision existing or planned.

ARTICLE V

Planned Unit Development

Section 500. Conditions for Subdivision. A subdivider may submit an application for a Planned Unit Development on a minimum of five (5) acres provided such property is properly zoned as a PUD (Planned Unit Development) Zone or provided an application has been submitted to the Planning Commission for rezoning the property to such Zoning classification. This acreage may be reduced by the Planning Commission if sufficient justification is presented. However, no Development Plan for a Planned Unit Development shall be approved until the property for which it is proposed has been properly zoned. A Planned Unit Development may contain such land uses as permitted in the Comprehensive Zoning Ordinance for Augusta, Georgia.

Written application for approval of a Planned Unit Development Plan shall include the following:

- A. A statement of the present ownership of all land within the proposed development.
- B. An explanation of the development proposed including the number of acres, number of dwelling units in each housing type, gross density by type of land use, minimum floor area standards, lot sizes, and yard and spacing proposals.
- C. A general statement of the proposed development staging and construction schedules.
- D. Proposed agreements, provisions, and covenants which will govern the use, maintenance, and protection of development and any common or open space. Covenants shall establish control of land use, density, and open space in perpetuity.

Section 501. Pre-Application Procedure. Pre-application procedure shall be the same as that established for other types of subdivisions as stated in Article II above.

Section 502. Approval of Development Plan. The procedure for Development Plan approval set forth in Article II above shall be followed, and exhibits required in Article III shall be submitted. The following additional exhibits shall be submitted.

- A. The existing and proposed land uses and the approximate location of all buildings and structures to be built.
- B. Perspective drawings of representative building types except for detached single-family buildings and their accessory buildings. Such drawings shall indicate general architectural style and appearance.
- C. For all single-family attached, multifamily, and commercial areas, off-street parking and loading/unloading plans shall be shown.

Section 503. Design Standards. Design standards set forth in Article IV shall be followed insofar as practicable and consistent with the type of development proposed.

Section 504. Improvements Required. All improvements required under Article VI shall be provided.

Section 505. Compliance with Comprehensive Zoning Ordinance. All Development Plans for a Planned Unit Development shall comply in all respects with requirements of the Planned Unit Development Zone and other requirements of the Comprehensive Zoning Ordinance for Augusta, Georgia.

Section 506. Final Plat and Final Approval. All procedures required in Article II above shall be followed for Final Plat approval. Final Plat approval shall be required as for other subdivisions. Final Plat submission shall be accompanied by a written application setting forth any changes from proposals submitted with Development Plan proposals and by covenants in recording form and signed by the proper parties.

ARTICLE VI

Miscellaneous

Section 600. Hardships and Variances

- A. Variances to certain provisions of this Ordinance may be granted on the basis of hardship. Variances to the procedures set forth may be granted by the Planning Commission upon a finding that such variance would not adversely affect public health, safety and welfare, and that failure to grant such variance would result in unnecessary hardship for the applicant. Variances to design standards, technical specifications, and construction materials shall be considered by the Department of Public Works under the same hardship standards.
- B. The subdivider shall submit a petition to the Planning Commission stating clearly and definitely the reason for a request of variance. Consideration will be given based on the following factors:
 - 1. Unique conditions affecting the property.
 - 2. Undue hardships would result from ordinary adherence to the requirements.
 - 3. A determination that the granting of a variance shall not be detrimental to adjacent property or to the public interest.
- C. A request for a variance to the Subdivision Regulations shall be submitted no less than 30 days prior to a meeting of the Planning Commission. A sign shall be placed upon the property for which a variance is being requested no less than 15 days prior to the meeting at which the variance will be considered. The decision of the Planning Commission on the variance from the Subdivision Regulations shall be a final decision, subject to appeal in Superior Court.
- D. If a request for a variance to the Subdivision Regulations is denied by the Planning Commission, then that request or a request which is similar or serves the same purpose in the opinion of the Executive Director shall not be considered for a period of one year (1) from the date of the decision.
- E. When Subdivision Plans have been submitted to the Planning Commission and have been duly approved and are then submitted to agencies of the Federal Government and such agencies require changes for mortgage guarantees, such mandatory changes shall be accepted by the Planning Commission as prima-facie evidence of a hardship and the changes will be accepted under the provisions of this section unless such changes would be a clear violation of the intent of these Regulations.

Section 601. Penalty. Any person or corporation whether as principal, agent, employee, or otherwise who violates any provision of this Ordinance shall be guilty of an offense and upon conviction shall be punished as provided in Augusta-Richmond County Code § 1-6-1.

Section 602. Amendments.

- A. Amendments to these Regulations shall be proposed by the Planning Commission or shall be submitted to the Planning Commission for approval before being adopted by the Commission.
- B. Augusta, Georgia, may adopt amendments to these Regulations, providing that a public hearing thereon shall first be held by the Planning Commission, public notice of which hearing shall be given at least fifteen (15) days prior to such hearing.
- C. No amendment, failing passage at its first consideration by the Commission, shall be resubmitted for a period of one (1) year.

Section 603. Repeal. Previous "Subdivision Regulations for the Municipality and Unincorporated Areas of Richmond County, Georgia" are hereby repealed.

Section 604. Severability. Any clause or provision of these Regulations declared invalid by any court having jurisdiction shall not affect the validity of the Regulations as a whole or any other part thereof.

Section 605. Effective Date. These Regulations shall become effective on _____.

Adopted this ____ day of _____, 1999.

Bob Young, Mayor
Augusta, Georgia

ATTEST:

Lena J. Bonner, Clerk of Commission

First Reading _____

Second Reading _____