

## CHAPTER 7: SUBDIVISION

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## CHAPTER 7: SUBDIVISION STANDARDS

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### 17-700 GENERAL PROVISIONS

#### (A) Jurisdiction

These regulations shall control the subdivision of residential and nonresidential land within the unincorporated portion of Hall County, Georgia.

#### (B) Policy

- (1) In the interest of orderly, planned, efficient and economical development, and furtherance of the general health and welfare of the county and its citizens, and to ensure consistency with the land use plan, it is declared to be the policy of the county to consider the subdivision of land and its development to be subject to the control of the county.
- (2) Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace and that it can be serviced with those public facilities deemed necessary and appropriate for such development.
- (3) The existing and proposed public improvements shall conform with and be properly related to the proposal shown in the land use plan, and it is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in building and housing codes, the Unified Development Code, the land use plan, and the capital budget and program of the county.

#### (C) Purposes

These subdivision regulations are adopted for the following purposes:

- (1) 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 the county;
- (2) To assure the provision of required streets, utilities, and other facilities and services to both residential and nonresidential subdivision developments;
- (3) To assure the adequate provision of safe and convenient access and circulation, both vehicular and pedestrian, and to help insure that all lots will be accessible to fire fighting equipment and other emergency and service vehicles;
- (4) To assure the provision of needed public open spaces and building sites in new land development through the dedication or reservation of land for recreational, educational, and other public purposes;
- (5) To insure adequate drainage by providing for the proper layout of streets and lots, thereby reducing maintenance problems;
- (6) To help prevent the spread of urban blight and slums;
- (7) To promote a safe and healthy environment;
- (8) To assure adequate identification of property on the public records;

- (9) To encourage, in general, the wise development of the community in accordance with the land use plan.

**(D) Approvals Required**

**(1) General**

When any subdivision of land is proposed, before any permit for the subdivision shall be granted, the subdividing owner, or his authorized agent, shall apply for and secure approval pursuant to Sec. 17-202(G).

**(2) Before Transfer of Land**

No person shall sell or transfer any land by reference to or exhibition of or other use of a plat of a subdivision before such plat has been approved by the county Planning Director and recorded in the office of the clerk of superior court of the county pursuant to the provisions of Sec. 17-202(G). The description of any land by metes and bounds in the instrument of transfer or other documents used in the process of selling or transfer shall not exempt the transaction from this requirement.

**(3) Before Construction Work**

No subdivider shall proceed with any construction work on the proposed subdivision, including clearing of land, before obtaining a preliminary plat approval pursuant to Sec. 17-202(G).

**(4) Before Certificate of Occupancy**

Where an improvement guarantee has been required for a subdivision, no certificate of occupancy for any building on any lot fronting a proposed road in the subdivision shall be issued prior to completion of improvements under the guarantee.

**(E) Street Access Required**

No building permit shall be issued for and no building or other structure shall be erected on any lot within the subdivision unless the street giving access to the lot (a) shall previously have been accepted as, opened as, or have the legal status of, a public street, or (b) such street and lot corresponds in its location and lines with a street shown on a subdivision plat or street plat approved by the planning commission, or (c) such street has been located and accepted by the governing authority of the county, or (d) shall be a publicly approved private road. Any building erected in violation of this section shall be deemed an unlawful structure, and the building official, county attorney, or other official designated by the governing authority of the county may bring appropriate action to enjoin such erection or cause it to be vacated or removed.

**(F) Conditions on Development; Compliance**

Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the state to this county. The developer has the duty of compliance with these regulations and any reasonable conditions laid down by the planning commission for design, dedication, improvement, and planning, so as to conform to the physical and economical development of the county and to the safety and general welfare of the future lot owners in the subdivision and of the community at large.

**(G) Name of Subdivision.**

The name of the subdivision must have the approval of the County. The name shall not duplicate or closely approximate the name of an existing subdivision.

**(H) Interpretation**

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

**(I) Conflicting Provisions**

Where any provision of these regulations imposes a restriction different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

**(J) Easements, Covenants and Other Private Restrictions**

These regulations are not intended to supplant any easement, covenant or any other private restriction; provided that, when the provisions of these regulations are more restrictive or impose higher standards than such easement, covenant, or other private restriction, the provisions of these regulations shall govern.

**(K) Provision of Access or Services by Municipal Corporations or Other Counties.**

The planning commission may disapprove all or any part of a subdivision where proper access and the provision of services affecting the health, safety, and welfare of the subdivision are jeopardized by reliance upon the performance of another jurisdiction.

**(L) Agricultural Use Statement**

All residential plat drawings located near or adjacent to active agricultural activities, or tracts of land over five acres in size zoned for agriculture, must prominently display the following statement:

"Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including , but not limited to noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore , owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."

**(M) Saving Provision**

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the county under any section or provision existing at the time of adoption of the regulations codified in this title, or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the county, except as shall be expressly provided for in these regulations.

## 17-701 DESIGN STANDARDS

### (A) Layout and Design Generally

#### (1) Compliance With Comprehensive Plan Required

All proposed subdivisions shall conform to the comprehensive plan and development policies in effect at the time of submission, as interpreted by the Board of County Commissioners.

#### (2) Compliance With All Applicable Standards Required

All proposed subdivisions of land, including Minor Subdivisions, shall comply with all applicable layout and design standards contained in the Unified Development Code. All proposed subdivisions shall be laid out and designed so as to comply with, or to allow future development on each platted lot to comply with all provisions of such Code, including, but not limited to:

- a. The dimensional standards set forth in Chapter 5;
- b. The Tree Protection and Open Space provisions contained in Sec.17-601
- c. The Environmental Protection Standards contained in Sec. 17-611

#### (3) Lot Specifications and Dimensions

- a. Lot dimensions shall comply with the minimum standards set forth in the Unified Development Code.
- b. Where lots are created through the minor subdivision process, each lot shall be of a minimum size equal to that established by the maximum density permitted under the Comprehensive Plan designation for the property. For example, if the maximum density is one acre per dwelling unit, the minimum lot size shall be one acre, regardless of the lot size permitted under zoning.
- c. The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with county regulations and in providing driveway access to buildings on such lots from an approved street.
- d. Where lots are more than double the minimum required area for the zoning district, the planning commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with the Unified Development Code.
- e. Lots containing less than one-and-one-half acres of land shall be of a configuration such that the average depth is no greater than 4 times the average width. On flag lots, this requirement shall apply only to the buildable portion of

the lot and not to the access portion of the lot. Lots exceeding this standard may be permitted where the extra depth is contained in an easement protecting floodplain, severe slopes, trees, or a required buffer area.

- f. In general, side lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from this rule gives a better street or lot plan.
- g. Dimensions of corner lots shall be large enough to allow for construction of buildings, observing the minimum front-yard setback from both streets. Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, as established in the Unified Development Code.

**(4) Flag Lots**

Flag lots shall be allowed in all Rural and Residential zoning districts in accordance with the standards of this subsection:

- a. **Frontage**  
Each flag lot shall have at least 50 feet of street frontage and at least 50 feet of width for the entire length of the access to the buildable portion of the lot.
- b. **Number**  
No more than 10 percent of the lots within a subdivision containing 10 or more lots shall be flag lots. No more than two flag lots shall be contiguous, except where contiguous at the rear of both lots.
- c. **Lot Area Calculation**  
The area of the access connection (flagpole) to the buildable portion of the lot shall not be counted as part of the lot area for purposes of required minimum lot size.
- d. **Driveways**  
Driveways shall be designed to allow vehicles to drive out forward. Common driveways shall be required when two flagpole lots are contiguous.

**(5) Double-Frontage Lots**

Double-frontage lots shall be prohibited except where necessary to provide separation of residential development from arterial thoroughfares or to overcome specific disadvantages of topography and orientation. Double-frontage lots that are necessary shall be required to have a no-access easement across at least one frontage, preventing access to arterial or collector streets, or to the local road where topography or other circumstances suggest the need to preclude access.

**(6) Driveways**

All driveways shall comply with the provisions of Chapter 12.40 of the Hall County Code (Driveway Construction).

**(B) Residential Subdivisions**

This Sec. 17-701(B) is intended to confirm that all residential subdivisions shall be designed so as to meet all applicable standards set forth in Chapter 17-600 (Development Standards). Nothing in this Sec. 17-701(B) shall modify the development standards set forth in Chapter 17-600, and in the event of any conflict between the requirements of this Section and any provision of Chapter 17-600, the latter shall govern.

**(1) Single-Family Residential Subdivisions**

All subdivisions shall be required to comply with the requirements for designation of tree protection areas and open space areas set forth in Sec. 601. In the event of any inconsistency between the provisions of this Sec. 17-701(B) and the provisions of Sec. 601, the latter shall govern.

**a. *Minimum Required Tree protection Areas***

1. All single-family residential subdivisions located in a Rural zone district shall be required to protect at least 40 percent of existing tree cover on the property submitted for subdivision; and
2. All single-family residential subdivisions located in a Residential zone district shall be required to protect at least 35 percent of existing tree cover on the property submitted for subdivision; and
3. If compliance with subsections 1 and 2 above do not result in the designation of at least 25 percent of the total site area as tree protection areas, then additional open space shall be designated so that a minimum of 25 percent of the total site area is located in tree protection and/or open space areas.

**b. *Location of Tree Protection Areas***

Priority areas for preservation of existing tree cover are listed below, in order of priority. All tree protection plans should preserve existing trees in the highest priority category possible. During the development review and approval process, the County may suggest or incorporate modifications that would enable existing trees in higher priority areas to be preserved.

1. *Priority 1*  
Sensitive environmental areas, including areas with large numbers of mature trees, areas containing multiple "signature" trees (trees of over 20" DBH), wetland areas, stream corridors, the margins of existing lakes or ponds, wildlife habitat areas, steep slopes, or geological hazard areas.
2. *Priority 2*

Areas where perimeter landscaping or buffering is required pursuant to Sec 17-602 (Landscaping, Screening, and Buffering), and where there are stands of existing trees on the adjacent property. In the Rural zone districts, this category shall also include street frontage areas that do not contain access driveways.

3. *Priority 3*  
Other areas.

**c. *Treatment of Tree Protection Areas***

No primary or accessory structure, and no parking or loading area, driveway, or utility easement for new local service may be located in areas designated to meet minimum tree protection requirements. Natural areas included to meet minimum tree protection requirements shall be designed to be kept in their natural condition to the maximum extent practicable. Minor paved pathways may be permitted when designed with minimal grading. Any permitted man-made features (such as retention and detention ponds, drainage facilities, or utility lines) shall be made to minimize disturbance and resemble similar natural areas as possible. Areas occupied by retention or detention ponds shall not be used to satisfy minimum open space requirements unless they are left in their natural states or re-naturalized. Except to provide for facilities allowed above, grading shall not be permitted in tree protection areas, and grading in open space areas shall be carried out in a manner that maintains the approximate topographic forms of major ridgelines and swales. All areas designated to meet the minimum tree protection requirements shall be designated on the preliminary subdivision plat or site plan, as applicable.

**d. *Subdivision Road Frontage Buffer***

In Rural and Residential zone districts, the frontage along each adjacent collector or arterial street shall be kept in its natural state to a depth of 50 feet from the right-of-way line, and the frontage along each adjacent local street shall be kept in its natural state to a depth of 25 feet from the right-of-way line, except as necessary to provide safe vehicular access and to allow identification of the property in time to allow safe turning movements into the subdivision. If the existing vegetation is not at least equal to the vegetation density required for street frontage strips pursuant to Sec.17-602(E)(1)c.2, the planning director may require the planting of additional vegetative materials to meet that standard. Where double frontage lots occur along a local road, a similar buffer of a depth of 25 feet shall be maintained or established. The road frontage buffer shall either (a) be contained in a separate tract owned and maintained by a homeowners association, or (b) if part of individual lots, must be covered by a permanent tree protection easement, with the required yard setback provided off of the easement area.

**e. *Subdivision Rear Lot Line***

In Rural and Residential zone districts, the property within 25 feet of the rear or side lot lines of the subdivision parcel shall be maintained as tree protection in its natural state (or shall be re-naturalized) unless such areas are required to meet the higher standards of a buffer area or a screening area pursuant to Secs. 17-602(F) or 17-602(G). The rear lot line buffer shall either (a) be contained in a separate tract owned and maintained by a homeowners association, or (b) if part of individual lots, must be covered by a permanent tree protection easement, with the required yard setback provided off of the easement area.

- f. ***Low Speed Design & Traffic Calming***  
Internal street networks shall be designed to discourage through traffic and speeding. In laying out street networks, designers should try and distribute traffic flow to reduce volumes on any given street segment, avoid straight road segments of over 500 feet, avoid steep downgrades and utilize combinations of “T” intersections requiring drivers to frequently stop or turn in traversing a neighborhood. Where these measures are precluded by other design factors, traffic calming devices should be considered for inclusion in the street design.
- g. ***Street Connectivity***  
Residential street systems should be designed to connect to existing streets in adjacent residential developments, and to provide connection points to future adjacent subdivisions and adjacent collector and arterial roads, unless prohibited by topographic or environmental conditions. Such connections are desirable to allow local car and foot traffic between neighborhoods, but must be designed to consider low speed design and traffic calming needs. Where local or collector streets allow through access between adjacent residential developments, the alignment of the street may be varied, or the right-of-way width at the connection point may be narrowed, to allow each residential area to retain its distinct identity, and to slow down traffic speeds.
- h. ***Extensions of Rights-of-Way***  
All areas designated or reserved for actual or possible future extensions of rights-of-way shall be clearly marked on all preliminary and final plat documents. When a street stub is provided to an adjoining property, a street end barrier shall be erected with a minimum 2 foot by 3 foot sign reading “Notice: This street to be extended to adjoining development in the future.”
- i. ***Sidewalks***
1. ***General Requirement***  
Detached sidewalks shall be provided along both sides of any residential subdivision, or phase of a subdivision, where 50 percent or more of the single-family residential lots are 2 acres in size or smaller. Sidewalks shall not be required in any residential subdivision, or portion of residential subdivision, (a) where the 50 percent or more of the single-family residential lots are larger than 2 acres, or (b) where the adjacent land is designated as an open space, tree protection area, or other natural area where future development will not occur, or (c) where the Planning Director determines that the use or character of the area make it unlikely that sidewalks would be used. Where detached sidewalks are required, such sidewalks shall be located at least 5 feet from the curb or edge or the driving lanes, in order to allow adequate space for the installation and maturation of street trees.
  2. ***Connections to Previous Residential Areas***  
Wherever (a) a local or collector street provides through connectivity from an adjacent, previously developed residential area, and (b) the adjacent residential area contains sidewalks stubbed to the property boundary, such sidewalks shall be continued into the new residential areas and shall be connected to any required internal sidewalk system of the new residential area.

**3. Connections to Future Residential Areas**

Wherever a local or collector street is stubbed at the boundary of a residential development area to provide through access to future, adjacent development areas, and the existing residential area is required to provide sidewalks, those sidewalks shall also be stubbed to the property boundary.

**j. Street Trees**

Street trees with heights at maturity of at least 30 feet, and of species authorized by the Hall County Plant List, shall be installed at a spacing of no more than 50 feet on center, along street frontage in the residential area. Where detached sidewalks exist or are required, such street trees shall be installed between the detached sidewalk and the street. Where detached sidewalks are not required, such street trees may be incorporated into any perimeter landscaping required by Sec. 17-602. No street tree planting shall be required along any street frontage that is also designated as a tree protection protection area pursuant to Sec. 17-601 or road frontage buffer pursuant to subsection c. above, and where mature trees already exist.

**(2) Multi-Family Residential Subdivisions**

All proposed subdivisions of land to accommodate residential uses other than single-family residential development shall comply with all applicable Development Standards in Chapter 6 of this Unified Development Code, including without limitation those Multi-Family Residential Landscaping standards in Sec. 17-602(E)(2) and those Multi-Family Residential Development Standards in Sec. 17-606(B).

**(C) Non-residential Subdivisions**

**(1) Generally**

All proposed subdivisions of land to accommodate nonresidential uses shall comply with all applicable Development Standards in Chapter 6 of this Unified Development Code, including without limitation those Nonresidential Landscaping standards in Sec. 17-602(E)(3) and those Nonresidential Development Standards in Sec. 17-607.

**(2) Site Plan Approval Required**

A nonresidential subdivision shall also be subject to all the requirements of site plan approval set forth in the Unified Development Code. Site plan approval and nonresidential subdivision plat approval may proceed simultaneously, with the understanding of the applicant that the addressing of subdivision issues may require site plan modifications.. A nonresidential subdivision shall be subject to all the requirements of these regulations, as well as such additional standards required by the planning commission, and shall conform to the proposed land use and standards established in the land use plan and Unified Development Code.

**(D) Planned Development**

**(1) Generally**

The standards and requirements of this title may be modified in the case of a plan and program for a community or neighborhood unit or planned development that is not

divided into customary lots, blocks and streets, which in the judgment of the planning commission provides adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated, provided density standards for the entire tract are not exceeded, and which also provides such covenants or other legal procedures as will assure the achievement of the plan. Plans for such development shall be submitted to and approved by the planning commission and board of commissioners whether or not such plat is to be recorded, and no building permit shall be issued until such approval has been given. Prior to processing such a planned development, the developer shall indicate his willingness to increase the processing time specified. In no case shall the planning commission authorize a use prohibited in the district in which the project is to be located, or a smaller lot area per dwelling unit than the minimum required in such district.

**(2) Site Plan Approval Required**

A planned development shall also be subject to all the requirements of site plan approval set forth in the Unified Development Code. Site plan approval and nonresidential subdivision plat approval may proceed simultaneously, with the understanding of the applicant that the addressing of subdivision issues may require site plan modifications. .

**(3) Additional Requirements**

In addition, the applicant shall demonstrate to the satisfaction of the planning commission that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

- a. A preliminary plat of a planned development shall conform in all respects with the approved master development plan for the project and any conditions associated with the planned development zoning.
- b. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
- c. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
- d. Special requirements may be imposed by the county with respect to street, curb, gutter, and sidewalk design and construction.
- e. Special requirements may be imposed by the county with respect to the installation of public utilities, including water, sewer, and storm water drainage.
- f. Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
- g. Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

**(E) Natural Features**

**(1) Preservation of Natural Features, Historic Sites and Other Amenities**

Existing features that would add value to residential development or to the county as a whole, such as watercourses and falls, historic sites, and similar irreplaceable assets, shall be preserved in the design of the subdivision. Any such historic sites must be listed on the National Historic Register.

**(2) Protection of Desired Features**

To the greatest degree practicable, land that is designated for tree protection or open space (Sec. 17-601) shall not be included within the boundaries of a platted lot unless the terms of the subdivision ensure that required tree cover shall not be diminished and designated open space areas shall not be developed with permanent structures. Such areas need not be reserved or dedicated for public use.

**(3) Geological Conditions**

Land that is for topographical, geological or other reasons unsuitable for residential use shall not be platted for residential use or for any other uses that will continue to increase the danger to health, safety, or property destruction, unless the hazards can be corrected. Determination will be made by study of topographic maps, inspecting of the subdivision and/or discussion in a regular meeting of the planning commission. Such areas need not be reserved or dedicated for public use.

**(F) Floodplains and Dams**

**(1) Land Subject to Flooding**

Land subject to flooding, improper drainage, or erosion, shall not be platted for residential use or for any other uses that will continue to increase the danger to health, safety, or property destruction, unless the hazards can be corrected. Determination will be made by study of topographic maps, inspecting of the subdivision and/or discussion in a regular meeting of the planning commission. Such areas need not be reserved or dedicated for public use.

**(2) Subdivisions Adjacent to or Containing Dams.**

The subdividing of land, any portion of which is or will be in the vicinity of a proposed or existing dam, shall be such that:

- a. No plat shall include any lots where dwellings or other buildings designed for human occupancy would be located below any dam within the breach floodway of the dam.
- b. No plat shall include any street that is or would be constructed below any dam within the breach floodway of the dam.

- c. No lot shall be platted in a location that is accessible only by use of a street or streets that cross a proposed or existing dam.
- d. No lot shall be platted adjacent to any street that crosses a proposed or existing dam unless such lot is also adjacent to, and receives its primary access from, another street meeting the requirements of Sec. 17-700(D)(4).

**(G) Reservation of Public Spaces**

**(1) General Requirement**

Where features of the comprehensive plan such as school sites, parks, streets, other than local subdivision streets, or other public spaces are located in whole or in part in a proposed subdivision, or when these features have not been anticipated by the comprehensive plan and planning policy, but are considered essential by the planning director, such features may be dedicated, or in lieu of dedication shall be reserved by the subdivider. Whenever such reserved land, or any portion thereof, is not acquired, optioned, or condemned by the appropriate public agency within a six-month period from the date of recording the subdivision or by the next budget year, whichever is the longer period of time, the subdivider may claim the original reservation, or portion thereof, and cause it to be subdivided in a manner suitable to the subdivider, subject to the provisions of these rules and regulations.

**(2) Limitation**

No requirement for the dedication of land for public facilities, and no requirement for the payment of money on an individualized basis, shall be imposed on any subdivider unless such requirement is due to impacts caused by the proposed subdivision and is roughly proportional to those impacts. The preceding limitations on requirements for the payment of money shall not apply to administrative fees established to cover county costs of processing development approvals or to fees established by resolution or fee schedule and generally applicable to all similar developments.

**(3) Waiver**

The planning director may waive the platting and reservation requirements whenever the public body responsible for land acquisition executes a written release stating that such a planned feature is not being acquired.

**(4) Denial of Plat**

The planning director shall disapprove plats when such planned features, as specified by the comprehensive plan, are not incorporated into the plat.

**(5) Suitability of Land Dedicated for Public Use**

Whenever the plat proposes the dedication of land to public use and the planning director or the appropriate agency finds that such land is not required or suitable for public use, the planning director may either refuse to approve said plat or he may require the rearrangement of lots to include such land.

**(H) Street Layout and Access**

The following standards shall apply to both major and minor subdivisions of land.

**(1) Access**

All subdivision streets must connect to a city, state or county-maintained public road. Access to every subdivision lot shall be provided over a public road, an approved private road meeting public road standards, or over a common access driveway that meets the standards set forth in the driveway regulations. The planning commission may control access to freeway, expressway, arterial, and collector roads by requiring all buildings to face or have access to only minor roads. In any subdivision not involving the construction of new roads and in any Minor Subdivision all new lots accessing a road designated as an arterial or collector shall have a minimum frontage of 150 feet. This requirement may be waived on a minor subdivision where a shared driveway is used for the two resulting lots, and all other standards of this Code are met.

**(2) Through Traffic**

Minor streets shall be so laid out that their use by through traffic will be discouraged, and shall avoid the use of long straight sections uninterrupted by curves or intersections that could encourage driving at dangerous speeds.

**(3) Continuation of Existing Street Pattern**

Whenever topography, ownership, and design objectives will permit, the street pattern within a subdivision shall provide for the continuation or appropriate projection of the existing street pattern in the section of the county involved. Existing streets shall be continued at the same cross-section as required by these regulations. All proposed streets must connect to a state or county maintained road, and have a uniform cross-section for the entire length of the proposed street.

**(4) Connections With Future Subdivisions**

Streets shall be reserved pursuant to Sec. 17-701(B)(1)(g). Each street connection shall intersect property lines at, or as close as practicable to, a 90-degree angle through the adjacent lots if streets are reserved.

**(5) Street Names**

Street names shall require the approval of the planning director. Streets that are obviously in alignment with streets already in existence and already named shall be given the name of the existing street. Names of new streets shall not duplicate or closely approximate those of existing streets.

**(6) Development Along Major Street, Limited-Access Highway or Railroad Right-of-Way**

Where a subdivision abuts or contains an expressway, freeway, arterial or collector street, or a railroad right-of-way, the planning commission may require a street

approximately parallel to and on each side of such right-of-way either (a) as a marginal access street, or (b) at a distance suitable for an appropriate use of intervening land, with a non-access reservation of said right-of-way. Due regard should be given requirements for approach grades and future grade separations in determining distances. Lots shall have no access to expressways, freeways, or arterial streets, but only to an accessible street, in which case the planning commission may require double-frontage lots.

**(7) Reserve Strips**

Reserve strips controlling the access to streets shall be permitted except in situations where the planning commission determines that the reserve strip prohibits an adjoining property owner from having adequate and safe access to an existing county road or that the reserve strip would prevent proper design of a road system for the adjoining property. Reserve strips must be dedicated to an approved property owners association or combined with a lot or lots within the subdivision.

**(8) Additional Width on Existing Street**

Subject to the limitations in Sec. 17-701(G)(2), subdivisions that abut existing streets shall dedicate additional right-of-way if needed to meet the minimum street right-of-way width requirements set forth below, provided that such dedication is required to serve additional traffic generated by the subdivision. In cases where anticipated traffic to be generated by the subdivision does not justify dedication of the full amount of additional right-of-way to serve the development, then the required dedication shall be reduced proportionately:

- a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing streets.
- b. When the subdivision is located on only one side of an existing street, one-half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided.

**(9) Street Jogs**

Street jogs or centerline offsets in the horizontal alignment of streets across intersections shall have a separation of 300 feet or more if possible, and jogs or offsets of less than 200 feet shall be prohibited.

**(10) Angle of Intersection**

Whenever feasible, streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect with any other street at an angle of less than 75 degrees or at a grade of greater than three percent. This angle and grade must be implemented for a distance of no less than 50 feet, measured from the edge of pavement of the intersecting road. The angle of intersection shall be measured at the intersection of street centerlines.

**(11) Property Lines at Intersections**

Property lines at street intersections shall be rounded with a radius of 30 feet or miter of not less than 30 feet from the projected corner of the intersecting right-of-way lines.

**(12) Temporary Dead End Streets**

Temporary dead end streets shall be provided with a temporary turn-around area that shall meet the construction requirements for design (except sidewalks, curb and gutter are not required), maintenance, and removal. If the absence of curb and gutter on a temporary cul-de-sac creates a drainage problem, the developer will be required to install appropriate storm water conveyance devices with concurrence from Hall County Engineering. No lots shall be subdivided off any radius of a temporary turnaround. A performance bond is required, and the cul-de-sac must either be removed and the new phase of construction final platted, or the cul-de-sac must be completed (including sidewalks, and curb and gutter) within 24 months from time of final platting. An extension to the performance bond may be approved by the County Engineer where the project is still in active development and installation of a permanent cul-de-sac is not warranted. Temporary dead end streets constructed to provide access to adjoining parcels for future development, which do not provide sole access to more than 1 lot, are not required to provide a temporary turn-around area.

**(13) Internal Street Required**

Whenever a proposed subdivision of land with frontage on an arterial or collector road includes five (5) or more residential lots, the design of the subdivision shall incorporate an internal street giving access to all lots. Where topography or land configuration dictates, a small number of isolated lots may be permitted to access the arterial or collector road with planning commission approval.

**17-702 CONSERVATION SUBDIVISION OPTION**

**(A) Purpose**

A conservation subdivision is a residential development in which the lots are allowed to be smaller or narrower than otherwise required in the zoning district ("Cluster Lots"), but in which the overall number of lots does not exceed the maximum number of lots allowed in the subdivision by the zoning district. Conservation subdivisions are intended to create a more compact residential development to preserve and maintain open areas and natural lands in excess of what would otherwise be required by this Ordinance. Conservation subdivisions shall meet all of the following requirements.

**(B) Applicability**

Conservation subdivisions are allowed, at the landowner's option, on any parcel with a minimum size of at least 10 acres, in the AR-1, AR-2, and R-1 zoning districts.

**(C) Conservation Design Process**

Conservation subdivisions shall be approved through the Major Subdivision procedure set forth in Sec. 17-202(R).

**(D) Development Standards**

In addition to meeting all applicable design standards contained in other portions of Chapter 17-600 and this Chapter 17-700, conservation subdivisions shall meet the requirements set forth below. In the event of any conflict between any other section of this Ordinance and the provisions of this Sec. 17-702, the latter shall govern.

**(1) General**

The amount of common open space required for a conservation subdivision is not required to be made available for public use.

**(2) Lot Size and Minimum Open Space**

At least the following percentages of the property shown on the subdivision plat shall be preserved as common open space. No portion of the land preserved as common open space may be located within the boundaries of an individual lot for residential development, or in a road right-of-way or utility easement.

<b>TABLE 17-702(A): Conservation Subdivision Open Space</b>		
<b>Zone District<sup>1</sup></b>	<b>Minimum Conservation Lot Size</b>	<b>Minimum Common Open Space</b>
<b>AR-1</b>	0.8 acre	35%
<b>AR-2</b>	0.8 acre	50%
<b>R-1 (on sewer system)</b>	10,000 sq. ft.	35%

**(3) Organization**

The location and organization of required common open space and pedestrian connections to that open space shall be negotiated between the applicant and county staff based on the following standards.<sup>2</sup>

- a.** At least three-fourths of the required common open space shall be designed as contiguous, common open space that connects, if possible, to areas on adjacent parcels designated as tree protection areas pursuant to Sec. 17-601, and to include stream corridors, steep slopes, wetland areas, riparian areas geological hazard areas, or wetland areas to the maximum extent practicable;
- b.** At least 35 percent of all lots in a conservation subdivision shall be platted adjacent to designated common open space (an "Open Space Frontage Lot"); and
- c.** For each lot that is not an Open Space Frontage Lot, the walking distance between such lot and a portion of the common open space, measured along street frontages or pedestrian walkways, shall not exceed 1,320 feet (one quarter mile).

- d. A 50-foot landscaped buffer shall be established along any boundary of a conservation subdivision that abuts existing single-family residential uses to establish a visual screen between the adjacent uses. This perimeter buffer shall be in addition to required building setbacks.

**(E) Uses of Common Open Space**

Areas designated on a conservation subdivision as common open space may be used for the following purposes:

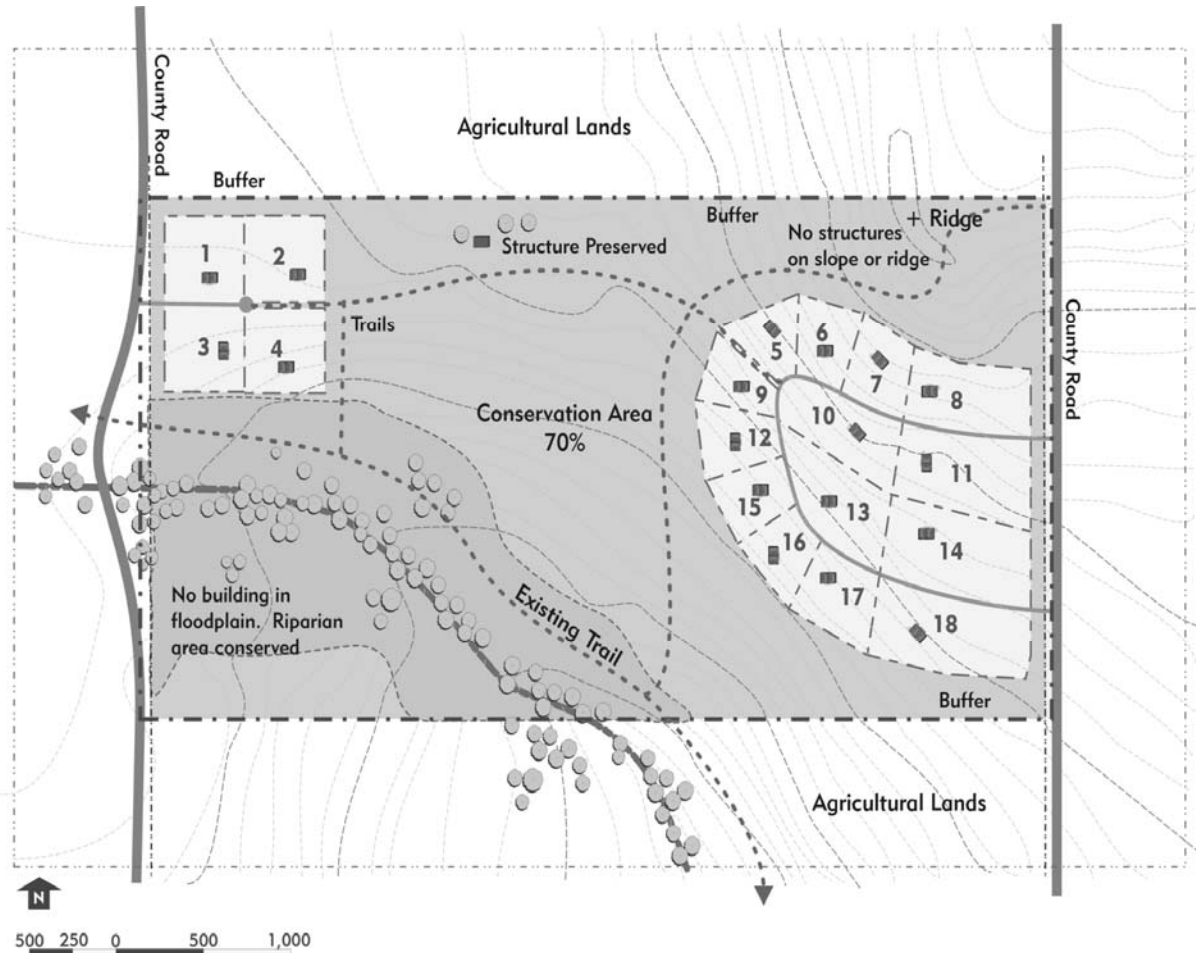
- (1) Agricultural uses that do not create noise, dust, or odor impacts on surrounding properties (if permitted in the zone district);
- (2) Conservation of open land in a natural state;
- (3) Active or passive recreation uses (trails, community gardens, lawn, picnic areas, etc. that do not permit use by motorized vehicles);
- (4) Easements for drainage uses;
- (5) Easements for below-ground water and sewer lines; and
- (6) Stormwater management facilities.

**(F) Dedication and Recording**

The required common open space shall be preserved from development in perpetuity through the use of a dedication, and shall be conveyed to a Property Owners Association or other organization with responsibility for maintenance of the open space and the ability to collect assessments or dues for such purpose. The applicant shall submit proof that (a) such a deed restriction or easement has been recorded with the Clerk of the Superior Court, and that (b) the Property Owners Association or other organization has been established before any building permits for construction in a conservation subdivision shall be issued.

**(G) Example**

An example of a conservation subdivision with 18 buildable lots and 70% of the parcel preserved as common open space is shown in the following illustration.



### 17-703 REQUIRED IMPROVEMENTS

Subdividers shall install all improvements required by this Sec. 17-703, and all required improvements shall meet the minimum standards set forth in this Ordinance. However, no improvements may be made before the preliminary plat is accepted and approved by the planning commission.

#### (A) Prerequisites for beginning construction.

##### (1) Generally

No construction activity of any kind, including grading, installation of improvements, or building, shall begin on any land subject to these regulations without prior approval of the preliminary plat and construction plans.

##### (2) Preconstruction Meeting Required

Also, a preconstruction meeting shall be required between the county and the developer after preliminary plat approval and prior to any construction activity.

**(3) Soil Erosion Permit**

Following the approval of a preliminary plat, and review and approval by the planning department, a soil erosion and sedimentation control permit may be issued by the engineering department. Upon the issuance of a soil erosion and sedimentation control permit:

- a. Erosion control measures must be installed by the subdivider and inspected and approved by the engineering department prior to any grubbing or grading; and
- b. Sediment retention facilities must be installed and operational prior to major grading operations.

**(4) Grading**

Grading or land disturbing activities may commence only after the soil erosion permit is approved.

**(5) Utilities**

Utility installation shall not occur until the engineering department has approved the rough grade of the street and shoulder preparation (see Sec. 17-703(l)).

**(B) Street Design**

All streets shown on a subdivision plat shall meet the following standards, unless a different standard for such street, or portion of a street, is required by another provision of this Unified Development Code.

**(1) General Design Standards**

a. ***Design Standard Chart***

<b>TABLE 17-703.A: DESIGN STANDARD CHART</b>		
<b>Requirement</b>	<b>Residential</b>	<b>Nonresidential</b>
Minimum right-of-way width, curbed street (feet)	50	60
Minimum right-of-way width, non-curbed street (feet)	60	N/A
Minimum pavement width (feet)	20	24
Maximum grade (percent)	15	10
Maximum grade turnaround (percent)	5	3
Maximum grade intersection (feet, measured 50 feet from edge of pavement of intersecting road)	3	3
Minimum grade, curbed street (percent)	1	1
Minimum grade, non-curbed street (percent)	1.5	N/A
Minimum curve radius (feet)	125	200
Minimum length, vertical curves (feet) – see Note 1	120	150
Minimum length, tangents between reverse curves (feet)	50	100
Minimum intersection sight distance (feet), see Note 2	331, see Note 3	see Note 4

**CHAPTER 7: SUBDIVISION STANDARDS**  
Sec. 17-703 Required Improvements

Standard turnaround right-of-way diameter (feet)	120	120
Standard turnaround pavement diameter (feet) (Note: 84 feet or 104 feet back of curb to back of curb)	80	100
Minimum cul-de-sac length (feet) (centerline to center of turnaround)	150	150
Minimum pavement edge radius (feet)	30	40
Minimum design speed (mph)	30	Determined by Hall County Engineering
<p>Note 1: Sag vertical curves located at stop condition intersections may be as short as 65 feet with Hall County Engineering approval for the purposes of minimizing cut.</p> <p>Note 2: Intersection sight distance must meet current AASHTO standards for left turn from stop condition.</p> <p>Note 3: 30 mile per hour design speed with time gap for passenger car.</p> <p>Note 4: Hall County Engineering to determine time gap design vehicle.</p>		

**(2) Intersection Sight Distance**

Intersections shall be designed with adequate sight distance. Where necessary, backslopes shall be flattened and horizontal or vertical curves lengthened to provide the minimum required sight distance. Also, backslopes may be flattened along existing roadways to provide the minimum required sight distance. Minimum sight distance will be as shown in Table 17-702.B. The height of eye and the height of object are both 3.5 feet.

<b>TABLE 17-703.B: DESIGN FOR NON-COMMERCIAL INTERSECTIONS</b>	
<b>Posted Speed Limit * (MPH)</b>	<b>Minimum Intersection Sight Distance (feet)</b>
25	276
30	331
35	386
40	441
45	496
50	551
55	606

\* - If no posted speed limit, use 85<sup>th</sup> percentile speed.

**(3) One-Way Loop Streets**

**a. General**

One way streets are allowed provided the centerline length is no greater than 400 feet and curve radii are no less than 82 feet. The one-way street must be constructed as a loop road that commences and terminates on the same road. Plate 10 depicts an acceptable example of a one-way loop road. Plates 1B and 4B show proper cross-sections and utility locations of one-way loop roads respectively. Other designs are acceptable with approval from Hall County Engineering and Hall County Traffic Engineering.

- b. ***Plantings and Storm Water Management***  
Islands inside the perimeter of the one-way loop road may contain appropriate plantings, landscape berms, and sidewalks, provided all are shown on the preliminary subdivision plans for approval. Storm water management facilities, such as constructed wetlands or ponds, may be located on the islands, provided the facility offers an aesthetic or recreational benefit to the community. No structures may be located on the island without the prior approval by Hall County Engineering.
- c. ***Maintenance***  
The maintenance of the land inside the one-way loop road (other than storm water management facilities that have been accepted by Hall County) shall be the responsibility of the subdivider, homeowner's association, or property owners.

**(4) Island Cul-de-Sacs**

- a. ***General Design***  
Plates 8 and 9 in the Hall County UDC Administrative Manual depict two designs of acceptable island cul-de-sac designs. Alternative island cul-de-sac designs other than those depicted in the plates are acceptable, with approval from Hall County Engineering and Traffic Engineering. Sufficient data must be provided to Hall County to show that emergency vehicles, school buses, and other vehicular traffic can safely circumnavigate the cul-de-sac. Hall County will also review drainage, sight distance, and other engineering aspects of the island cul-de-sac prior to permitting.
- b. ***Plantings and Storm Water Management***  
Islands inside the perimeter of the cul-de-sacs may contain appropriate plantings, landscaping berms, and sidewalks, provided all are shown on the preliminary subdivision plans for approval. Storm water management facilities, such as constructed wetlands or ponds, may be located on the islands, provided the facility offers an aesthetic or recreational benefit to the community. No structures may be located on the island without prior approval by Hall County Engineering.
- c. ***Maintenance***  
The maintenance of the land inside an island cul-de-sac (other than storm water management facilities that have been accepted by Hall County) shall be the responsibility of the subdivider, homeowner's association, or property owners.

**(5) Roundabouts**

Roundabouts shall be designed according to the appropriate standard details in the (insert admin. Document name). Alternative roundabout designs may be approved by the County Engineer, upon review to determine that the design can accommodate up to a WB-67 design vehicle, as well as meet standards for drainage, sight distance, and other details required by this Code.

**(6) Medians**

All medians shall meet the following standards.

- a. Median width and length shall be to county specifications.

- b. Minimum curb radius shall be 3 feet.
- c. No median shall be approved that contains less than 100 square feet inside the back of curb.
- d. Median breaks shall be required at intervals specified by the County Engineer based on safety considerations.
- e. Median curb shall be not less than 14 feet from pavement or back of curb of an intersecting street. The median shall not encroach into right-of-way of an intersecting street.
- f. Pavement width at the median section shall be 14 feet for residential and commercial streets, both with 9-foot shoulders.
- g. Where streets taper around a median, the pavement edge shall have a minimum curve of 20-foot radius.
- h. Width of Right-of-Way

<b>TABLE 17-703.C: MEDIAN RIGHT-OF-WAY WIDTHS</b>	
<b>Type of Street</b>	<b>Requirements</b>
<b><i>Curbed streets</i></b>	The right-of-way shall be a minimum of 13 feet from the back-of-curb, and the total width shall be evenly divisible by ten feet with a variable width taper.
<b><i>Non-curbed streets</i></b>	The right-of-way shall be a minimum of 17 feet from the edge-of-pavement, and the total width shall be evenly divisible by ten feet with a variable width taper.
<b><i>Standard cul-de-sacs</i></b>	The right-of-way shall extend to a minimum 60 foot radius measured from the center of the cul-de-sac, and the total width shall be evenly divisible by ten feet.
<b><i>Island cul-de-sacs, design number 1</i></b>	The outside right-of-way shall be a minimum of 13 feet from the back of the curb, and the total width shall be evenly divisible by ten feet with a variable width taper. The land inside the cul-de-sacs island will be entirely county right-of-way.
<b><i>Island cul-de-sacs, design number 2</i></b>	The right-of-way shall be a minimum of 13 feet from the back-of-curb, and the total width shall be evenly divisible by ten feet with a variable width taper. The right-of-way will extend this distance outward from the outside curb and toward the center of the island as measured from the interior curb. The remaining land on the interior of the island will be "common land" as defined in Chapter 10
<b><i>Roundabout</i></b>	The right-of-way shall extend to a minimum 80 foot radius from the center of the roundabout, and the total radius shall be evenly divisible by ten feet.

**(7) Deceleration Lanes and Left-Turn Lanes**

- a. ***More than 24 Lots***

Subdivision entrances serving greater than 24 lots will be required to have a deceleration lane constructed in accordance with current Hall County Engineering and Traffic Engineering specifications. The Hall County Traffic Engineer may require the installation of a deceleration lane for subdivisions with 24 lots or less depending upon traffic and safety considerations.

**b. *More than 179 Lots***

Subdivision entrances serving more than number of lots shown in Table 17-703.D will be required to install a left turn lane to serve the entrance. If the subdivision is developed in phases, the left turn lane must be installed prior to the final platting of the phase which includes the one hundredth lot.

<b>TABLE 17-703.D: LEFT TURN LANE REQUIRED</b>	
<b>Average Daily Traffic (ADT) of Existing Through Road</b>	<b>Number of Lots served by entrance (equal to or greater than)</b>
<i>&gt;6000</i>	100
<i>4001-6000</i>	125
<i>2001-4000</i>	150
<i>1000-2000</i>	175
<i>&lt;1000</i>	200

The Hall County Traffic Engineer may require the installation of a left-turn lane for subdivisions with 179 lots or less depending upon traffic and safety considerations.

**(8) Additional Requirements**

- a. The subdivider shall be responsible for obtaining all permits and paying all costs associated with the construction of a subdivision street on railroad rights-of-way.
- b. The county will not accept into the county road maintenance system any part of the entire street segment in which a section of the street crosses over a dam.
- c. Structures over the street are not permitted.
- d. A five-foot perpetual utility easement shall be provided on both sides of residential streets and turnarounds where the right-of-way is 50 feet .
- e. Plants and shrubbery in island cul-de-sacs, medians, and other installations in the public right-of-way shall be low maintenance, disease-resistant materials with branching habits such that plants shall not interfere with vehicular movement. Trees planted in medians, island cul-de-sacs, and street rights-of-way must be approved by Hall County Engineering prior to installation. Hall County may remove median plantings at any time in the future if the plantings pose a traffic or safety problem.
- f. All property monuments along the street right-of-way shall be set with a tolerance of 1.0 feet from the constructed street center line.

**(9) Alternate Design Standards**

Alternate design standards for subdivision streets shall be considered only in planned residential developments. Each alternate design must be justified in writing by the registered engineer, surveyor or landscape architect.

**(C) Street Construction Standards**

**(1) Generally**

The subdivision regulations and mobile home and travel trailer park regulations require that all streets be built to minimum standards of material and construction. Several optional materials and types of construction may be used, as set out in this chapter. (For the specific cross section design, see plates 1 and 2 of the resolution codified in this section and on file in the office of the county commission clerk [and included at the end of this title].)

**(2) Clearing and Grubbing Operations**

Clearing and grubbing operations shall remove all vegetative materials within the construction limits.

**(3) Subsurface Drainage Installations**

Subsurface drainage installations may be required by the County Engineer to provide a stable subsurface and base for fills and base course construction over wet weather springs, soft spots, swamps and other unsuitable soils. The County Engineer may request the owner to have a soil analysis and drainage design performed by an engineering firm.

**(4) Street Grading**

Street grading shall be accomplished according to the standards below. Slopes, cuts, fills, and subgrades shall be subject to the approval of the County Engineer. The County Engineer shall specify any improvements that he feels necessary to protect community assets and to reduce the potential undue deterioration of street improvements. The developer will be guided by the following general requirements:

- a. Slope maximums shall be at a ratio of two feet horizontal distance to one foot rise;
- b. All slopes shall be adequately planted with approved vegetation. A suitable mulch of straw, hay, etc., shall be used;
- c. The developer shall be responsible for any erosion that might occur until the streets are accepted into the county road maintenance system;
- d. Compaction shall be 98 percent by Proctor Density Test;

- e. Trees that have one foot of fill or less on the trunk and are off the county right-of-way may remain until the 45-day inspection. At the time of the 45-day inspection, trees that show signs of distress will need to be removed at the discretion of Hall County Engineering. All other organic materials shall be removed from cuts, fills, and subgrade.
- f. Backfill behind curbs shall be free of organic material, stone, broken concrete, etc.
- g. Cut and fills shall be extended beyond the right-of-way as required.

**(5) Notification of Utility Owners Prior to Completion of Street Grading**

All utility service shall be determined by the developer prior to the completion of street grading. The developer shall notify each affected utility owner of his contracted agreement so that the utility owners may coordinate their development schedules.

**(6) Burying Debris or Waste Under Roadway or Right-Of-Way Prohibited**

No cut trees, timbers, debris, rocks, stones, junk, rubbish, or other waste materials of any kind shall be buried in any area of the right-of-way or under any roadway fill sections.

**(7) Drainage, Culverts and Storm Sewers**

Drainage shall be accomplished according to the standards below.

**a. Cross Drains**

The minimum cross drain shall be no less than 18 inches in diameter.

**b. Culverts and Storm Sewers**

**1. Materials**

All culverts, storm sewers and cross drains that lie entirely or partially beneath street pavement shall be reinforced concrete pipe, Georgia Department of Transportation (D.O.T.) approved class III or better, or poured in place D.O.T. standard concrete culvert. Transitions from reinforced concrete piping to other materials shall be designed using a concrete riser structure in accordance with Georgia D.O.T. specifications. All other culverts and storm sewers shall be constructed of the following materials in accordance with Georgia D.O.T. specifications:

- (a) Reinforced concrete pipe, Georgia Department of Transportation (D.O.T.) approved class III or better;
- (b) Fully asphalt-coated corrugated metal pipe;
- (c) Type II Aluminized corrugated metal pipe.
- (d) Smooth-walled high density polyethylene (HDPE) pipe.

[Revised]

**2. Pipe Sizes**

All pipe sizes shall be approved by the County Engineer to meet the drainage requirements of the watershed and area of the potential runoff. The minimum cross drain diameter shall be 18 inches. Minimum cover shall be 12 inches.)

**3. Pipe Construction**

The gauge of pipe used shall be determined by acceptable methods using H-20 highway loading, and shall meet Georgia D.O.T. specifications. The engineering department shall inspect the pipe before installation to assure that it is free of cracks or damage. All damaged or used pipe shall be refused.

**4. Endwalls**

All culverts 24 inches in diameter or larger shall have endwalls or flared end sections constructed in accordance with Georgia D.O.T. specifications.

**c. Catch Basins**

All catch basins shall be designed and constructed in accordance with Georgia D.O.T. specifications and shall be Georgia D.O.T. Standard 1033D, 1034D, or 1019. The use of a Standard 1019 shall be excluded from turnarounds and the low point of sag vertical curves draining more than 300 feet of gutter. Drainage calculations and design data are required for the use of a Standard 1019.

**(8) Subbase Stabilization**

Subbase stabilization may be required by the County Engineer, according to Secs. 17-703(B)(14)l, if necessary to allow convenient access of construction vehicles and equipment.

**(9) Shaping and Backfilling of Shoulders, Ditches and Slopes.**

Shaping and backfilling of shoulders, ditches and slopes shall be accomplished to final grade lines following the installation of underground utilities by the owner. Care shall be taken to fill settled or eroded areas. Shoulders shall be sloped and backfilled as necessary following paving and curb and gutter installation as required by the County Engineer. All curbs and gutters shall be backfilled according to the design in this chapter. All eroded areas shall be reconstructed to the original final grade.

**(10) Vegetative Cover and Replanting**

Grassing of all cleared portions of the shoulders and slopes shall be accomplished immediately following the achievement of final grade lines. If limitations require the application of temporary vegetative cover, the owner shall make contractual provisions for regrassing with permanent cover. Requirements for grass species, mixture, fertilizer and application methods in each individual subdivision shall be in accordance with the Soil Conservation Service standards for critical areas. Bermuda grass shall be required during the season from May through September. Regrassing shall be required for bare spots, areas of insufficient stand and reconstructed areas.

**(11) Concrete Curbs and Gutters**

Concrete curb and gutter is required in accordance with the designs set out in this chapter and as set forth below:

**a. General Requirements**

Curb and gutter is a requirement of the subdivision regulations. Reference is made to Secs. 17-703(B)(14)a and 17-303(B)(14)k.2 as to specifications, street widths and materials that can be used. (For details, see plates 1 and 3 of the resolution codified in this section and on file in the office of the county commission clerk [and included at the end of this title].)

**b. Construction Standards**

Construction shall be of 2,200 P.S.I. concrete 24 inches wide (see plate 3 of the resolution codified in this section and on file in the office of the county commission clerk [and included at the end of this title]). The curb and gutter shall be so constructed as to present a smooth, even line both vertically and horizontally, in accordance with the Georgia D.O.T. standards. There shall be one-half inch expansion joints placed every 50 feet and preshaped contraction joints every ten feet along the curb and gutter.

**c. Exemptions**

A subdivision in which all lots having frontage on a proposed street exceed 1.25 acres per lot shall be exempt from curb and gutter and the related storm drainage. Those lots that front on the proposed street may not thereafter be subdivided into lots smaller than 1.25 acres. A statement to this effect shall be placed on the final plat to be recorded. Additionally, those lots shall have a minimum lot width of 100 feet at the building line. The building line shall be measured at the minimum required setback line and shall be the shortest distance between the side property lines. Any lot that has at least 50 percent of its frontage on the radius section of a turnaround at the end of a street may measure the building line at a point beyond the minimum required setback line, but in no case may the building line be less than 50 feet from the minimum required rear setback line. [Revised]

**(12) Base Course**

The base course consisting of graded aggregate shall be applied, shaped, and compacted as set out in below:

**a. General Specifications**

All underground water and sewer installations, including sewer cross taps to individual lots, shall be completed prior to the application of the base course.

**1. Residential Streets**

The base course shall consist of graded aggregate of a minimum compacted thickness of six (6) inches placed on a stabilized subbase in accordance with these specifications and in conformity with the lines, grade, and typical cross-section as shown on the drawings approved by the county.

**2. Residential Turn Lanes and Deceleration Lanes**

The base course shall consist of graded aggregate of a minimum compacted thickness of eight inches placed on a stabilized subbase in accordance with these specifications and in conformity with the lines, grade, and typical cross-section as shown on the drawings approved by the county.

**3. *Nonresidential Streets, Turn Lanes, and Deceleration Lanes***

The base course shall consist of graded aggregate of a minimum compacted thickness of eight inches placed on a stabilized subbase in accordance with these specifications and in conformity with the lines, grade, and typical cross-section as shown on the drawings approved by the county.

**b. *Materials***

All materials shall be secured from Georgia Department of Transportation approved sources. Graded aggregate shall consist of hard, durable particles of fragments of stone, and stone mortar, and shall be graded as follows:

<b>TABLE 17-703.E: BASE COURSE MATERIAL GRADES</b>	
<b>Sieve Size Designation</b>	<b>Percent by Weight Passing Square Mesh</b>
2 inches	100
1 ½ inches	95-100
¾ inches	60-100
No. 10	30-45
Material Passing No. 10 Sieve	
Passing No. 10 Sieve	100
Passing No. 60 Sieve	15-70
Passing No. 200 Sieve	3-25
Siltless Clay	9-25

**c. *Preparation of Subgrade***

All boulders, organic material, soft clay, spongy material and any other objectionable material shall be removed and replaced with approved material. The subgrade shall be properly shaped, rolled and uniformly compacted to conform with the lines, grades and typical cross-sections as shown on the drawings approved by the county.

**d. *Placing and Rolling Aggregate***

All base course material shall be deposited and spread by means of spreader boxes, or approved mechanical equipment, or from moving vehicles equipped to distribute the material in a uniform layer. Each layer shall be not more than two inches in thickness after compaction and shall be constructed as follows:

1. Immediately following the spreading of the coarse aggregate, all material placed shall be compacted to the full width by rolling with a smooth wheel power roller weighing seven to ten tons, or an equivalent sheepsfoot packer. Rolling shall progress gradually from the sides to the center, parallel with the centerline of the street and lapping uniformly each preceding track by one-half the width of such track, and shall

continue until all the surface has been rolled and has been thoroughly keyed, and the interstices of the stone reduced to a minimum, and until it ceases to creep or wave ahead of the roller.

2. Any irregularities or depressions that develop under such rolling shall be corrected by loosening the material at these places and adding or removing material until the surface is smooth and uniform.
3. After the coarse aggregate has been thoroughly keyed and set by the rolling described above, screenings in an amount that will completely fill the interstices shall be applied gradually over the surface and rolling shall be continued while the screenings are being spread, so that the jarring effect of the roller will cause the screenings to settle into the voids of the coarse aggregate.
4. The screenings shall not be dumped in piles on the coarse aggregate but shall be spread in thin layers, either by spreading motion with hand shovels, by mechanical spreading or directly from trucks.
5. In no case shall the screening be applied so fast or thickly as to cake or bridge on the surface in such manner as to prevent the filling of all voids or prevent the direct bearing of the roller on the coarse aggregate.
6. Hand brooms shall be used to sweep the screenings into unfilled voids and to distribute the stone where needed. The spreading, sweeping and rolling shall continue until no more screenings can be forced into the void.
7. Shaping and rolling shall be performed alternately as required to maintain a uniform compacted base until a surface or treatment has been applied to the base.
8. Along curbs, headers and walls and at all places not accessible to the roller, the base course material shall be tamped thoroughly with mechanical tampers or approved hand tampers.

e. ***Seasonal Limits on Construction***

No base material shall be deposited or shaped when the subgrade is frozen or thawing or during unfavorable weather conditions.

(13) **Paving**

a. ***Bituminous Paver Specifications***

Bituminous pavers used for the placement of hot mix asphaltic concrete shall be greater than or equal to 35,000 pounds unloaded operating weight, self-propelled on tracks or pneumatic tires, and constructed with a permanently attached ten (10) foot base heated screed. Bolt on screed extensions are not allowed without approval from the County Engineer. Bituminous pavers that do not meet all of the above specifications may be allowed by the County Engineer for cul-de-sacs, radius areas, and projects less than 300 feet in total length. Bituminous pavers that are not self-propelled will not be allowed in any situation.

- b. ***Residential Streets***  
Bituminous plant mix paving shall consist of a minimum of one inch asphaltic concrete "F" mix placed on top of a minimum of two inch asphaltic concrete binder ("B" mix). The one inch layer of asphalt on residential streets may be placed before final platting or up to one year after final plat approval.
- c. ***Residential Turn Lanes And Deceleration Lanes***  
Bituminous plant mix paving shall consist of a minimum of one inch asphaltic concrete "F" mix placed on top of a minimum of four inch asphaltic concrete binder ("B" mix). The one inch layer of asphalt on residential turn lanes and deceleration lanes may be placed before final platting or up to one year after final plat approval.
- d. ***Nonresidential Streets, Turn Lanes, and Deceleration Lanes***  
Bituminous plant mix paving shall consist of a minimum of two inch asphaltic concrete "E" mix placed on top of a minimum of four inch asphaltic concrete binder ("B" mix).

**(14) Delay of Installation of Paving**

Paving shall be completed under one of the two options listed below:

- a. Application of the bituminous plant mix surface may be completed before the filing of a final plat;
- b. Application of the bituminous plant mix surface may be delayed because of unsuitable weather until no later than June 1 of the year following the filing of the final plat if the final plat is submitted for approval after October 1 of the first year; provided that all other required improvements, including grassing, shall be completed prior to approval of the final plat. In such case, the subdivider shall present to the County Engineer and the planning commission an improvement guarantee in the form of a signed contract with a known contractor for paving and a surety or escrow agreement payable to the county for the cost of the paving, not less in amount than the average county contract price for the paving established by the Georgia Department of Transportation or the contract price, whichever is greater. The County Engineer shall approve the amount and may increase the amount for increases due to normal inflation. The County Engineer may require that paving be completed at the first instance of suitable weather and availability of paving materials.

**(15) Installation of Utilities**

- a. Underground utilities, including sewer services, all water lines and any cable conduits under the pavement, shall be placed in the ground before the base material is in place.
- b. All trenches shall be thoroughly compacted in six-inch layers with mechanical compacting equipment.
- c. All fire hydrants, utility poles, street lights, transformer boxes and pedestals shall be set at a distance not less than six feet from the back of the curb.

- d. The subgrade shall be scarified to a depth of six inches and compacted to 98 percent maximum dry density immediately prior to the placing of the base material.

**(16) Sign Installation**

Except as provided for under the provisions for custom sign poles, sign installation shall be accomplished by the county. When required, sign payment by the developer shall be made in advance.

**(17) Conformance to State Standards Required**

All materials and construction shall conform to the current Georgia Department of Transportation (D.O.T.) specifications.

**(18) On-Site Inspection Required**

All construction may be tested following on-site inspection as determined necessary by the County Engineer, should the County Engineer determine that laboratory analysis and/or testing procedures are required to evaluate the quality and/or quantity of a particular improvement. The County Engineer shall be authorized to employ a recognized consultant or a recognized testing laboratory or testing service to conduct any necessary examinations. All reports shall be made in writing to the County Engineer, the owner of the subdivision and the planning commission. Following the collection of samples, the owner shall repair all damage. The owner of the subdivision shall bear all expense of all testing or examination of street improvements.

**(D) Sidewalks**

**(1) General Requirements**

Residential subdivisions shall be required to have sidewalks where required by Sec. 17-701(B)(1)j. Developers are required to construct all sidewalks as one unit prior to final plat approval. Sidewalk inspections will be performed by Hall County Engineering, who must be notified by the developer to allow the inspection of formwork and subgrade prior to pouring. Hall County Engineering must also be notified to allow for inspection after pouring and finishing.

**(2) Standards**

All sidewalks will conform to the following standards:

- a. The preliminary engineering plans for sidewalk subdivisions will need to depict the necessary cross-section, shoulder width, and right-of-way to accommodate the sidewalks.
- b. The developer is responsible for ensuring that driveways and yards have the necessary slope to accommodate the approved sidewalk cross-section. Driveways poured incorrectly will need to be demolished and reconstructed. Yards that have been graded as to not permit the proper construction of the sidewalk cross-section will need to be regraded.

- c.** Upon receiving the 45-day punch-list letter, the developer will be required to correct any problems with the sidewalks as noted within said notice letter.
- d.** Sidewalk system will be completed prior to approval of the final plat.
- e.** All sidewalks shall comply with the American's with Disabilities Act and the Georgia Accessibility Code.
- f.** Once sidewalks are started in a development, sidewalks will be continued throughout the development.
- g.** Sidewalks will be constructed on both sides of the street.
- h.** When new sidewalks are placed next to existing sidewalks, a smooth transition will be required.
- i.** Expansion joint shall be placed between existing and new sidewalks.
- j.** Sidewalks shall not be used as part of the driveway.
- k.** Disturbed areas resulting from sidewalk construction will be back-filled, grassed, and mulched.
- l.** Overhead obstructions shall be removed prior to completion of sidewalk construction.
- m.** Handicap ramps will be installed by developer during curb and gutter installation prior to final plat approval.
- n.** Sidewalks along common areas must be placed to final plat approval.
- o.** Sidewalks will be:
  - 1.** Four feet wide;
  - 2.** Four inch thick minimum;
  - 3.** Compacted subgrade (95 percent Standard Proctor);
  - 4.** Class "A" concrete (3000 psi);
  - 5.** 3/4-inch grooved joint at 10 foot O.C.;
  - 6.** Expansion joint (material) 40-foot maximum and at catch basins, driveways, roads, etc.;
  - 7.** Broom finish;
  - 8.** 1/4-inch per foot cross slope in sidewalk.

**(3) Specific Construction Requirements**

For specific construction requirements and utility locations for streets with sidewalks see plates 1A, 3A, and 4A.

**(E) Utilities**

**(1) General Requirements**

Applicants may locate all utility facilities underground throughout the subdivision. All existing and proposed utility easements outside of road rights-of-way shall be shown on the preliminary and final plats.

**(2) Location**

All utilities shall be located in accordance with the standard detail drawing for utility location within the right-of-way of subdivisions as shown on Plate 4 and Plate 4A and shall be shown on the typical roadway section of the preliminary plans. Hall County strongly encourages the utilization of a joint trench for the power, telephone, fiber optic, and cable lines.

**(3) Width of Easements Along Rear or Side Lot Lines**

Utility easements for sewage lines, water lines, or other such utilities located along rear lot lines or side lot lines or passing through a lot shall be at least 20 feet wide, 10 feet on each lot, and more if necessary.

**(F) Water and Sewer System Requirements**

**(1) General Requirements**

**a. *Plan Approval Required***

All water and sewer system design plans shall be approved by both the department of public health, State of Georgia Environmental Protection Division, and the county health department. A letter of approval from the Georgia Environmental Protection Division shall be submitted with the final plat. The County Engineer shall approve the construction of all systems. No section or part of this chapter shall be construed to abrogate any existing law or regulation of the Georgia Environmental Protection Division or of the county health department. In cases of conflict, the stricter rule or regulation shall be applied.

**b. *Timing of Completion***

All work on water and sewer systems except final individual service connections shall be completed prior to the filing of the final plat. All installations under the proposed pavement surface should be completed prior to the application of the base course.

**c. Certification Required**

Certification from the department of natural resources, State of Georgia, in the form of an operator's permit, shall be filed with the final plat for each community water or sewer system.

**(2) Water System Generally**

Water systems in subdivisions shall meet the following requirements:

**a. Public Water Systems**

If the subdivider installs a public (i.e., municipal- or county-owned) system, the design and flow characteristics of the owner of that system shall apply.

**b. Community Water Systems**

All community water systems shall meet the following requirements.

1. All main lines of a community system shall be eight inches in diameter. Individual connection shall be made to each lot, and pipe sizes shall not be less than three-fourths of an inch in diameter.
2. Systems constructed in subdivisions shall have an average pressure of 30 pounds per square inch at each lot and shall meet the requirements of Table 17-703.F, Sec. 17-703(E)(2)b.4 and the "Standard Construction Practices for Water and Wastewater Systems, Hall County, Georgia."
3. The system shall be designed by an engineer licensed in the State of Georgia and shall meet the following requirements.

TABLE 17-703.F: INSTANTANEOUS WATER DEMANDS FOR COMMUNITY WATER SYSTEMS	
Total Number of Lots Served	GPM Per Lot
5	8.0
10	5.0
20	4.3
30	3.8
40	3.4
50	3.0
60	2.7
70	2.5
80	2.2
90	2.1
100	2.0
150	1.6
200	1.3
300	1.2
400	.9
500	.8
750	.7
1000	.6
Source: Ameen, Joseph S., Community Water Systems Source Book, p. 50, Technical Proceeding, High Point, N.C., 1965.	

4. Fire Hydrants And Valves

Fire hydrants shall be required for all subdivisions with water systems. Fire hydrants shall be located no more than 1,000 feet apart and at least six feet behind the curb or ditch line. To eliminate future street openings, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other water supply improvements, shall be installed before any base course application of a street shown on the subdivision plat. All fire hydrants shall be set plumb with outlets 18 inches above finished grade or 12 inches above a finished concrete surface. No valves shall be located within the pavement or curb area.

(3) **Sewer systems generally.**

Sewer systems in subdivisions shall meet the following requirements:

a. ***Public Sewer Systems***

If the subdivider installs a public (i.e., municipal- or county-owned) system, the design characteristics of the owners of that system shall apply.

b. ***Community Sewer Systems***

All community sewer systems shall meet the following requirements.

1. ***Construction Standards***

All Community sewer systems shall be designed in accordance with the county "Standard Construction Practices for Water and Wastewater Systems" manual and approved by the County Engineer prior to obtaining approval from either the Georgia Department of Natural Resources or the county health department, as applicable.

2. ***Approval Of Connections Required***

All connections to residences, mobile homes and commercial and industrial buildings shall be approved by the authority issuing the community system construction or operation permit.

3. ***Design by Licensed Engineer Required***

Any sewer system shall be designed by an engineer licensed in the State of Georgia.

(G) **Storm Water Management and Drainage**

(1) **Dams**

All dam design plans must be approved by the County Engineer and the department of natural resources in accordance with the Safe Dam Act, O.C.G.A. § 12-5-370.

(2) **Construction Standards**

a. The storm water drainage system and easements shall be separate and independent of any sanitary sewer system and easement.

- b. Storm sewer design hydrology shall be by the rational method for drainage areas of 500 acres or less, and by the Soil Conservation Service method for drainage areas exceeding 500 acres. Other methods require prior approval by the County Engineer. A copy of design computations for ten-year storms shall be submitted along with the construction plans. Inlets shall be provided so that surface water is not carried for a distance of more than 600 feet in the gutter. When calculations or street design indicate that curb capacities are exceeded at a point, no further allowance shall be made for flow beyond that point, and basins shall be used to intercept flow at that point. All turnarounds shall require standard vertical curb section for negative grades.
  
- c. When storm drain pipe is required, it shall extend along the right-of-way to a natural and adequate drainage way or otherwise along an easement to the rear property lot boundary, subdivision boundary, 200 feet from the right-of-way or 25 feet beyond the rear setback of the adjoining lot. In no case shall water from a storm drain pipe, constructed ditch, or storm water management facility discharge onto an adjacent property without adequate drainage structures or natural or constructed drainage features to carry the water through the adjacent property and into an adequate natural drainageway. [Revised]

**(3) Drainage of Springs or Surface Water**

The applicant will be required to carry away by pipe any spring or surface water that may exist either previously to or as a result of the subdivision. Such drainage facilities shall be located or in perpetual unobstructed easements (minimum width 15 feet), and shall be constructed in accordance with the construction standards and specifications.

**(4) Accommodation of Upstream Drainage Areas**

A culvert, cross drain, or other drainage facility, other than storm sewers as defined, shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The County Engineer shall approve the necessary size of the facility that has been designed based on a 25-year storm and on the provisions of the construction standards and specifications assuming conditions of maximum potential development density permitted by the Unified Development Code.

**(5) Effect on Downstream Drainage Areas**

A hydrologic study may be required to determine the effect of the subdivision on existing downstream drainage facilities outside the area of the subdivision improvements. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the planning commission may withhold approval of the subdivision until provision has been made for the improvement of said potential condition in such sum as the planning commission shall determine. No preliminary plans for subdivision streets shall be approved unless adequate drainage will be provided to an adequate watercourse or facility.

**(6) Drainage Easements Required**

Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming

substantially to the lines of such watercourse, and of such width and construction or both as will be adequate for the purpose. Whenever possible, it is desirable that the drainage be maintained by an open channel with grassed or landscaped banks and adequate width for maximum potential volume of flow.

**(7) Dedication of Drainage Easements**

- a. Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual unobstructed easements at least 20 feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements for all storm water outlets shall be indicated on the plat. Drainage easements shall be carried from the road through a natural or constructed watercourse or to other drainage facilities.
- b. The applicant shall dedicate by drainage or conservation easement, land on both sides of existing watercourses, for a distance of ten feet on each side or wider as determined by the County Engineer.
- c. Low-lying land along watercourses subject to flooding or overflowing during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways.

**(H) Street Lighting**

**(1) Ratification of Existing Districts**

The governing authority of Hall County ratifies its action creating special taxing districts for street lights in unincorporated areas as shown by the records in the office of the Hall County Traffic Engineer.

**(2) Responsibility for Costs; Application and Administrative Fees; Retirement of Existing Contracts.**

- a. The cost of providing and maintaining street light service in existing street light districts, and in street light districts created in the future, shall be born by the residents, lot owners and property owners receiving that service regardless of whether their residence, lot or property is located within the boundaries of a particular subdivision. The charge shall be a one-time application fee plus a pro-rata share of service costs charged to Hall County plus the retirement of any construction cost plus an annual fee for administrative costs. In the event of excessive vandalism to street lights within a district that results in Hall County being billed for repairs, Hall County may prorate those repair bills and add a pro-rata share of those bills to the charge.
- b. In those districts in which there are construction costs, the same shall be retired as per agreement or contract with the public utility or other person to whom the indebtedness is owed, and shall be billed accordingly per "tax lot or parcel."
- c. All plats for subdivisions that utilize a street light system must show the following statement: "This subdivision has a street light system, and the property owners shall be responsible for all financial obligations of the street light system."

- d. All subdivisions governed by covenants that utilize a street light system must reflect the following statement as one of the covenants: "This subdivision has a street light system, and the property owners shall be responsible for all financial obligations of the street light system."

**(3) Tax Lot or Parcel Defined; Costs for Nonresidential Lots**

Tax lot or parcel is hereby defined as any single tract of land that falls within any of the zoning classifications, as defined by the zoning and planning ordinance of Hall County adopted on August 28, 1978, as amended, and as shown on the Hall County land lot maps; provided, however, that in areas zoned for purposes other than single-family residential, different criteria may be adopted by the board of commissioners for the payment of energy costs, application and administrative fees, and retirement of construction costs.

**(4) Payment Date; Delinquencies**

The due date for the payment of street lighting assessment charges herein provided for shall be the same date of each year as tax bills are due to the Hall County Tax Commissioner. Failure to pay shall subject the responsible party to the same liens and penalties provided for failure to pay other real estate taxes, and will result in the delinquency of the entire account, and not be deemed paid until all real estate taxes are paid in full.

**(5) Responsibilities of Revenue Collections Department**

The billing, accounting, collecting, and receiving of the moneys provided for shall be the responsibility of the finance and tax commissioners departments of Hall County.

**(6) Conformance by Subdivision Developer; Acceptance of Public Ways**

- a. The owner, developer or other person developing a subdivision shall be required to conform to all of the standards herein provided for.
- b. The Hall County Board of Commissioners may not accept any public streets or roads proposed to be dedicated until such time as the provisions hereof have been complied with.

**(7) Procedures to be Followed by Subdivision Developers**

Street lights shall be required to be provided by the developers of all new subdivisions involving new streets, unless waived by the Hall County Board of Commissioners on recommendation of the planning commission. Unless so waived, the developer, at the time of submission of the preliminary plat of the subdivision, shall present a street light layout prepared by the utility company that will provide the street light service in the subdivision. At the time of and as a requirement of the submission of the final plat, unless waived by the Hall County Board of Commissioners on recommendation of the planning commission as herein provided, the developer shall:

- a. Submit a final street light layout prepared by the utility company that will provide the lighting service showing exact location of street lights within the subdivision. This drawing must be approved by the Hall County Traffic Engineer prior to obtaining any building permit within that subdivision. Said layout may be shown on the final plat. Fixtures and standards/poles installed or used shall be approved by the utility company that will be responsible for the maintenance of the facilities and Hall County. The fixtures shall be mounted a minimum of 16 feet above the ground, and shall have appropriate design to place the majority of the light output over the street. One light shall be located at each street intersection, and one light shall be located in each cul-de-sac within the subdivision.
- b. Pay all costs for standards/poles, fixtures, and any other related items or materials necessary for the installation.
- c. Submit proof of payment for complete installation to the Hall County Traffic Engineer.
- d. Submit a copy of an executed agreement with the utility company for complete maintenance of all installations.

**(8) Subdivisions With Underground Electric**

In subdivisions utilizing underground cable for electrical service, the developer(s) shall be required to accomplish the same items listed in the preceding sections of this Ordinance.

**(9) Lighting in Areas Other Than Single-Family Residential**

Street lighting in districts other than single-family residential shall be permitted only:

- a. With the approval of the Hall County Traffic Engineer subject to the safety, economic and other factors involved; and
- b. Upon final approval by the board of commissioners of Hall County; and
- c. Upon compliance with the standards hereinafter provided for.

**(10) Installation and Operation Standards Adopted**

In order to insure adequate illumination of public rights-of-way and promote safety and security, the "American National Standard Practice for Roadway Lighting of the Illuminating Engineering Society," as approved by the American National Standards Institute (1993), as amended, is hereby adopted as the standard for the installation and operation of lighting in the unincorporated areas of Hall County, and in addition:

- a. ***Minimum Level of Illumination***  
Lighting fixtures installed within the public rights-of-way to be operated for the purpose of street illumination shall comply with these standards. The minimum average horizontal footcandle illumination level by roadway classification shall be:

<b>TABLE 17-703.G: Minimum Footcandle Illumination for Street Lighting</b>			
<b>Roadway Classification</b>	<b>Commercial Area</b>	<b>Intermediate Area</b>	<b>Residential Area</b>
<b>Major</b>	1.2	0.9	0.6
<b>Collector</b>	0.8	0.6	0.4
<b>Local or Residential</b>	0.6	0.5	0.3

**b. *Uniformity of Illumination***

The uniformity of illumination shall be such that the point of lowest illumination shall have at least one-third of the average horizontal footcandle required illumination level, except that on local or residential streets it may be not less than one-sixth of this average. In no case, unless extenuating circumstances exist, fixtures for residential street lighting shall be required to be closer than 200 feet together, nor fixtures for all other roadways be closer than 100-foot spacing.

**c. *Approval Required***

Any party requesting permission to install or operate lighting fixtures within public rights-of-way shall furnish plans and specifications to the Hall County Traffic Engineer for approval showing how the proposed lighting meets the standards, and no lighting shall be installed or operated without this approval. Should the Hall County Traffic Engineer disapprove the request to install or operate lighting fixtures within any public right-of-way, he/she shall communicate the disapproval in writing to the party requesting approval. The written communication shall include the specific reasons for disapproval. Any disapproval of a light or lighting system by the Hall County Traffic Engineer may be appealed to the board of commissioners. If any party desires to appeal an adverse decision by the Hall County Traffic Engineer within 30 days from the date following the written notice of disapproval, it shall be the responsibility of the Hall County Traffic Engineer to transmit forthwith to the board of commissioners all papers and allied documents constituting the record upon which the action appealed from was taken, and to insure that the appeal is promptly placed upon the agenda of the board of commissioners for its determination. The board of commissioners may reverse or affirm, wholly or partly, or may modify, the order, requirement, decision or determination appealed.

**d. *Security Lights***

Roadway or street lighting luminaries or fixtures installed within the public rights-of-way as "security lights" or for the purpose of lighting areas other than the public streets should be mounted on the side of the pole opposite from the street, and shall be oriented in such a manner to insure that the lateral light distribution pattern is parallel to the street and the vertical light distribution, at the initial light source, is perpendicular to the street, so as to protect the users of the street from objectionable glare.

**e. *Other Lighting Fixtures***

Other lighting fixtures to be installed within or outside of public rights-of-way for whatever purpose shall be installed and operated in such a manner to prevent glare from being a hazard to or interfering with the normal use of the public rights-of-way.

**(11) Contracting With Public Utilities**

The board of commissioners may contract with public utilities for the purpose of carrying out the terms of this article.

**(I) Installation of Custom Support Signage Assemblies on County Rights-Of-Way**

**(1) Purpose**

The purpose of this section is to allow a duly constituted maintaining authority the privilege to install and maintain custom traffic sign support assemblies within the maintaining authority's designated subdivision. Permission shall be obtained from the Hall County Department of Public Works.

**(2) Maintaining Authority**

**a. Designation**

During residential subdivision construction and/or prior to the legal formation of a homeowners association, the developer will be the maintaining authority.

**b. Responsibilities**

The maintaining authority shall install and maintain all custom support traffic sign assemblies within the maintaining authority's jurisdiction, and will assume all costs associated with such installation and maintenance.

**c. Liability**

The maintaining authority willfully accepts any and all liability that may arise from the use of custom support traffic sign assemblies. The maintaining authority also agrees to hold harmless Hall County, Hall County Department of Public Works, and duly authorized representatives from any and all liability that may be incurred from the use of custom traffic sign assemblies.

**(3) Regulations for Installation and Maintenance**

Installation and maintenance of custom support traffic sign assemblies shall comply with those standards set forth in the Hall County Unified Development Code Administration Manual.

**(4) Inspections**

Hall County will make periodic inspections for substandard signage assemblies. If substandard assemblies are found, the maintaining authority will be notified. If the maintaining authority fails to replace the defective signs and/or supports within the applicable time constraints outlined in Hall County Unified Development Code Administration Manual, Hall County will install county standard sign assemblies and bill the maintaining authority for materials and labor.

**(5) Failure to Adequately Maintain the Signage Assemblies**

If the maintaining authority fails to adequately maintain the signage assemblies within its jurisdiction, Hall County may revoke the permit and assume maintenance of all affected signage. Once the permit has been revoked and Hall County has assumed maintenance,

all custom support signage assemblies will be removed and replaced with standard signage assemblies. The cost for this process will be assessed to the maintaining authority.

**(6) Request to Relinquish Maintenance of Custom Supports and Signage Assemblies**

If the maintaining authority wishes to relinquish maintenance of custom supports and signage assemblies, a written request with a petition signed by 70 percent of the maintaining authority's membership shall be provided to the director of the Hall County Public Works Department. The request will be evaluated and along with a recommendation forwarded to the Hall County Board of Commissioners for consideration. If approved, Hall County will remove all custom signage support assemblies and install Hall County standard signage assemblies. The cost for this process will be assessed to the maintaining authority.

**(7) Authorization to Remove Signage**

Any signage that has been installed by Hall County may not be removed and/or replaced by the maintaining authority without authorization from the Hall County Traffic Engineer.

**(J) Adequate Off-Site Facilities and Services**

Where the planning commission concludes that a proposed subdivision will create impacts on surrounding streets, utilities, or other facilities that cannot be adequately offset through the construction of on-site facilities, the planning commission may require the construction of off-site streets or other facilities sufficient to offset the anticipate impacts of the proposed development. In no event, however, shall the planning commission require a subdivider to provide off-site facilities for purposes of granting a general public benefit beyond offsetting the impacts of the proposed subdivision.

**(K) Inspections**

Periodic inspection during the installation of the required improvements in a subdivision shall be made by the engineering department to insure conformity with the approved plans and specifications. The inspection of all construction is required. The subdivider shall notify the inspection authority when each phase of the installation is completed and ready for inspection, and at least 24 hours prior to the covering of the work. If the developer's failure to comply with applicable county regulations creates the need for a re-inspection, the developer may be required to pay an administrative fee to Hall County prior to such reinspection. If work continues after a failed inspection, the County Engineer may issue a stop work order pursuant to section 17-907 (B). Requirements for inspection schedules and responsible reviewing authorities are set forth in the Hall County Unified Development Code Administration Manual

**(L) Completion of Improvements Required Prior to Occupancy**

Within each phase of development, no building may be occupied for dwelling or other purposes nor shall an occupancy permit be issued for any building until all streets and required utility installations, including the water supply and sanitary sewer systems, have been completed to the satisfaction of the County Engineer and the building official.

**(M) Performance and Maintenance Bonds**

**(1) Generally**

Final approval by the planning director shall not be shown on the final plat until all requirements of these regulations have been met and the County Engineer has certified by letter or endorsement on the plat that a maintenance bond (either in the form of a guaranty bond or cash deposited for the county in escrow), or an irrevocable letter of credit, has been received providing for the maintenance of all installations and improvements required by these regulations for a period of 15 months following the date of final plat approval for base, paving, grassing, storm water management facilities, and sidewalks. Either a guaranty bond or escrow must be accompanied by completed forms provided by the county engineering department. Irrevocable letters of credit must be valid for a minimum 24 months from the date of issuance.

**(2) Alternative Scenarios**

The maintenance bond will be based on one of the following scenarios:

**a. Residential Developments Without Sidewalks**

Maintenance bond will equal 20 percent of base, paving, grassing and storm water management facilities on those subdivisions in which the one inch "F" mix asphalt topping is placed prior to final platting. Maintenance bond will equal 30 percent of base, paving, grassing and storm water management facilities on those subdivisions in which the one inch "F" mix asphalt topping is placed after final platting. Note: Private developments will need to provide a performance bond for 100 percent of the cost of the one inch "F" mix asphalt topping (if placed after final platting).

**b. Residential Developments With Sidewalks**

Maintenance bond will equal 20 percent of base, paving, grassing, storm water management facilities, and sidewalks on those subdivisions in which the one inch "F" mix asphalt topping is placed prior to final platting. Maintenance bond will equal 30 percent of base, paving, grassing, storm water management facilities, and sidewalks on those subdivisions in which the one inch "F" mix asphalt topping is placed after final platting. Note: Private developments will need to provide a performance bond for 100 percent of the cost of the one inch "F" mix asphalt topping (if placed after final platting).

**c. Nonresidential Developments**

Maintenance bond will equal 20 percent of base, paving, and grassing.

**(3) Confirmation**

The County Engineer shall confirm that

- a.** All improvements and installations to the subdivision required for approval of the final plat under the rules and regulations of the county have been completed in accordance with the appropriate specifications; and

- b. All of the drainage and retention facilities, grading, water and sewer utilities, street base and curbing construction, and grassing required for approval of the final plat have been completed.

**(4) Additional Requirements**

- a. Storm water management facilities will need to be cleaned of silt accumulation and maintained as provided in Sec. 8.150.110 prior to release of bonds.

**17-704 FINAL APPROVAL**

Whenever the provisions of these regulations have been complied with and while the certificate of preliminary plat approval is in effect, the subdivider may apply for final approval of the subdivision. Final approval of the subdivision plat shall be in accordance with Sec. 17-202(G) (Subdivision Review and Procedures) and Hall County Unified Development Code Administration Manual. The final plat shall conform to the preliminary plat and it may constitute only that portion of the approved preliminary plat that the subdivider proposes to record and develop at any one time, provided that such portion conforms to the staging established in preliminary plat procedure and to the requirements of these rules and regulations.

**17-705 SPECIFICATIONS FOR MAPS AND PLATS**

Maps or plats to be filed and recorded in the office of the clerk of superior court shall be prepared in accordance with all applicable requirements of state law and those standards addressing scales, formats, required information, supplemental information, supporting studies and documents, and compliance with other regulations set forth in Hall County Unified Development Code Administration Manual. In addition, if county staff determine that the impacts of a proposed development or activity cannot be evaluated without additional information from the applicant, staff shall be authorized to request such additional information in writing from the applicant, and the application shall not be deemed complete until such information is received by the county.

**17-706 PROPERTY OWNERS' ASSOCIATIONS**

**(A) Declaration of Covenants and Restrictions Required**

If open space, amenities or other common areas within a subdivision or development are to be owned and maintained by a property owners association, the developer or subdivider shall file a declaration of covenants and restrictions that will govern the association, to be submitted with the application for preliminary plan or plat approval.

**(B) Declaration Contents**

The declaration provisions shall include, but not be limited to, the following:

- (1) The property owners association shall be established before the homes or lots are sold;
- (2) Membership shall be mandatory for each lot or home buyer and any successive buyer;
- (3) Any open space restrictions shall be permanent, not just for a period of years;

- (4) The association shall be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities;
- (5) Property owners shall pay their pro rata share of the cost, and the assessment levied by the association can become a lien on the property if allowed in the master deed establishing the homeowners association; and
- (6) The association shall be able to adjust the assessment to meet changed needs and demands.

## **17-707 MAINTENANCE AND REPAIR**

### **(A) Medians**

Median maintenance shall be the responsibility of the subdivider or a homeowners' association. The completed covenants for the subdivision and any documents establishing a property owners' association shall be submitted for review. These documents shall include a provision that would assure maintenance of the median. These documents shall be recorded simultaneously with the final plat and/or prior to the sale of any lots within the subdivision. If the median ceases to be maintained for any reason, the county shall have the option of removing same without notification.

### **(B) Sidewalks**

#### **(1) Inspection**

Sidewalks on county right-of-way will be inspected by Hall County Road Maintenance Division on a periodic basis, and as directed by citizen concern, to see that the sidewalks are in a safe and suitable condition for public use and travel.

#### **(2) Unsafe or Unsuitable Condition**

Whenever a sidewalk is determined by the Hall County Road Maintenance Engineer to be in an unsafe or unsuitable condition for public use or travel, a notification letter will be sent to the adjoining landowner. The landowner is responsible for the financial obligations of the cost of the repair work necessary to bring the sidewalk back to a safe and suitable condition, and the notification letter will indicate such.

#### **(3) Landowner Options**

Upon receiving the notification letter, the landowner has three options in repairing the sidewalk:

- a. The landowner may repair the sidewalk. Hall County Engineering will inspect the sidewalk repair work, and any inconsistencies with the sidewalk specifications will need to be corrected. Sidewalks not repaired within 60 days of receiving the notification letter will be repaired by Hall County as provided in subsection c. below.
- b. A subcontractor hired by the landowner may repair the sidewalk. Hall County Engineering will inspect the sidewalk repair work, and any inconsistencies with

the sidewalk specifications will need to be repaired. Sidewalks not repaired within 60 days of receiving the notification letter will be repaired by Hall County as provided in subsection c. below.

- c.** The landowner may choose to allow Hall County or its representatives to repair the sidewalk. Charges will be assessed to the landowner, and the cost of the repairs will be as per the most current Georgia Department of Transportation Item Mean Summary, or in accordance with actual Hall County contractual bid prices. The landowner may choose to make a payment to Hall County directly at the time repairs are complete, or money may be collected from applicable landowners using a special tax district as provided in Sec. 17-710(B)(3)d.